

FEMA Insurance Obtain and Maintain Requirements & the ICC

“FEMA's Public Assistance (PA) grant program provides federal assistance to government organizations and certain private nonprofit (PNP) organizations following a Presidential disaster declaration. The PA provides grants ... so that communities can quickly respond to and recover from major disasters or emergencies.”

www.fema.gov

YOUR PUBLIC ASSISTANCE OBTAIN & MAINTAIN INSURANCE REQUIREMENTS

As a condition of receiving FEMA Public Assistance (PA) funding, Applicants must obtain and maintain insurance coverage at least equal to eligible amounts for the hazard specified for a permanent facility receiving Federal assistance in excess of \$5,000 (Stafford Act, Sections 206.252 & 206.253). This is often called the “O&M” requirement and applies to buildings, contents, equipment, vehicles, etc.. The purpose of the O&M requirement is to protect against future loss.

An applicant shall obtain and maintain insurance as may be reasonably available, adequate, and necessary, to protect against future loss to such property.

Stafford Act, Section 311. Insurance (42 U.S.C 5154)

If an Applicant has not obtained and maintained required insurance, FEMA may deny or de-obligate assistance in the current disaster and deny future assistance for that facility

Eligible Applicants that cannot reasonably obtain and maintain the required level of insurance coverage can apply for an Insurance Commissioner’s Certification (ICC). The insurance commissioner cannot waive Federal insurance requirements but may certify the types and extent of insurance reasonable to protect against future loss to an insurable facility.

WHAT IS YOUR RISK?

Hazard Type

- ✓ Flood
- ✓ Non-Flood

Real Property Exposure

- ✓ Building
- ✓ Contents
- ✓ Equipment
- ✓ Vehicles
- ✓ Marine Vessels

Stafford Act (Sec 206.252 & 206.253) O&M insurance requirements:

- No O&M if eligible costs for an insurable facility do not exceed \$5,000.
- Flood O&M is based upon Federal eligible disaster assistance.
- Non-Flood O&M is based upon eligible damage incurred.

WHAT IS NEEDED TO START AN ICC APPLICATION?

ICC Applications start July 2019. Begin now to collect documents needed for the application using the checklists in this downloadable PDF. [ICC Brochure](#)

COMING SOON
START YOUR ICC APPLICATION

Learn More about Obtain and Maintain

Additional Resources ◀ ◀ ◀

<https://www.fema.gov/public-assistance-local-state-tribal-and-non-profit>

<https://www.fema.gov/media-library/assets/documents/90743>

Email: FEMA-DR-4339-PA-INSURANCE@FEMA.DHS.GOV

pr.ocs.ICCInfo.EN 20190521v4



Oficina del Comisionado de Seguros de Puerto Rico
Edificio World Plaza 268 Ave. Muñoz Rivera
San Juan, PR 00918 Piso 9
Tel. (787) 304-8686