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Agents Council for Technology Releases Texting Resources

Tools help agents comply with FCC requirements.

ALEXANDRIA, Virginia, Jan. 30, 2018—The Independent Insurance Agents & Brokers of America’s Agents Council for Technology (ACT), in conjunction with the Big “I” Office of the General Counsel, has released a sample text messaging opt-in form and sample terms and conditions to help agents meet the requirements of the federal Telephone Consumer Protection Act (TCPA).

Text messaging gives independent agents a quick and simple way to communicate with clients, on an individual or aggregate basis, regarding policy reminders, new product offerings, and risk management tips. The Federal Communications Commission (FCC) has broadly interpreted the TCPA to regulate nearly all text messaging. The FCC’s interpretation of the TCPA appears to cover all commercial text messages even if they are sent to one person rather than multiple recipients.

Additionally, unlike the rules for some other commercial communications, the FCC has ordered that an existing business relationship does not provide an exemption to the TCPA requirements of obtaining prior express written consent before sending commercial text messages. Therefore, agents should ask clients to opt in to text messaging and provide messaging terms and conditions, even if the agency communicates via text only with existing or prospective clients or when texts are initiated by the client or prospective client. Agents also need to understand the capabilities of their agency management system for text messaging.

“Consumers want to choose how they communicate with their independent agent, and for many consumers texting is at the top of the list,” says Ron Berg, ACT executive director. “We are giving agents the guidance and tools necessary to ensure they comply with the legal requirements for text messaging.”

Agents need to log in to access the [sample opt-in form and terms and conditions documents](#), which are a free member benefit.

[Independent Insurance Agents and Brokers of America](#) (IIABA or the Big “I”) was founded in 1896 and is the nation’s oldest and largest national association of independent insurance agents and brokers, representing a network of approximately a quarter of a million agents, brokers and their employees nationally. Its members are businesses that offer customers a choice of policies from a variety of insurance companies. Independent agents and brokers offer all lines of insurance—property, casualty, life and health—as well as employee benefit plans and retirement products.

The Agents Council for Technology (ACT) was established in January 1999 by the Independent Insurance Agents and Brokers of America (IIABA or the Big "I") to provide a candid, action-oriented forum to address the critical workflow and technology issues facing the independent agency system. ACT helps participants understand the perspectives of the other stakeholders in the process and provides excellent networking opportunities with the participants who are shaping the future for the industry on these issues.

ACT members include:

Industry associations and consultants: ACORD, CSIO, IIABA, Insurance Brokers Association of Canada, Angela Adams Consulting Services, Steve Anderson Consulting, WSIA

Technology providers: Applied Systems/IVANS, AssureSign, BrokerLift, Citrix Sharefile, CoreLogic Insurance Solutions, CyberClearSafe, Duck Creek Technologies, EZLynx, HawkSoft, InsureZone, ITC, Insurance Agent Mobile Application, InsureSign, North American Software Associates, Simply Easier Payments/EchoSage, Strategic Insurance Software, Vertafore/QQ Solutions, Xanatek

User groups: Applied Client Network, the HawkSoft Users Group, NetVU, the Nexsure User Group, Partner XE User Community

Carriers: Allstate IA, The Berkley Companies, Central Insurance Companies, Chubb Group of Insurance Companies, The Cincinnati Insurance Companies, CNA, Columbia Insurance Group, Dryden Mutual Insurance Company, EMC Insurance Companies, The Hanover Insurance Group, The Hartford, Liberty Mutual Insurance, The Main Street America Group, Merchants Insurance Group, MetLife Auto & Home, Motorists Insurance Group, Nationwide Insurance, New York Central Mutual Insurance, Ohio Mutual Insurance Group, Penn National Insurance, Progressive, Safeco Insurance, Selective Insurance Company of America, State Auto, Travelers, Utica National Insurance Group and Westfield Insurance

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