

11 NCAC 04 .0423 ETHICAL STANDARDS

(a) Every agent, limited representative, broker, adjuster, appraiser, or other insurer's representative shall, when conducting insurance business with a member of the public:

- (1) identify himself or herself and his or her occupation; and
- (2) provide his or her National Producer Number and the Department's website address and phone number for verification of licensure status when requested to show proof of licensure by any claimant, any repairer while he or she is investigating a claim or loss, any Department representative, or any other person with whom he or she has contact while performing his or her insurance business.

(b) No claims management person, agent, agency employee, limited representative, broker, adjuster, appraiser, or other insurer's representative shall:

- (1) accept any gratuity or other form of remuneration from any provider of services for recommending that provider to claimants;
- (2) purchase salvage from a claimant;
- (3) intimidate or discourage any claimant from seeking legal advice or counsel by withdrawing and reducing a settlement offer previously tendered to the claimant or threatening to do so if the claimant seeks legal advice or counsel. No adjuster shall advise a claimant of the advisability of seeking legal counsel nor recommend any legal counsel to any claimant; or
- (4) cause a delay in the settlement of a property damage claim on account of the claimant's choice of a motor vehicle repair service.

(c) No claims management person, agent, agency employee, limited representative, broker, or other insurer's representative shall recommend the utilization of a particular motor vehicle repair service without informing the claimant that he or she is under no obligation to use the recommended repair service and that he or she may use the service of his or her choice.

*History Note: Authority G.S. 58-2-40; 58-33-130; 58-35-25; 58-63-65; 58-65-40;
Eff. December 15, 1979;
Amended Eff. October 1, 2010; April 1, 1993; April 1, 1989; July 1, 1986;
Readopted Eff. November 1, 2021.*