K.S.A. 40-214 makes it unlawful for any person to transact the business of insurance unless such person is duly authorized to transact such business. Additionally, K.S.A. 40-4902 and 40-4904 provide more information centered around transacting insurance business in the state of Kansas. The key words of sell, solicit, and negotiate insurance contracts summarize a producer's licensing activity. Based upon the use of these statutes and the evolution into the electronic message world, we note the following guidelines for licensed and unlicensed clerical personnel. These guidelines are not meant to be all-inclusive, and other scenarios may appear which will need to be clarified. Based upon these statutes, please note the following:

Unlicensed clerical personnel (secretaries) may not:

- Quote or estimate rates to a prospective (or present) insured.

- Discuss terms of an insurance contract with a prospective (or present) insured.

- Sign an agent's name to insurance documents.

- Initiate phone calls to prospects for the purpose of gathering underwriting information or fact-finding.

- Perform any action or say anything that would put insurance into force.

Unlicensed clerical personnel (secretaries) may perform basic clerical duties such as:

- Receive premiums for crediting to an account.

- Receive telephone calls or electronic messages reporting additional or replacement items (vehicles, property, drivers) for policies currently in force.

- Dispense brochures and other general information as long as they do not engage in conversation relating to the terms of the contract.

- Obtain underwriting information from credit agencies, the Kansas Motor Vehicle Department, and other insurance agencies or companies.

- Inform the insured as to their coverage as indicated in policy records.

- Arrange appointments for agents.

- Ask for the renewal date of a policy.

If an unlicensed person does either of the last two items above, they should be carefully instructed not to become involved in one or more of the areas listed in the "may not" column.