

## BIOGRAPHICAL AFFIDAVIT AND FINGERPRINT REQUIREMENTS

### TEXAS-DOMESTIC INSURERS

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The Company Licensing & Registration office is given authority to inquire into the competence and fitness of the officers and directors of insurers. Please see:

- Texas Insurance Code, Chapter 801, Subchapter C (Competence, Fitness, or Reputation).
- Texas Administrative Code, Title 28, Part 1, Chapter 1, Subchapter D—Effect of Criminal Conduct.
- Texas Government Code 411.106—Access to Criminal History Record Information: Texas Department of Insurance.

Biographical affidavits are required when a change occurs to a company's officers or directors at any time throughout the year. Fingerprints may need to be run, depending on the circumstances (see Section III. Fingerprinting Requirements).

The forms referenced in each section may be found on our website at <http://www.tdi.texas.gov/forms/form3.html>.

**These instructions are for Texas-Domestic Insurers ONLY (non-HMO).**

#### Section I: BIOGRAPHICAL REQUIREMENTS

Submit an [NAIC Biographical Affidavit UCAA, Form 11](#) for each officer. Make sure the affidavit is correctly completed (see Section II, Important Tips).

Pursuant to Texas Administrative Code, Title 28, Part 1, Chapter 1, Subchapter D, each individual listed in §1.503 (3) and (4) of this subchapter (relating to Application of Fingerprint Requirement), at or near the same time that they submit their biographical information, must also submit fingerprint cards, unless fingerprint requirements have previously been fulfilled. Please see Section III: Fingerprinting Requirements.

Biographical affidavits are required for ALL Directors and **ONLY** the following Officers:

Chief Executive Officer, President, Executive Director, Secretary, Treasurer, Chief Financial Officer/Controller, Chief Operating Officer and Medical Director (if applicable).

**We DO NOT** require biographical affidavits for Vice Presidents or Assistant-officers.

## Section II. IMPORTANT TIPS FOR BIOGRAPHICAL AFFIDAVITS

The Company Licensing & Registration office encounters typical deficiencies, which require correction. Please be sure the affidavits submitted have:

- 1) Company name correctly listed. If the officer/director is elected to the same position for more than one company, make sure all company names are listed. Group names are not acceptable.
- 2) All questions answered. If questions do not apply, please indicate "N/A." If questions are left blank, we must assume they were overlooked, and they will require correction.
- 3) Position correctly listed. We cannot enter a position in our database if it is not listed on the affidavit.
- 4) Applicant MUST sign. In addition, the affidavit must be notarized. We will accept copies as long as they are legible and dated within 3 years (and all other information is still current).
- 5) Holding Company System. If the individual is an officer/director for multiple insurers within a holding company system, please send one biographical affidavit and attach a document listing each affiliated insurer and the appropriate position within that entity.

If a current officer has been elected to a new position, a [Biographical Affidavit Update Form \(FIN324\)](#) reflecting the new position is required.

## Section III. FINGERPRINTING REQUIREMENTS

Commissioner's Bulletin #B-0043-07 dated October 22, 2007, and Commissioner's Bulletin #B-0045-06, issued on December 15, 2006, established fingerprint requirements for officers and directors, effective January 1, 2007.

If an officer has not previously submitted fingerprint cards (for example, in connection with an admission/incorporation or a Form A, or for an insurance agent application), we may require this of you. If you are unsure if the officer has previously fulfilled this fingerprinting requirement, please note so when you submit the biographical affidavit. We can check our records, and notify you when we determine if fingerprints are necessary. Be aware that this will also delay updating our database since we cannot add officers until a background check has been done.

Electronic fingerprinting is available for Texas residents. It is fast and accurate; and in most cases, it will help avoid potential delays in the processing of your submission.

**DO NOT SEND PAPER FINGERPRINT CARDS TO THE TEXAS DEPARTMENT OF INSURANCE. If we receive fingerprint cards, we will shred them or return them to you at your expense.**

The general process for obtaining Electronic Fingerprints is as follows:

1. Schedule a visit online or by phone:  
Online: Go to the [IdentoGO](#) website. Click on "Schedule or Manage Appointment." Phone: Call 888-467-2080. Use service code 11G6QF.
2. Take your photo ID and payment to IdentoGO.
  - See the [DPS memo](#) (PDF) or a list of documents you can use to prove your identity.
  - IdentoGO accepts:
    - o Credit cards: Visa, MasterCard, Discover, and American Express

- o Business checks
- o Money orders
- o Coupon codes (employer accounts)

Personal checks and cash are not accepted.

3. Your fingerprints will be sent electronically to the DPS and the FBI. You won't get a printed fingerprint card.
4. The IdentoGO agent will give you a receipt.
  - Don't throw away the receipt.
  - Attach a copy of the receipt to the application you send to us.
  - Keep the original receipt for your records.

#### When Electronic Fingerprinting is not an option.

If electronic fingerprinting isn't available, you can get hard card ink fingerprints.

1. To ask for a hard card, you can fill out a form online or call IdentoGO.
  - Online:** Go to [IdentoGO](#) website. Click on "Submit a Fingerprint Card by Mail."
  - Phone:** Call 888-467-2080. Let them know you want to use a hard card. You will need to give service code 11G6QF.
2. After you call or fill out the online form, you will need to pay a fee. IdentoGO accepts:
  - Credit cards: Visa, MasterCard, Discover, and American Express
  - Coupon codes (employer accounts)
3. If you fill out the online form, the confirmation document will be emailed to you. If you call, the confirmation document will be mailed to you.
4. Get a copy of your fingerprints from a criminal law enforcement agency.
  - You will need to show your photo ID.
  - Get your fingerprints on a FBI card that includes "Texas Department of Insurance ORI TX920540Z." You can get blank FBI cards from TDI by calling 512-676-6500 or emailing [license@tdi.texas.gov](mailto:license@tdi.texas.gov).
  - Fill out the FBI fingerprint card. The card must be signed by you and the official taking the fingerprints.
5. Mail your fingerprints and confirmation document to IdentoGO. The address is on the confirmation document. Don't mail your fingerprints and confirmation document to TDI with your application.
6. IdentoGO will mail a receipt to you. You can check the status by going to the [IdentoGO](#) website and clicking "Check the Status of your Service."
7. Attach a copy of the receipt to the application you send us. Keep the original receipt for your records.

Attach the receipt to your completed application or filing at the time it is sent to TDI. The receipt allows TDI to locate criminal history information. (NOTE: Should your fingerprints be unacceptable, you will receive a rejection notice from Identogo.)

**► Questions?**

Email us at [CompanyLicense@tdi.texas.gov](mailto:CompanyLicense@tdi.texas.gov) or call 512-676-6365.

- Send biographical affidavits and fingerprint receipts with filings to [CLRFilings@tdi.texas.gov](mailto:CLRFilings@tdi.texas.gov)
- Send Insurer officer and director updates to [CLRBioUpdate@tdi.texas.gov](mailto:CLRBioUpdate@tdi.texas.gov)
- Send HMO officer and director updates to [CLRFilings@tdi.texas.gov](mailto:CLRFilings@tdi.texas.gov)