



COMMONWEALTH OF KENTUCKY  
DEPARTMENT OF INSURANCE  
Frankfort, Kentucky

**ADVISORY OPINION**  
**2011-06**

*The following Advisory Opinion is to advise the reader of the current position of the Kentucky Department of Insurance (the "Department") on the specified issue. The Advisory Opinion is not legally binding on either the Department or the reader.*

**TO:** All Licensees Engaging in the Business of Insurance in Kentucky

**FROM:** Sharon P. Clark, Commissioner

**RE:** Insufficient or Invalid Addresses on File with the Department

**DATE:** October 3, 2011

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The purpose of this Advisory Opinion is to notify all licensees engaging in the business of insurance in the State of Kentucky of the Department's intentions with respect to licensees who fail to maintain current and correct addresses on file with the Department.

As of the date of this Advisory Opinion, the Department has identified over 4,000 licensees with one or more insufficient or invalid addresses on file with the Department. The failure of a licensee to maintain current and correct addresses on file with the Department results in a strain on the Department's resources and requires the Department to duplicate efforts to get important information to licensees.

It is imperative that the Department be able to communicate with licensees about their license(s). Kentucky law, at KRS 304.2-120(4), requires all persons holding licenses to maintain current residence, business and home office, and mailing addresses with the Department. Kentucky law further requires licensees to advise the Department within thirty (30) days of any change in a licensee's address.

The failure to maintain current and correct addresses on file with the Department constitutes a violation of KRS 304.2-120(4) and is sufficient reason to impose a civil penalty against the licensee. If the Department is unable to correspond with a licensee due to an insufficient or invalid address on file, the licensee will be subject to a civil penalty. Penalties may be increased for multiple violations. Further, penalties will be imposed if any one of the addresses on file with the Department is determined to be an insufficient or invalid address.

The Department sends, by US mail, notices and orders that are mandated by statute or regulation, as well as other notices that might impact the continuance of a license. However, in an effort to conserve resources, the Department often sends information to licensees via e-mail. Though maintenance of a valid e-mail address is not, at this time, statutorily required, a licensee may not be getting notices and important information from the Department if the licensee has not maintained a valid e-mail address on file with the Department. The Department requests that each licensee review their contact information and, in doing so, supply the Department with a valid e-mail address to which notices from the Department may be sent.

If you have any questions regarding this Advisory Opinion, please contact the Department's Agent Licensing Division at (502) 564-6004.

/s/ Sharon P. Clark  
Sharon P. Clark, Commissioner  
Kentucky Department of Insurance  
On this 3rd day of October, 2011