

REGULATION

OF

NAME OF AGENCY

INSURANCE DEPARTMENT

Concerning

CONTINUING EDUCATION FOR INSURANCE PRODUCERS

SECTION 1

Section 1. Section 38a-782a-1 of the Regulations of Connecticut State Agencies is amended to read as follows:

Sec. 38a-782a-1. Definitions

As used in sections 38a-782a-1 to 38a-782a-17, inclusive, of the Regulations of Connecticut State Agencies:

(1) “Audit” means: (A) department or designee activity to monitor the offering of courses or examinations, including visits to classrooms, test sites, and administrative offices where documentation of individual attendance and completion records, and documentation of instructor qualifications pursuant to section 38a-782a-6 are maintained; and (B) re-evaluating approved classroom course and seminar outlines, and self-study programs based on current guidelines;

(2) “Biennium” means, WITH RESPECT TO EACH INDIVIDUAL PRODUCER, [a two year] THE TWO-YEAR period [commencing on the first day of February of each even numbered year] ENDING ON THE EXPIRATION DATE OF SUCH PRODUCER’S INSURANCE LICENSE;

(3) “Class” means a course designed to be presented live to a group of producers using lecture, video, satellite, or other audio-visual presentation material which has an approved instructor or monitor present in the classroom during the presentation;

(4) “Commissioner” means the Insurance Commissioner of the State of Connecticut;

(5) “Completion” means: (A) the attainment by individuals enrolled in a self study course of a passing grade of seventy percent or better on an examination monitored by an impartial and disinterested person; or (B) Class attendance of at least eighty percent of sessions approved for the course; or (C) Seminar attendance for the full time assigned for each workshop or break-out session selected;

(6) “Course” means a program of instruction approved by the commissioner for a specific number of continuing education credit hours;

(7) “Credit hour” means a value assigned to a course approved by the commissioner that is equivalent to fifty minutes of classroom instruction;

(8) “Department” means the Insurance Department of the State of Connecticut;

(9) “Evaluation and assessment methods” means a methodology to determine the proficiency attained by a producer in the subject matter of a course upon completion of such course;

(10) “Line of authority” means: (A) property and casualty, which includes property, casualty, property and casualty, bail bonds, surety and surplus lines; and (B) life and health, which includes life, health, life and health, fixed annuities, variable life and variable annuities;

(11) “Person” means an individual, a corporation, a partnership, an association, or other legal entity;

(12) “Self-study course” means a course: (A) that does not require a student to attend an organized class or seminar; (B) that includes an examination adequately covering course materials set forth in the course outline; and (C) for which credits will be granted only upon achieving a score of seventy percent or better on the examination;

(13) “Seminar” means a course designed to be presented using lecture, video, satellite, or other audio-visual presentation material by an individual or individuals with special expertise and which has an approved speaker or instructor present in the classroom during the presentation; and

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(14) "Sponsor" means any person approved or seeking approval to offer a continuing education course and charged with approving instructors for such course.

Section 2. Section 38a-782a-12 of the Regulations of Connecticut State Agencies is amended to read as follows:

Sec. 38a-782a-12. Extension

[(a) Notwithstanding section 38a-782a-14(a) of the regulations of Connecticut State Agencies, the commissioner may grant an extension of the time required to complete the continuing education requirements of sections 38a-782a-1 through 38a-782a-17, inclusive, on conditions that he deems appropriate.

(b) Any producer whose license is subject to suspension pursuant to section 38a-782a-14 of the Regulations of Connecticut State Agencies may request an extension for a period of six months in which to complete the continuing education requirements. Any such request shall be submitted to the commissioner by a signed "request for extension" form that states as follows:

REQUEST FOR EXTENSION

I hereby request an extension of the time in which to complete my continuing education requirements for this biennium. By signing this request I acknowledge that, should my continuing education requirements not be completed within this extension period, my producer's license shall be immediately suspended. I further acknowledge that this extension shall not reduce my continuing education requirements for the next biennium.

Producer's Signature

License Number

Typed or Printed Name of Producer

Date

A Request for Extension must be received by the department not later than thirty days prior to the end of the biennium for which the request is made.]

EXCEPT IN THE CASE OF A LICENSED INSURANCE PRODUCER WHO IS UNABLE TO COMPLY WITH THE CONTINUING EDUCATION REQUIREMENTS OF SECTIONS 38a-782a-1 TO 38a-782a-17, INCLUSIVE, OF THE REGULATIONS OF CONNECTICUT STATE AGENCIES DUE TO MILITARY SERVICE, A PRODUCER SHALL NOT BE ENTITLED TO ANY EXTENSIONS OF TIME IN WHICH TO COMPLETE THE CONTINUING EDUCATION REQUIREMENTS.

Section 3. Section 38a-782a-13 of the Regulations of Connecticut State Agencies is amended to read as follows:

Sec. 38a-782a-13. Exemptions

[(a) Producers who have obtained a license within the last twelve months of a biennium or producers who are required to pass an examination in order to reinstate their license and reinstate

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within the last twelve months of a biennium are exempt from meeting the continuing education requirements for that biennium.

(b) Producers who have obtained a license within the first twelve months of a biennium or producers who are required to pass an examination in order to reinstate their license and reinstate within the first twelve months of a biennium shall be required to successfully complete twelve credit hours of continuing education during that biennium.]

[(c)] (a) Producers who seek reinstatement of their license WITHIN ONE YEAR AFTER THE LICENSE EXPIRATION DATE shall be required to complete any deficient continuing education credit hours for the previous biennium and successfully complete twenty four credit hours of continuing education during the current biennium.

[(d)] (b) Producers who become Connecticut residents [in the first twelve months of a given biennium] and are granted a license based on [a certification letter from the] THEIR previous [licensing] HOME state LICENSURE shall NOT be required to [successfully] complete [twelve credit hours of] CONNECTICUT continuing education during [that] THE INITIAL biennium.

[(e)] (c) Producers who hold a license in states requiring continuing education for their insurance producers, and who furnish evidence of their compliance with the continuing education requirements in such states are exempt from meeting this state's continuing education requirements provided that the insurance supervisory official of the state in which the producer completes the continuing education requirements will grant similar exemptions to Connecticut residents licensed therein who have satisfied Connecticut's continuing education requirements.

[(f)] (d) Producers whose only line of authority is (1) credit insurance, which includes credit life, credit accident and health, and mortgage guaranty, OR (2) travel accident and travel baggage insurance[, or (3) bail bonds] are exempt from the twenty-four hours of continuing education credits requirement of section 38a-782a-2 of the Regulations of Connecticut State Agencies.

(e) PRODUCERS WHOSE LICENSES ARE RENEWED BY THE COMMISSIONER FOR ONE YEAR ACCORDING TO THE TRANSITIONAL PROCESS OUTLINED IN SECTION 38a-784 OF THE 2006 SUPPLEMENT TO THE GENERAL STATUTES SHALL BE REQUIRED TO COMPLETE TWELVE CREDIT HOURS OF CONTINUING EDUCATION DURING THE TRANSITIONAL PERIOD.

Section 4. Section 38a-782a-14 of the Regulations of Connecticut State Agencies is amended to read as follows:

Sec. 38a-782a-14. Failure to Comply

(a) Failure of a producer to satisfy the requirements of this regulation by the last day of [January of each even-numbered year] THE BIENNIUM APPLICABLE TO SUCH PRODUCER by obtaining the continuing education credits required by sections 38a-782a-1 to 38a-782a-17, inclusive, of the Regulations of Connecticut State Agencies shall result in the [suspension] NONRENEWAL of his or her insurance producer license, unless such producer has been granted an extension pursuant to section 38a-782a-12. [No such suspension shall become effective until] THE COMMISSIONER SHALL NOT REFUSE TO RENEW THE LICENSE OF A PRODUCER WHO FAILS TO COMPLY WITH THE CONTINUING EDUCATION REQUIREMENTS UNLESS the commissioner has provided thirty days' written notice of such impending [suspension] ACTION TO SUCH PRODUCER. During the thirty day notice period, the producer may provide proof of compliance with the continuing education requirements of sections 38a-782a-1 to 38a-782a-17, inclusive of the Regulations of Connecticut State Agencies in a manner and form acceptable to the commissioner. [Failure of a producer, granted an extension, to satisfy the continuing education requirements by the last day of the extension period shall result in the immediate suspension of his or her insurance producer license]

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[(b) No resident or nonresident producer whose license has been suspended pursuant to subsection (a) of this section shall have such suspension removed for a period of at least ninety days from the date of suspension.]

[(c)] (b) No resident or nonresident producer WHOSE LICENSE HAS BEEN NONRENEWED FOR FAILURE TO COMPLY WITH THE CONTINUING EDUCATION REQUIREMENTS shall apply for [removal of such suspension] REINSTATEMENT OF HIS OR HER LICENSE unless the producer has successfully completed the continuing education requirements for the period.

[(d)] (c) Completion of such requirements and [removal of the suspension] REINSTATEMENT OF A PRODUCER'S LICENSE shall not reduce the PRODUCER'S continuing education requirements for the biennium next following the [suspension] REINSTATEMENT.

[(e) During the period of suspension the department shall not renew the producer's existing appointments or approve new appointments.]

Statement of Purpose

The purpose of this amendment is to modify the continuing education requirements so that they conform with the new licensing provisions set forth in Public Act 05-266. Specifically, the proposed amendment will (1) change the applicable biennium to coincide with the new birthday-based license renewal schedule; (2) eliminate extension of time in which to complete continuing education credits, except for producers who are unable to comply because of military service; (3) provide for nonrenewal of a producer's license for failure to comply with the continuing education requirements; and (4) limit to twelve the number of continuing education credits required of producers who are selected by the Commissioner to participate in the transitional licensing period.