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**IDAPA 18
TITLE 01
CHAPTER 44**

18.01.44 – SCHEDULE OF FEES, LICENSES, AND MISCELLANEOUS CHARGES

000. LEGAL AUTHORITY.

This rule is promulgated and adopted pursuant to the authority vested in the Director under Title 41, Chapter 2, Idaho Code, and Title 41, Chapter 4, Idaho Code. (7-1-00)

001. TITLE AND SCOPE.

01. Title. This rule shall be cited in full as Idaho Department of Insurance Rule, IDAPA 18.01.44, “Schedule of Fees, Licenses, and Miscellaneous Charges.” (7-1-00)

02. Scope. The purpose of this rule is to provide for the amounts that the director shall collect for fees, licenses and miscellaneous charges. (7-1-00)

002. WRITTEN INTERPRETATIONS.

In accordance with Section 67-5201(19)(b)(iv), Idaho Code, this agency may have written statements which pertain to the interpretation of the rules of this chapter, or to the documentation of compliance with the rules of this chapter. These documents will be available for public inspection and copying in accordance with the public records act. (3-19-07)

003. ADMINISTRATIVE APPEALS.

All contested cases shall be governed by the provisions of IDAPA 04.11.01, “Idaho Rules of Administrative Procedure of the Attorney General.” (7-1-00)

004. INCORPORATION BY REFERENCE.

There are no documents to be incorporated by reference. (3-19-07)

005. OFFICE – OFFICE HOURS – MAILING ADDRESS AND STREET ADDRESS.

01. Office Hours. The Department of Insurance is open from 8 a.m. to 5 p.m. except Saturday, Sunday and legal holidays. (3-19-07)

02. Mailing Address. The department’s mailing address is: Idaho Department of Insurance, P.O. Box 83720, Boise ID 83720-0043. (3-19-07)

03. Street Address. The principal place of business is 700 West State Street, 3rd Floor, Boise, Idaho 83720-0043. (3-19-07)

04. Web Site Address. The department’s website is <http://www.doi.idaho.gov>. (3-19-07)

006. PUBLIC RECORDS ACT COMPLIANCE.

Any records associated with these rules are subject to the provisions of the Idaho Public Records Act, Title 74, Chapter 1, Idaho Code. (3-19-07)

007. -- 010. (RESERVED)

011. FEES PAYABLE IN ADVANCE.

The director shall collect in advance, and persons so served, shall pay to him in advance, fees, licenses, and miscellaneous charges as outlined in this rule. (7-1-00)

012. -- 019. (RESERVED)

020. INSURER FEES.

01. Annual Continuation Fee. All insurers and other entities (set forth in Section 020) licensed, listed, or otherwise approved to do business in the state of Idaho shall pay an annual continuation fee. (7-1-00)

a. The annual continuation fee shall be due on March 1st each year and shall provide for payment of the insurer's fees due through the last day of February next proceeding. (7-1-00)

b. The annual continuation fee shall be charged at the time the insurer applies for admission to do business in the state of Idaho. If the application is approved, the fee paid shall cover the insurer's fees through the last day of February next proceeding. (7-1-00)

02. Fee for Insurers. For all insurance companies receiving a certificate of authority pursuant to Chapter 3, Title 41, Idaho Code, the amount of the annual continuation fee shall be as follows: (7-1-00)

a. If insurer's surplus as regards policyholders at the preceding December 31 is less than ten million dollars (\$10,000,000) - One thousand dollars (\$1,000). (7-1-00)

b. If insurer's surplus as regards policyholders at the preceding December 31 is ten million (\$10,000,000) or more, but less than one hundred million (\$100,000,000) -- Two thousand five hundred dollars (\$2,500). (7-1-00)

c. If insurer's surplus as regards policyholders at the preceding December 31 is one hundred million (\$100,000,000) or greater - Four thousand five hundred dollars (\$4,500). (7-1-00)

03. Fees of Other Entities. For the following entities, the amount of the annual continuation fee shall be: (7-1-01)

a. Five hundred dollars (\$500): (7-1-01)

i. Accredited reinsurers, listed pursuant to Section 41-514(1)(b), Idaho Code. (7-1-00)

ii. Trusteed reinsurers, listed pursuant to Section 41-514(1)(d), Idaho Code. (7-1-00)

iii. Authorized surplus line insurers. (7-1-00)

iv. County mutual insurers. (7-1-00)

v. Fraternal benefit societies. (7-1-00)

vi. Hospital and/or professional service corporations. (7-1-00)

vii. Hospital liability trusts. (7-1-00)

viii. Self funded health care plans. (3-24-16)

ix. Domestic Risk retention groups. (7-1-01)

x. Petroleum clean water trusts. (7-1-00)

xi. Rating organizations. (7-1-00)

xii. Advisory organizations. (7-1-00)

b. One hundred dollars (\$100): (7-1-01)

i. Purchasing groups. (7-1-00)

04. What Payment of Fee Shall Cover. Payment of the annual continuation fee shall be deemed to be

payment of all fees that would ordinarily be paid to the Department by the insurer or entity during the relevant year, including, but not limited to, the following: (7-1-00)

- a. Certificate of authority renewal, license renewal, and annual registration. (7-1-00)
- b. Arson, Fire and Fraud. (7-1-00)
- c. Annual statement filing. (7-1-00)
- d. Agent appointment and renewal of appointment. (7-1-00)
- e. Filings under Chapter 38, Title 41, Idaho Code, Acquisition of control and insurance holding company systems. (7-1-00)
- f. Filing of amendments to Articles of Incorporation. (7-1-00)
- g. Filing of amendments to Bylaws. (7-1-00)
- h. Amendments to Certificate of Authority. (7-1-00)
- i. Filing of notice of significant transactions pursuant to Section 41-345, Idaho Code. (7-1-00)
- j. Quarterly statement filing. (7-1-00)
- k. Examination expenses. (3-24-16)

05. Fees Not Included. Payment of the annual continuation fee will not exempt the insurer or entity from the following: (7-1-00)

- a. Fees for application for producer license. (7-1-00)
- b. Costs incurred by the Department for investigation of an applicant for producer license. (7-1-00)
- c. Attorney's fees and costs incurred by the Department when allowed pursuant to Idaho Code. (7-1-00)
- d. Costs incurred for experts and consultants when allowed by Idaho Code. (7-1-00)
- e. Penalties or fines levied by or payable to the Department of Insurance. (7-1-00)
- f. All fees set forth under Section 040. (7-1-00)

06. Failure to Pay Fee. Failure to pay the annual continuation fee on or before March 1st each year shall be treated as failure to pay the continuation fee and will result in expiration of the insurer's or entity's authority to do business in the state of Idaho pursuant to Section 41-324, Idaho Code. (7-1-00)

07. Reinstatement Fee. The reinstatement fee referenced in Section 41-324(3), Idaho Code, shall be the amount referenced above for the insurer or entity continuation fee. (7-1-00)

021. -- 029. (RESERVED)

030. PRODUCER AND MISCELLANEOUS LICENSING FEES.

01. Original License Application. The following fees are due and must be paid with the filing application for original license, which fees include the issuance of a license, if issued: (3-13-02)

- a. Administrators -- three hundred dollars (\$300). (7-1-00)

- b. Producers -- eighty dollars (\$80). (3-13-02)
 - c. Designation as a managing general agent -- eighty dollars (\$80). (3-13-02)
 - d. Adjusters and public adjusters -- eighty dollars (\$80). (3-24-16)
 - e. Reinsurance intermediary -- eighty dollars (\$80). (3-13-02)
 - f. Surplus line brokers -- eighty dollars (\$80). (3-13-02)
 - g. Life settlement providers -- five hundred dollars (\$500). (3-29-10)
 - h. Life settlement brokers -- three hundred dollars (\$300). (3-29-10)
 - i. Independent review organization -- five hundred dollars (\$500). (3-29-10)
 - j. Vendor of portable electronics insurance, a type of limited lines producer: (3-27-13)
 - i. A vendor of portable electronic insurance who is engaged in portable electronic transactions at more than ten (10) locations in the state of Idaho -- one thousand dollars (\$1,000). (3-27-13)
 - ii. A vendor of portable electronic insurance who is engaged in portable electronic transactions at ten (10) or fewer locations in the state of Idaho -- one hundred dollars (\$100). (3-27-13)
- 02. Examination Fees.** The following fees are due and must be paid in order to take examinations for the following licenses: (3-13-02)
- a. Producers, public adjusters, and adjusters -- application for examination and each time taken -- a fee set forth by contract between the department and third-party testing vendor, which entire amount is to be paid by the applicant to the vendor and retained by the vendor. (3-24-16)
- 03. Fingerprint Processing.** Processing fingerprints (when required) -- not to exceed eighty dollars (\$80). (3-27-13)
- 04. License Renewal.** The following fees are due and must be paid for each license in order to renew or continue each and every license: (3-13-02)
- a. Adjusters, public adjusters, and producers (biennial) -- eighty dollars (\$80), or sixty dollars (\$60) if renewed electronically. (3-24-16)
 - i. A vendor of portable electronic insurance who is engaged in portable electronic transactions at more than ten (10) locations in the state of Idaho -- five hundred dollars (\$500). (3-27-13)
 - ii. A vendor of portable electronic insurance who is engaged in portable electronic transactions at ten (10) or fewer locations in the state of Idaho -- one hundred dollars (\$100). (3-27-13)
 - b. Redesignation as managing general agent (annual) -- eighty dollars (\$80). (3-13-02)
 - c. Administrators (biennial) -- eighty dollars (\$80). (3-19-07)
 - i. Renewal form shall be filed on or before December 31. (3-19-07)
 - ii. Any renewal form postmarked after December 31 shall include a penalty in an amount equal to the renewal fee. (3-19-07)
 - iii. A renewal form postmarked after January 31 must be submitted as a new application with

supporting documents and the full application fee. (3-19-07)

d. Surplus line brokers (biennial) -- eighty dollars (\$80), or sixty dollars (\$60) if renewed electronically. (3-16-04)

e. Life settlement providers (biennial) -- three hundred dollars (\$300). (3-29-10)

f. Life settlement brokers (biennial) -- eighty dollars (\$80). (3-29-10)

g. Independent review organization (biennial) -- three hundred dollars (\$300). (3-29-10)

031. -- 039. (RESERVED)

040. MISCELLANEOUS FEES.

Miscellaneous fees shall be as follows. (7-1-00)

01. Certified Copy. Certified copy of certificate of authority, license or registration - Fifty dollars (\$50). (7-1-00)

02. Certificate Under Seal. Director's certificate under seal (except for those under Subsection 040.01 of this rule) - Twenty dollars (\$20). (7-1-00)

03. Documents Filed. For each copy of document filed in his office, a reasonable cost as fixed by the director. For rate and form filings not submitted electronically through the national System for Electronic Rate and Form Filing (SERFF) -- Twenty dollars (\$20) for each rate or form filed in excess of ten (10) per calendar year. (4-9-09)

04. Life Insurance Valuation. For valuing life insurance, actual cost of valuation but not to exceed one cent (\$.01) for each one thousand dollars (\$1,000) of insurance. (7-1-00)

05. Insurer Service of Process. For receiving and forwarding copy of summons or other process served upon the director as process agent of an insurer -- Thirty dollars (\$30). (7-1-00)

06. Agent Service of Process. For receiving and forwarding copy of summons or other process served upon the director as process agent of a nonresident producer or other person for which the director is authorized to serve as statutory agent for service of process -- Thirty dollars (\$30). (3-24-16)

07. Continuing Education. Filing continuing education applications for approval and certification of subjects of courses (each application) -- Twenty-five dollars (\$25). (7-1-00)

08. Small Employer Health Program. Administrative expenses incurred in implementing and approving Idaho small employer health reinsurance program and plan of operation: (7-1-00)

a. Initial deposit for program setup, approval and processing - One thousand dollars (\$1,000). (7-1-00)

b. Any additional reasonable expenses incurred in establishing and maintaining the program. (7-1-00)

c. Annual filings of Board, pursuant to Section 41-4711(12), Idaho Code - Three hundred dollars (\$300). (7-1-00)

041. -- 049. (RESERVED)

050. REFUNDS.

All fees, licenses, and miscellaneous charges are non-refundable except as noted. (7-1-00)

051. OVERPAYMENTS.

Overpayments of published fees will be returned only when such overpayments exceed twenty dollars (\$20), or upon request of the payor. (7-1-00)

052. -- 999. (RESERVED)

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