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**Addendum: for use with Wisconsin Property and Casualty online ExamFX course and study guide version 26634en & 26635en, per exam content outline updates effective 7/15/2022.**

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*The following are **content additions** to supplement your existing text unless otherwise indicated:*

**General Wisconsin Insurance Laws**

**A. Licensing**

**Monetary Forfeiture**

If a violation of an insurance statute specifically involves a consumer who is an adult at risk or who is at least 60 years old, whoever committed the violation must pay the state up to **\$5,000 for each violation**.

**G. Regulation of Specific Clauses in Insurance Contracts**

**5. Privacy of Consumer Information**

Insurers and those who regularly collect personal medical information for insurers are must follow privacy regulations regarding personal medical information and nonpublic personal financial information.

A licensee must provide the consumer with a clear and conspicuous notice of the insurance company's privacy policies and practices concerning nonpublic personal financial information **at least once every 12 months (annually)**.

The notice regarding the disclosure of nonpublic personal financial information must include

- The categories of nonpublic personal financial information that the licensee collects;
- The categories of nonpublic personal financial information that the licensee discloses;
- The categories of affiliates and nonaffiliated third parties to which the licensee discloses nonpublic personal financial information;
- The categories of nonpublic personal financial information about the licensee's former customers that the licensee discloses and to whom;
- An explanation of the consumer's right to opt out of the disclosure of nonpublic personal financial information to nonaffiliated third parties and instructions on how to opt out;
- Any disclosures that the licensee makes under the federal Fair Credit Reporting Act that is, notices regarding the ability to opt out of disclosures of information among affiliates); and
- The licensee's policies and practices with respect to protecting the confidentiality and security of nonpublic personal financial information.

Any form that is used in connection with an insurance transaction and that authorizes the disclosure of personal medical information about an individual to an insurer must

- Present all instructions and other information in plain language;
- Be dated;
- Specify the types of people authorized to disclose information about the individual;
- Specify the nature of the information authorized to be disclosed;
- Name the insurer, and generically identify reference representatives of the insurer, to whom the information is authorized to be disclosed;
- Specify the purposes for which the information is being obtained;
- Specify the length of time authorization remains valid; and
- Advise that the individual, or an authorized representative of the individual, is entitled to receive a copy of the completed authorization form.

## **Wisconsin Casualty Insurance Law**

### **D. Automobile Liability**

#### **3. Required Coverages and Prohibited Exclusions – section revised as follows:**

Every auto liability insurance policy issued in Wisconsin must also contain the following provisions:

- Coverage is extended to any person using the insured motor vehicle to the same extent and in the same manner as to the policyholder, so long as the vehicle is used for the purposes described in the policy; and
- Coverage extends to any person legally responsible for the use of the motor vehicle.

**Uninsured motorist** coverage is **required** in limits of at least \$25,000 per person and \$50,000 per accident.

**Underinsured motorist** is **optional**. If the insured accepts the coverage, the insurer must include coverage in limits of at least \$50,000 per person and \$100,000 per accident.

Coverage to indemnify for medical payments in an amount of at least \$1,000 per person for protection of all persons using the insured vehicle from losses resulting from bodily injury or death.

### **E. Workers Compensation**

Employers must ensure that they are able to pay workers compensation by contracting for workers compensation coverage with insurers authorized to transact workers compensation insurance.

An employer must receive notice within **30 days** after the occurrence of the injury or within 30 days after the employee knew or should have known the nature of the disability and its relation to the employment.

The right to compensation is barred if no compensation is paid and no report made within **2 years** from the date of injury, or within 2 years after the employee knew or should have known the nature of the disability and its relation to the employment.

Filing a claim for workers compensation against an employer or insurer for the injury or death of an employee does not affect the right of the employee, the employee's personal representative, or any other person entitled to bring and maintain a legal action for such injury or death against a third party. The filing of a claim against a third party for damages by reason of an injury which comes under conditions of liability does not affect the right of the injured employee or the employee's dependents to recover workers compensation. An employer or insurer may share in the proceeds collected in third-party suits.

Insurers and employers may arrange for the payment of sickness, accident, or death benefits in addition to the compensation provided by workers compensation.

In situations in which injury was caused by the employer's failure to comply with safety regulations or in which injury is sustained by a minor who was illegally employed, the liability of the employer is primary and the liability of the insurance carrier is secondary.

If an insurer or self-insured employer has evidence that a workers compensation claim is false or fraudulent and is satisfied that reporting the claim will not impede its ability to defend the claim, the insurer or self-insured employer must report the claim to the Department. The Department may require an insurer or self-insured employer to investigate the claim and may provide records relating to that claim.