

Rule 120-2-3-.07 entitled “Resident Agent License Requirements” is hereby proposed to be amended by deleting the Rule in its entirety and substituting a new Rule 120-2-3-.07 to read as follows:

120-2-3-.07 Resident agent license requirements

(1) In order to be eligible for any resident agent insurance license issued in accordance with Chapter 23 of Title 33 of the Official Code of Georgia Annotated and this Regulation, the applicant must make proper application to the Commissioner and pay all required fees.

(2) The application process for an agent license shall include sponsorship by an insurer licensed to do business in this state. Prior to issuance of the license, the sponsor shall agree to appoint the applicant as a representative of the company. The sponsor shall affirm that an investigation on the general character of the applicant has been conducted by an agency not affiliated with the insurer and that the sponsor recommends the applicant for a license. Such investigation shall include a criminal background check.

(3) Effective January 1, 2010, all new applicants, excluding active licensees and individuals that apply for reinstatement within 6 months of expiration date, shall be required to submit electronic fingerprints through a vendor selected by the Department for a criminal background check. The applicant shall bear the cost for electronic fingerprinting.

(4) The resident agent applicant must complete an approved prelicensing course unless specifically exempted by Chapter 23 of Title 33 of the Official Code of Georgia Annotated or this Regulation. All prelicensing courses must contain a minimum of twenty (20) hours of instruction per major line of authority; the major lines are:

(a) Life;

(b) Accident and Sickness;

(c) Property;

(d) Casualty; and

(e) Personal Lines.

(5) The applicant must pass the required examination for licensure within 12 months of the completion of the prelicensing course. All applicants must apply for licensure within 12 months from receiving a passing grade on the examination.

(6) Exceptions to the 20 hour prelicensing course requirements:

(a) Applicants for licenses in lines or sublines of property or casualty insurance who hold the designation of Chartered Property and Casualty Underwriter (CPCU), Certified Insurance Counselor (CIC), Certified Insurance Representative (CISR), Certified Risk Manager (CRM) ;

(b) Applicants for licenses in the lines or sublines of life or health insurance who hold the designation of Chartered Life Underwriter (CLU) or Fellow Life Management Institute (FLMI);

(c) Applicants for temporary licenses;

(d) Applicants for credit insurance agent licenses;

(e) Applicants who provide satisfactory evidence such as a transcript from a college or university indicating successful completion of two (2) college or university courses related to insurance. Such courses must relate to the lines of authority for which the Applicant has applied;

(f) Applicants who hold college degrees in insurance;

(g) Applicants who qualify for exemption under O.C.G.A. §§ 33-23-5(a)(5)(A) and 33-23-5(a)(5)(B);

(h) Applicants for agent licenses as referenced in Rules 120-2-3-.23, .29, .32, .41, and .44 of this Regulation Chapter;

(i) Other applicants as the Commissioner at his discretion may determine.

Authority.-O.C.G.A. §§ 33-2-9, 33-8-1, 33-23-4, 33-23-5, 33-23-5.1, 33-23-8, 33-23-10, 33-23-12, 33-23-44.

Rule 120-2-3-.08 entitled “Prelicensing courses and Provider Approval” is hereby proposed to be amended by deleting the Rule in its entirety and substituting a new Rule 120-2-3-.08 to read as follows:

120-2-3-.08 Prelicensing courses and Provider Approval

(1) All agent prelicensing courses must contain a minimum of twenty (20) hours of instruction per major line of authority; the major lines are:

(a) Life;

(b) Accident and Sickness;

(c) Property;

(d) Casualty; and

(e) Personal Lines.

(2) Limited subagent courses must contain a minimum of twenty (20) hours per combination lines of life, accident and sickness or property and casualty. Additionally, all prelicensing courses must meet the following standard:

(a) Instructors must have had training or educational experience satisfactory to the Commissioner in order to be certified to teach any part of an approved prelicensing course. Each instructor must have three (3) or more years in insurance work or otherwise qualify with equivalent educational and teaching experience and be approved by the Commissioner prior to teaching any prelicensing course, or any part of any course.

(b) Reference materials such as sample policy forms, manuals, the Georgia Insurance Code, textbooks, Georgia Insurance Department study manuals as appropriate, programmed textual materials, and other illustrative materials are required to be readily available for student use.

(c) All classrooms used shall be rooms separate from other activities while instruction is being given and shall provide comfortable physical facilities for the students. Such classrooms must be properly equipped with sufficient desk or table space to accommodate the number of students taking the course and must contain sufficient teaching aids to facilitate a learning atmosphere for those students.

(d) The subject matter of the prelicensing course must pertain to the category or categories of license for which the applicant has applied or is intending to apply and must include all of the following to such extent as the information applies to the categories of license sought by the applicant:

1. The Georgia Agents' Licensing Study Manual Life and Health, and the Georgia Agents' Licensing Study Manual Property and Casualty;

2. Chapters 5, 6, 7, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 39, 42, 43, 44, 50, and 51 of Title 33 of the Official Code of Georgia Annotated and corresponding regulations;

3. Fundamental needs of various kinds of insurance;

4. Study and analysis of various kinds of policies, endorsements, riders, and other policy contract documents;

5. Study and analysis of various rating plans and systems; and

6. Such additional material as the commissioner may from time to time require by notice to course sponsors;

(e) All prelicensing courses must include O.C.G.A. §§ 33-1-9, 33-1-16 and this Regulation.

(f) If the prelicensing course is conducted in a virtual classroom setting, for example as a web cast or internet based course, system security must be in place to ensure user attendance.

(3) Any person, including but not limited to, colleges and universities, insurers, adult education centers, and associations may seek approval as a provider of prelicensing courses.

(4) Course providers must obtain approval from the Commissioner prior to the beginning of any course. To request approval, the provider shall file with the Commissioner, at least forty-five (45) days prior to the beginning of the first course, the appropriate required form and pay the appropriate fees, and the following;

(a) An outline of the proposed course, including instructional time for each course major component;

(b) A list of all instructional materials to be used;

(c) A description of the facility to be used as a classroom and a statement that adequate parking facilities are available and that handicap access is provided;

(d) The name or names of the instructors; and

(e) The category or categories of license for which the course is intended to prepare applicants for licensing.

(5) The Commissioner may require further detail of the proposed course content or filing of copies of any instructional materials to be used as are necessary to determine the adequacy of the proposed instruction.

(6) Course providers must provide a listing of examination sites and times to each applicant. The Commissioner will notify all course sponsors of any changes in the information.

(7) Nothing in this Regulation is intended to prohibit any person upon payment of any required fees from taking any prelicensing course whether or not such person has applied for or intends to apply for a license under Chapter 23 of Title 33 of the Official Code of Georgia Annotated.

(8) Course providers must certify to the Commissioner and the student on the appropriate required form, the contact hours completed by each applicant.

(a) The course provider name and instructor name must appear on certification; the instructor must sign such certification.

(b) False certification shall be cause for withdrawal of approval of the course provider or instructor and shall be deemed a violation of Chapter 23 of Title 33 of the Official Code of Georgia Annotated.

(c) The Commissioner may require certification of course completions to be reported electronically. Such reporting must be submitted within fourteen (14) days from course completion.

(9) Instructors may receive the same credit for courses as applicants when their attendance is certified in the same manner as provided in Paragraph (7) of this Section.

(10) The Commissioner may review any approved program, instructor or course and may cancel approval of such program, instructor or course with regard to all future offerings. Once a program, instructor or course provider has been canceled, such program, instructor or course provider shall not reapply for approval for a period of five (5) years from the date of cancellation.

Authority.-O.C.G.A. §§ 33-2-9, 33-8-1, 33-23-5, 33-23-9, 33-23-44

Rule 120-2-3-.09(1) entitled "Examinations" is hereby proposed to be amended as follows:

120-2-3-.09 Examinations

(1) All resident applicants required under Chapter 23 of Title 33 of the Official Code of Georgia Annotated shall submit to examination by the Commissioner except:

(a) Applicants for agent licenses in lines or sublines of life or health insurance who hold the designation of CLU or FLMI;

(b) Applicants for agent licenses in lines or sublines of property and casualty who hold the designation of CPCU;

(c) Applicants for licenses as counselors who hold the designation of Certified Insurance Counselor (CIC), Accredited Advisor in Insurance (AAI), CPCU as specified in Rule 120-2-3-.09(1)(b), CLU or FLMI as specified in Rule 120-2-3-.09(1)(a), or applicants deemed by the Commissioner to have sufficient

experience and qualifications in the lines of authority for which the applicant seeks licensure;

(d) Applicants for limited licenses in accordance with Rules 120-2-3-.29, .31, .32, .39, .44, and .45 of this Regulation Chapter;

(e) Applicants holding a Ph. D. in Risk Management;

(f) Adjusters who are salaried employees of insurers;

(g) Applicants for temporary licenses;

(h) Applicants for credit insurance agent licenses;

(i) Applicants for a workers compensation adjuster license who hold the designation of Certified Workers Compensation Professional (CWCP);

(j) Such other applicants as the Commissioner may, at his discretion, determine.

(k) The applicant who was previously licensed for the same lines of authority in another state shall not be required to complete any prelicensing education or examination. This exemption is only available if the individual is currently licensed in that state or if the application is received within 90 days of the cancellation of the applicant's previous license and if the prior state issues a certification that, at the time of cancellation, the applicant was in good standing in that state or the state's producer data base records maintained by the National Association of Insurance Commissioners (NAIC), its affiliates, or subsidiaries indicate that the applicant is or was licensed in good standing for the line of authority requested.

Authority. — O.C.G.A. §§ 33-2-9, 33-8-1, 33-23-5, 33-23-10, 33-23-44.

Rule 120-2-3-.09(3) entitled “Examinations” is hereby proposed to be amended as follows:

(3) Any person taking an examination for licensing and not receiving a passing grade shall not be entitled to retake the examination until two (2) weeks have elapsed, and will be required to pay the appropriate fee. A person who fails to pass an examination after taking it three (3) times must take a prelicensing course from a different provider prior to retaking the exam.

A person who took a prelicensing course taught via a virtual classroom who fails to pass an examination after taking it three (3) times must take an in-classroom prelicensing course prior to retaking the exam.

Authority. — O.C.G.A. §§ 33-2-9, 33-8-1, 33-23-5, 33-23-10, 33-23-44.

Rule 120-2-3-.11 entitled “Background Investigation” is hereby proposed to be amended by deleting the Rule in its entirety and substituting a new Rule 120-2-3-.11 to read as follows:

120-2-3-.11 Background investigation

(1) Any natural person filing an application or other filing with the Commissioner under Chapter 23 of Title 33 of the Official Code of Georgia Annotated and this Regulation must give his or her permission for a criminal background investigation.

(2) Effective January 1, 2010, all new resident applicants, excluding active licensees and individuals that apply for reinstatement within 6 months of expiration date, shall be required to submit electronic fingerprints through a vendor selected by the Department for a criminal background check. The applicant shall bear the cost for electronic fingerprinting

Authority. — O.C.G.A. §§ 33-2-9, 33-23-5, 33-23-5.1, 33-23-8, 33-23-44

Rule 120-2-3-.12(1) entitled “Continuing Education Courses and Provider Approval” is hereby proposed to be amended by adding a new subparagraph (1)(c) to read as follows:

120-2-3-.12 Continuing education courses and provider approval

1(c) The training required under 120-2-3-.15(2)(f) shall consist of topics related to long term care insurance, long term care services and qualified state long term care insurance Partnership programs under Rule 120-2-16-.34(5), including but not limited to:

1. State and federal regulations and requirements and the relationship between qualified state long term care insurance Partnership programs and other public and private coverage of long term care services, including Medicaid;
2. Available long term services and providers;
3. Changes or improvements in long term care services or providers;
4. Alternatives to the purchase of private long term care insurance;
5. The effect of inflation on benefits and the importance of inflation protection;
6. Consumer suitability standards and guidelines.

7. Said course must contain a minimum of two (2) hours instruction covering Georgia Medicaid provisions.

Authority. — O.C.G.A. §§ 33-2-9, 33-8-1, 33-23-8, 33-23-44, 33-42-6, 33-42-7.

Rule 120-2-3-.12(8) entitled “Continuing Education Courses and Provider Approval” is hereby proposed to be amended by adding a new subparagraph (8) to read as follows:

(8) Course providers must certify contact hours to the Commissioner electronically or by means prescribed by the Commissioner. Such reporting must be submitted within fourteen (14) days from course completion. Failure to do so may result in administrative action taken against the provider. Course providers must provide certification to each person taking the course in the same manner as provided in Rule 120-2-3-.08(7).

Authority. — O.C.G.A. §§ 33-2-9, 33-8-1, 33-23-8, 33-23-44, 33-42-6, 33-42-7.

Rule 120-2-3-.14 entitled “Resident Agent Personal Lines License” is hereby proposed to be amended by deleting the Rule in its entirety and substituting a new Rule 120-2-3-.14 to read as follows:

120-2-3-.14 Resident agent personal lines license

(1) In order to be eligible for a resident agent personal lines license in accordance with Chapter 23 of Title 33 of the Official Code of Georgia Annotated and this Regulation, the applicant must make proper application to the Commissioner and pay all required fees.

(2) The application process for an agent license shall include sponsorship by an insurer licensed to do business in this state. Prior to issuance of the license, the sponsor shall agree to appoint the applicant as a representative of the company. The sponsor shall affirm that an investigation on the general character of the applicant has been conducted by an agency not affiliated with the insurer and that the sponsor recommends the applicant for a license. Such investigation shall include a criminal background check.

(3) Effective January 1, 2010, all new applicants, excluding active licensees and individuals that apply for reinstatement within 6 months of expiration date, shall be required to submit electronic fingerprints through a vendor selected by the Department for a criminal background check. The applicant shall bear the cost for electronic fingerprinting.

(4) The resident agent applicant must complete an approved prelicensing course in personal lines unless specifically exempted by Chapter 23 of Title 33 of the Official Code of Georgia Annotated and this Regulation. All prelicensing courses

must contain a minimum of twenty (20) hours of instruction. The applicant must pass the required examination for licensure within 12 months of the completion of the prelicensing course. All applicants must apply for licensure within 12 months from receiving a passing grade on the examination.

(5) Exceptions to prelicensing course:

(a) Applicants who hold a designation of Chartered Property and Casualty Underwriter (CPCU);

(b) Applicants who qualify for exemption under O.C.G.A. §§ 33-23-5(a)(5)(A) and 33-235(a)(5)(B);

(c) Applicants for temporary licenses;

(d) Applicants who provide satisfactory evidence such as a transcript from a college or university indicating successful completion of two (2) college or university courses related to insurance. Such courses must relate to the lines of authority for which the Applicant has applied;

(e) Applicants who hold college degrees in insurance;

(f) Other applicants at the Commissioner's discretion.

(6) All continuing education requirements as outlined in Rule 120-2-3-.15 and all renewal requirements as outlined in Rule 120-2-3-.16 apply to personal lines licenses.

Authority.-O.C.G.A. §§ 33-2-9, 33-8-1, 33-23-5, 33-23-5.1, 33-23-8, 33-23-10, 33-23-12, 33-23-44.

Rule 120-2-3-.15(2) entitled "Resident Continuing Education Requirements" is hereby proposed to be amended by adding a new subparagraph (2)(e) to read as follows:

120-2-3-.15 Resident continuing education requirements

(2) (e) Agents licensed in the property line of authority that will be selling through the National Flood Insurance Program (NFIP) must complete a one time three (3) hour continuing education course related to NFIP. This three (3) hour course will count towards the agent's annual continuing education requirement and can be used to satisfy the annual Ethics requirement.

Authority.- O.C.G.A. §§ 33-2-9, 33-23-12, 33-23-15, 33-23-18, 33-23-44, 33-42-6, 33-42-7.

Rule 120-2-3-.15(2) entitled “Resident Continuing Education Requirements” is hereby proposed to be amended by adding a new subparagraph (2)(f) to read as follows:

(2)(f) On or after January 1, 2009, an Agent may not sell, solicit or negotiate a long term care partnership policy unless the individual has completed an initial eight (8) hour long term care training course. Agent must also complete ongoing training consisting of a four (4) hour continuing education course every 24 months. Such training must meet the requirements as outlined in Section 120-2-3-.12. To meet the 24-month timing requirements, an agent must complete this long term care continuing education course before the second January 1 calendar year cycle required of all other continuing education requirements as set out in Section 120-2-3-.16 measured from the date of completion of the agent’s initial eight (8) hour long term care training course.

1. Resident agents that have taken another state’s qualified long term care partnership course may receive credit for up to six (6) hours toward the Georgia partnership training course requirement. Such resident agent must complete an approved two (2) hour Georgia specific Medicaid course in order to meet the eight (8) hour training requirement.

2. Insurers offering a long term care partnership policy shall obtain verification that an agent has received the training required in 120-2-3-.12(1)(c) and this section before the agent is permitted to sell, solicit or negotiate the insurer’s long term care partnership policy.

3. Each insurer shall maintain records with respect to the training of its agents qualified to sell, solicit or negotiate long term care partnership policies, to include training received and that the agent has demonstrated an understanding of the partnership policies and their relationship to public and private coverage of long term care, including Medicaid. These records shall be maintained for a period of not less than five years and shall be made available to the Commissioner upon request.

Authority.- O.C.G.A. §§ 33-2-9, 33-23-12, 33-23-15, 33-23-18, 33-23-44, 33-42-6, 33-42-7.

Rule 120-2-3-.15(4) entitled “Resident Continuing Education Requirements” is hereby proposed to be amended as follows:

(4) Credit will not be given for the same Continuing Education course for a period of two (2) years, unless the topic of the course is current issues, ethics or legislative updates.

Authority.- O.C.G.A. §§ 33-2-9, 33-23-12, 33-23-15, 33-23-18, 33-23-44, 33-42-6, 33-42-7.

Rule 120-2-3-.16 entitled “Dates for resident license renewal and required filing of continuing education credits” is hereby proposed to be amended by adding a new subparagraph (5) to read as follows:

120-2-3-.16 Dates for resident license renewal and required filing of continuing education credits

(5) A licensed insurance producer who is unable to comply with license renewal procedures due to military service or some other extenuating circumstance may request a waiver of those procedures. The producer may also request a waiver of any examination requirement or any other fine or sanction imposed for failure to comply with renewal procedures.

Authority - O.C.G.A. §§ 33-2-9, 33-23-18, 33-23-21 and 33-23-44.

Rule 120-2-3-.19(3) entitled “Exemptions or reductions in requirements for continuing education” is hereby proposed to be amended to read as follows:

120-2-3-.19 Exemptions or reductions in requirements for continuing education

(3) Upon filing the required form on or before the date required for filing continuing education credits with the Commissioner, and at the discretion of the Commissioner, any person may receive a reduction or exemption in continuing education hours required to the extent of the time spent on insurance related activities during the previous year. Such activity shall include, but not be limited to, the following related or occupational duties:

- (a) Teaching courses in insurance related topics; or,
- (b) Insurance related legislative activities; or,
- (c) Journalism activities involving insurance related topics; or,
- (d) Projects involving research of insurance laws and regulations; or,
- (e) Active participation in professional insurance associations. Active members are eligible for a maximum of 3 hours subject to verification from association.

Authority. — O.C.G.A. §§ 33-2-9, 33-23-4, 33-23-16, 33-23-18, 33-23-44.

Rule 120-2-3-19(4) entitled “Exemptions or reductions in requirements for continuing education” is hereby proposed to be amended to read as follows:

(4) Individuals holding the professional designation of CPCU, CLU, Fellow Life Management Institute (FLMI), CIC, Certified Employee Benefit Specialist (CEBS), Chartered Financial Consultant (ChFC), Accredited Advisor In Insurance (AAI), Certified Financial Planner (CFP), CRM, CISR_or a major BBA in Risk Management and Insurance from an accredited college will receive a reduction of continuing education hours required. Holders of these designations are required to complete six (6) hours of continuing education annually, with a minimum of three (3) hours of their continuing education requirement to be completed in the subject area of Ethics. To claim this reduction in continuing education hours, the licensee must attach documentation of achieving such designation.

Authority. — O.C.G.A. §§ 33-2-9, 33-23-4, 33-23-16, 33-23-18, 33-23-44.

Rule 120-2-3-21 entitled “Agent Certificate of Authority” is hereby proposed to be amended as follows:

120-2-3-21 Agent certificate of authority

(1) Insurers shall file the appropriate fees and file requests for certificates of authority and terminations of certificates of authority immediately upon the appointment or termination of an agent. The request for a certificate of authority must be submitted within fifteen (15) days from the date the agency contract is executed or the first insurance application is submitted.

(a) When filing for a new certificate of authority, the insurer shall notify the agent when the insurer receives confirmation of the issuance of the certificate of authority.

(b) The certificate of authority is deemed effective immediately upon the submission of the request by the insurer; however this does not relieve the insurer of the responsibility of verifying that the certificate of authority has actually been issued.

(2) The insurer shall affirm that an investigation on the general character of the agent has been made and that the insurer recommends the agent for a certificate of authority. Such investigation shall include a report concerning the general character of the applicant by an agency not affiliated with the insurer. Such investigation shall include a criminal background check. The presence of any criminal charges or dispositions related thereto must be disclosed to the Department.

(3) The Commissioner will provide a certificate of authority renewal listing to all insurers annually. The certificate of authority renewal listing will include all eligible licensees appointed with said company by December 31st of the previous year. All insurers shall renew their certificates of authority annually and pay the required fees.

Authority. — O.C.G.A. §§ 33-2-9, 33-8-1, 33-23-26, 33-23-44.

Rule 120-2-3-.23 entitled “Resident variable products” is hereby proposed to be amended by deleting Rule 120-2-3-.23 in its entirety and substituting a new Rule 120-2-3-.23 to read as follows:

120-2-3-.23 Resident variable products

(1) Effective July 1, 2002, all licensees who currently hold a variable annuity or variable life license will be issued a variable products license in lieu of their current variable annuity or variable life license. All continuing education requirements as outlined in Rule 120-2-3-.15 and all renewal requirements as outlined in Rule 120-2-3-.16 continue to apply after July 1, 2002.

(2) In order for all other resident applicants to be eligible for a variable products license in accordance with Chapter 23 of Title 33 of the Official Code of Georgia Annotated and this Regulation, the applicant must make proper application to the Commissioner and pay all required fees.

(3) The application process for an agent license shall include sponsorship by an insurer licensed to do business in this state. Prior to issuance of the license, the sponsor shall agree to appoint the applicant as a representative of the company. The sponsor shall affirm that an investigation on the general character of the applicant has been conducted by an agency not affiliated with the insurer and that the sponsor recommends the applicant for a license. Such investigation shall include a criminal background check.

(4) Effective January 1, 2010, all new applicants, excluding active licensees and individuals that apply for reinstatement within 6 months of expiration date, shall be required to submit electronic fingerprints through a vendor selected by the Department for a criminal background check. The applicant shall bear the cost for electronic fingerprinting.

(5) All resident applicants must hold a valid resident agent license for life insurance. Failure to maintain a current agent's license for life insurance will result in the cancellation of the variable products license.

(6) All resident applicants must provide proof of current National Association of Securities Dealers (NASD) Series 6, 7, Investment Representative (IR) or

General Securities (GS) registration; such proof shall accompany the license application.

(7) All resident applicants must complete an approved 8 hour prelicensing course in variable products and provide proof of completion in conjunction with the required application. The applicant must pass the required examination for licensure within 12 months of the completion of the prelicensing course. All applicants must pass the required variable products examination and apply for licensure within 12 months from receiving a passing grade on the examination. The only applicants exempt from the prelicensing and examination requirements are those who qualify for exemption under O.C.G.A. §§ 33-23-5(a)(5)(A) and 33-23-5(a)(5)(B).

(8) All continuing education requirements as outlined in Rule 120-2-3-.15 and all renewal requirements as outlined in Rule 120-2-3-.16 apply to personal lines licensees.

Authority. — O.C.G.A. §§ 33-2-9, 33-23-5, 33-23-5.1, 33-8-1, 33-11-66, 33-11-67, 33-23-5, 33-23-10, 33-23-12, 33-23-18, 33-23-44.

Rule 120-2-3-.24 entitled “Procedures for Registering Staff Adjusters” is hereby proposed to be amended by deleting the Rule in its entirety and substituting a new Rule 120-2-3-.24 to read as follows:

120-2-3-.24 Procedures for registering staff adjusters

(1) Each insurer having staff adjusters shall file a list of such employees with the Commissioner on or before January 1 of each year. Staff adjusters are salaried employees who adjust claims on a regular basis in this state, wherever such employees are located.

(2) Such list shall include any person who directly supervises persons listed under Paragraph (1).

(3) Changes in such listing shall be filed within thirty (30) days of the date of the change.

(4) The Commissioner may require such registration filings to be done electronically.

(5) The electronic staff adjuster filing must include the insurer’s adjuster coordinator, that person that will be responsible for the staff adjuster filings. The filing must include the adjuster coordinator’s name, address, e-mail address, phone and fax number, as well as any additional information the Commissioner deems necessary.

(6) Electronic filings by NAIC group number must contain consistent employee identification numbers.

(7) Electronic staff adjuster filings will be invoiced monthly according to fees set forth in O.C.G.A. § 33-8-1. Said invoice must be paid within thirty (30) days of receipt of the invoice to avoid any late fees. If payment is late, \$15 late fee will be assessed per staff adjuster. Failure to pay invoice within sixty (60) days will result in the termination of all staff adjusters on said invoice.

Authority. — O.C.G.A. §§ 33-2-9, 33-8-1, 33-23-44.

Rule 120-2-3-.25 entitled “Resident adjusters, public adjusters, workers compensation adjusters, and crop hail adjusters” is hereby proposed to be amended by renaming Rule 120-2-3-.25 to read as follows:

Rule 120-2-3-.25 Resident adjusters, public adjusters, workers compensation adjusters, crop hail adjusters and emergency disaster adjusters.

Authority. — O.C.G.A. §§ 33-2-9, 33-8-1, 33-23-1, 33-23-5, 33-23-5.1, 33-23-6, 33-23-8, 33-23-8, 33-23-10, 33-23-15, 33-23-18, 33-23-29, 33-23-44.

Rule 120-2-3-.25 entitled “Resident adjusters, public adjusters, workers compensation adjusters, and crop hail adjusters and emergency disaster adjusters” is hereby proposed to be amended by deleting the Rule in its entirety and substituting a new Rule 120-2-3-.25 to read as follows:

120-2-3-.25 Resident adjusters, public adjusters, workers compensation adjusters, crop hail adjusters and emergency disaster adjusters.

(1) Adjuster:

(a) Effective July 1, 2002, all licensees who currently hold an adjusting company adjuster or an independent adjuster license will be issued an adjuster license in lieu of their current license. All continuing education requirements as outlined in Rule 120-2-3-.15 and all renewal requirements as outlined in Rule 120-2-3-.16 continue to apply after July 1, 2002.

(b) In order for all other resident applicants to be eligible for an adjuster license in accordance with Chapter 23 of Title 33 of the Official Code of Georgia Annotated and this Regulation, the applicant must make proper application to the Commissioner and pay all required fees.

(c) Effective January 1, 2010, all new applicants, excluding active licensees and individuals that apply for reinstatement within 6 months of expiration date, shall be required to submit electronic fingerprints through a vendor selected by the Department for a criminal background check. The applicant shall bear the cost for electronic fingerprinting.

(d) The resident adjuster applicants must complete an approved Prelicensing course in property and casualty unless specifically exempted by Chapter 23 of Title 33 of the Official code of Georgia Annotated and this Regulation. All prelicensing courses must contain a minimum of twenty (20) hours of instruction per major line of authority. The applicant must pass the required examination for licensure within 12 months of the completion of the prelicensing course. All applicants must pass the required adjuster examination and apply for licensure within 12 months from receiving a passing grade on the examination. Applicants are exempt from the examination requirement if they qualify for the exemption outlined in Rule 120-2-3-.09(1)(k) or hold the designation of CPCU.

(e) All continuing education requirements as outlined in Rule 120-2-3-.15 and all renewal requirements as outlined in Rule 120-2-3-.16 apply to adjuster licensees.

(f) Exceptions to prelicensing course:

1. Applicants who hold a designation of Chartered Property and Casualty Underwriter (CPCU);
2. Applicants who qualify for exemption under O.C.G.A. §§ 33-23-5(a)(5)(A) and 33-23-5(a)(5)(B);
3. Applicants who provide satisfactory evidence such as a transcript from a college or university indicating successful completion of two (2) college or university courses related to insurance. Such courses must relate to the lines of authority for which the Applicant has applied;
4. Applicants who hold college degrees in insurance;
5. Other applicants at the Commissioner's discretion.

(2) Public adjuster:

(a) To be eligible for a resident public adjuster license in accordance with Chapter 23 of Title 33 of the Official Code of Georgia Annotated and this Regulation, the applicant must make proper application to the Commissioner and pay all required fees.

(b) Effective January 1, 2010, all new applicants, excluding active licensees and individuals that apply for reinstatement within 6 months of expiration date, shall be required to submit electronic fingerprints through a vendor selected by the Department for a criminal background check. The applicant shall bear the cost for electronic fingerprinting.

(c) The resident public adjuster applicants must complete an approved prelicensing course in property and casualty unless specifically exempted by

Chapter 23 of Title 33 of the Official Code of Georgia Annotated and this Regulation. All prelicensing courses must contain a minimum of twenty (20) hours of instruction per major line of authority. The applicant must pass the required examination for licensure within 12 months of the completion of the prelicensing course. All applicants must pass the required public adjuster examination and apply for licensure within 12 months from receiving a passing grade on the examination. Applicants are exempt from the examination requirement if they qualify for the exemption outlined in Rule 120-2-3-.09(1)(k) or hold the designation of CPCU.

(d) All continuing education requirements as outlined in Rule 120-2-3-.15 and all renewal requirements as outlined in Rule 120-2-3-.16 apply to public adjusters.

(e) The applicant must include with his/her application a public adjuster bond in accordance with Rule 120-2-3-.18.

(f) Exceptions to prelicensing course:

1. Applicants who hold a designation of Chartered Property and Casualty Underwriter (CPCU);
2. Applicants who qualify for exemption under O.C.G.A. §§ 33-23-5(a)(5)(A) and 33-23-5(a)(5)(B);
3. Applicants who provide satisfactory evidence such as a transcript from a college or university indicating successful completion of two (2) college or university courses related to insurance. Such courses must relate to the lines of authority for which the Applicant has applied;
4. Applicants who hold college degrees in insurance;
5. Other applicants at the Commissioner's discretion.

(3) Workers Compensation adjuster:

(a) To be eligible for a resident workers compensation adjuster license in accordance with Chapter 23 of Title 33 of the Official Code of Georgia Annotated and this Regulation, the applicant must make proper application to the Commissioner and pay all required fees.

(b) Applicants must hold and submit proof of the designation of CWCP or the designation of CPCU or qualify under Rule 120-2-3-.09(1)(k).

(c) Effective January 1, 2010, all new applicants, excluding active licensees and individuals that apply for reinstatement within 6 months of expiration date, shall be required to submit electronic fingerprints through a vendor selected by the

Department for a criminal background check. The applicant shall bear the cost for electronic fingerprinting.

(d) All continuing education requirements as outlined in Rule 120-2-3-.15(2)(c) and all renewal requirements as outlined in Rule 120-2-3-.16 apply to workers compensation adjusters.

(4) Crop Hail adjuster:

(a) To be eligible for a resident crop hail adjuster license in accordance with Chapter 23 of Title 33 of the Official Code of Georgia Annotated and this Regulation, the applicant must make proper application to the Commissioner and pay all required fees.

(b) All applicants must pass the required crop hail adjuster examination and apply for licensure within 12 months from receiving a passing grade. Applicants are exempt from the examination requirements if they qualify for the exemption outlined in Rule 120-2-3-.09(1)(k) or hold the designation of CPCU.

(c) Effective January 1, 2010, all new applicants, excluding active licensees and individuals that apply for reinstatement within 6 months of expiration date, shall be required to submit electronic fingerprints through a vendor selected by the Department for a criminal background check. The applicant shall bear the cost for electronic fingerprinting.

(d) All continuing education requirements as outlined in Rule 120-2-3-.15 and all renewal requirements as outlined in Rule 120-2-3-.16 apply to crop hail adjusters.

(5) Emergency Disaster adjuster

(a) In the event of a Georgia Emergency Management Authority (GEMA) declared disaster or catastrophe, the insurer will be required to electronically file with the Department a list of non-licensed salaried staff adjusters and out of state licensees that will be handling claims relating to the catastrophe/disaster. Upon proper filing, Disaster Re-entry Permits will be assigned to each insurer. These re-entry permits are to be temporarily assigned to each adjuster for a period not to exceed 60 days.

(b) The Insurer's electronic emergency adjuster filing must include information regarding its adjuster Coordinator. The filing must include the adjuster coordinator's name, address, e-mail address, phone and fax number, as well as any additional information the Commissioner deems necessary. The adjuster coordinator will be responsible for the emergency disaster adjuster filings and assignment of the re-entry permits.

(c) In the event of a non-GEMA declared disaster, adjusters licensed in their resident states may enter Georgia for a period not to exceed 60 days. The adjuster must notify the Department prior to entry into this state. Such notification must include the adjuster's name, address, date of anticipated entry into this state and any other information that the Commissioner deems necessary to complete the filing. If the adjuster will be in this state for a period exceeding 60 days, the individual must apply for adjuster licensure.

Authority. — O.C.G.A. §§ 33-2-9, 33-8-1, 33-23-1, 33-23-5, 33-23-5.1, 33-23-6, 33-23-8, 33-23-8, 33-23-10, 33-23-15, 33-23-18, 33-23-29, 33-23-44.

Rule 120-2-3-.28 entitled "Resident Counselors" is hereby proposed to be amended by deleting the Rule in its entirety and substituting a new Rule 120-2-3-.28 to read as follows:

120-2-3-.28 Resident counselors

(1) In order to be eligible for a resident counselor license in accordance with Chapter 23 of Title 33 of the Official Code of Georgia Annotated and this Regulation, the applicant must make proper application to the Commissioner and pay all required fees.

(2) Effective January 1, 2010, all new applicants, excluding active licensees and individuals that apply for reinstatement within 6 months of expiration date, shall be required to submit electronic fingerprints through a vendor selected by the Department for a criminal background check. The applicant shall bear the cost for electronic fingerprinting.

~~(2)~~ (3) The applicant must have 5 years of experience as a licensed agent, subagent or adjuster or in some other phase of the insurance business or provide evidence of sufficient teaching, educational qualifications and or experience in the lines of authority for which applicant seeks licensure as a counselor.

~~(3)~~(4) The applicant must include with his/her application a counselor bond in accordance with Rule 120-2-3-.18.

~~(4)~~ (5) The Applicant must pass the required counselor examination and apply for licensure within 12 months from receiving the passing grade. Exceptions to the experience requirement and examination requirement will be made in the following circumstances:

(a) An applicant who was previously licensed as a counselor in another state shall be exempt from the examination. This exemption is only available if the individual is currently licensed in that state or if the application is received within 90 days of the cancellation of the applicant's previous license and if the prior state issues a certification that, at the time of cancellation, the applicant was in good standing in that state or the state's producer data base records maintained

by the NAIC, its affiliates, or subsidiaries indicate that the applicant is or was licensed in good standing for the line of authority requested.

(b) An applicant who holds the designation of CPCU or AAI shall be exempt from the property and casualty counselor examination.

(c) An applicant who holds the designation of CLU or FLMI shall be exempt from the life, accident and sickness counselor examination.

(d) An applicant who holds the designation of CIC shall be exempt from the life, accident and sickness counselor examination and/or the property and casualty counselor examination.

(e) The Commissioner may, at his or her discretion, exempt an applicant from examination if the applicant has sufficient experience and qualifications in the lines of authority for which the applicant seeks licensure.

(6) All continuing education requirements as outlined in Rule 120-2-3-.15 and all renewal requirements as outlined in Rule 120-2-3-.16 apply.

Authority. — O.C.G.A. §§ 33-2-9, 33-23-1, 33-23-1.1, 33-23-5, 33-23-5.1, 33-23-6, 33-23-7, 33-23-8, 33-23-10, 33-23-15, 33-23-18, 33-23-44.

Rule 120-2-3-.29(1)(a)2 entitled “Resident Credit Insurance Agents and limited Subagents” is hereby proposed to be amended as follows:

120-2-3-.29 Resident credit insurance agents and limited subagents

(1)(a) 2. The application process shall include sponsorship by an insurer licensed to do business in this state. Prior to issuance of the license, the sponsor shall agree to appoint the applicant as a representative of the company. The sponsor shall affirm that an investigation of the general character of the applicant has been conducted by an agency not affiliated with the insurer and that the sponsor recommends the applicant for a license. Such investigation shall include a criminal background check; and,

Authority. — O.C.G.A. §§ 33-2-9, 33-23-5, 33-23-5.1, 33-23-8, 33-23-10, 33-23-12, 33-23-15, 33-23-18, 33-23-27, 33-23-28, 33-23-44.

Rule 120-2-3-.29(1) entitled “Resident Credit Insurance Agents and limited Subagents” is hereby proposed to be amended by adding a new subparagraph (d) to read as follows:

(1) (d) Effective January 1, 2010, all new applicants, excluding active licensees and individuals that apply for reinstatement within 6 months of expiration date, shall be required to submit electronic fingerprints through a vendor selected by

the Department for a criminal background check. The applicant shall bear the cost for electronic fingerprinting.

Authority. — O.C.G.A. §§ 33-2-9, 33-23-5, 33-23-5.1, 33-23-8, 33-23-10, 33-23-12, 33-23-15, 33-23-18, 33-23-27, 33-23-28, 33-23-44.

Rule 120-2-3-.29(2)(a)1 entitled “Resident Credit Insurance Agents and limited Subagents” is hereby proposed to be amended as follows:

(2) (a) 1. The application process shall include sponsorship by a resident agent licensed to do business in this state. Prior to issuance of the license, the sponsoring agent shall agree to appoint the applicant as a representative of the agent. The sponsoring agent shall affirm that an investigation of the general character of the applicant has been conducted by an agency not affiliated with the agent and that the sponsoring agent recommends the applicant for a license. Such investigation shall include a criminal background check; and

Authority. — O.C.G.A. §§ 33-2-9, 33-23-5, 33-23-5.1, 33-23-8, 33-23-10, 33-23-12, 33-23-15, 33-23-18, 33-23-27, 33-23-28, 33-23-44.

Rule 120-2-3-.29(2) entitled “Resident Credit Insurance Agents and limited Subagents” is hereby proposed to be amended by adding a new subparagraph (f) to read as follows:

(f) Effective January 1, 2010, all new applicants, excluding active licensees and individuals that apply for reinstatement within 6 months of expiration date, shall be required to submit electronic fingerprints through a vendor selected by the Department for a criminal background check. The applicant shall bear the cost for electronic fingerprinting.

Authority. — O.C.G.A. §§ 33-2-9, 33-23-5, 33-23-5.1, 33-23-8, 33-23-10, 33-23-12, 33-23-15, 33-23-18, 33-23-27, 33-23-28, 33-23-44.

Rule 120-2-3-.31(1) entitled “Limited Subagent License” is hereby proposed to be amended as follows:

120-2-3-.31 Limited subagent license

(1) Limited subagent means an individual licensed pursuant to O.C.G.A. 33-23-12(a) under the sponsorship of a licensed agent. With the scope of authority set forth in Chapter 23 of Title 33 of the Official Code of Georgia Annotated, a limited subagent license may be issued, limiting the insurance activity to the following:

(a) Personal lines-property and casualty;

(b) Personal insurance-life, accident and sickness.

Rule 120-2-3-.31(2) entitled “Limited Subagent License” is hereby proposed to be amended as follows:

(2) In order to be eligible for a limited subagent license issued in accordance with Chapter 23 of Title 33 of the Official Code of Georgia Annotated and this Regulation, the applicant must make proper application to the Commissioner and pay all required fees.

(a) The application process shall include sponsorship by a resident agent licensed to do business in this state. Prior to issuance of the license, the sponsoring agent shall agree to appoint the applicant as a representative of the agent. The sponsoring agent shall affirm that an investigation on the general character of the applicant has been conducted by an agency not affiliated with the agent and that the sponsoring agent recommends the applicant for a license. Such investigation shall include a criminal background check.

(b) Effective January 1, 2010, all new applicants, excluding active licensees and individuals that apply for reinstatement within 6 months of expiration date, shall be required to submit electronic fingerprints through a vendor selected by the Department for a criminal background check. The applicant shall bear the cost for electronic fingerprinting.

(c) The applicant may not become licensed in a category of insurance not included in the license of the sponsoring agent.

(d) The applicant shall provide evidence of completion of an approved limited subagent prelicensing course in the lines for which he/she seeks licensure. Such evidence shall accompany the application. Such completion will only be accepted if the prelicensing course has been taken within twelve (12) months of filing the application for licensure.

Authority. — O.C.G.A. §§ 33-2-9, 33-23-5, 33-23-5.1, 33-23-8, 33-23-10, 33-23-12, 33-23-18, 33-23-27, 33-23-44.

Rule 120-2-3-.32 entitled “Limited Travel Agent License, also Known as Travel Accident and Travel Ticket License” is hereby proposed to be amended by deleting rule 120-2-3-.32 in its entirety and substituting a new Rule 120-2-3-.32 to read as follows:

120-2-3-.32 Limited travel agent license, also known as travel accident and sickness license, and travel ticket license

(1) In order for persons engaged in the business of selling tickets for travel on public carriers to be eligible for a limited travel agent license in accordance with Chapter 23 of Title 33 of the Official Code of Georgia Annotated and this Regulation, the applicant must make proper application to the Commissioner and pay all required fees.

(2) The application process for a limited travel agent license shall include sponsorship by an insurer licensed to do business in this state. Prior to issuance of the license, the sponsor shall agree to appoint the applicant as a representative of the company. The sponsor shall affirm that an investigation on the general character of the applicant has been conducted by an agency not affiliated with the insurer and that the sponsor recommends the applicant for a license. Such investigation shall include a criminal background check.

(3) Effective January 1, 2010, all new applicants, excluding active licensees and individuals that apply for reinstatement within 6 months of expiration date, shall be required to submit electronic fingerprints through a vendor selected by the Department for a criminal background check. The applicant shall bear the cost for electronic fingerprinting.

(4) Each year by the dates specified in Rule 120-2-3-.16, license renewals, accompanied by the required fees, must be filed on forms prescribed by the Commissioner.

(5) No prelicensing education is required.

(6) No examination shall be required for this license.

(7) No continuing education shall be required for this license.

Authority. — O.C.G.A. §§ 33-2-9, 33-23-5, 33-23-5.1, 33-23-8, 33-23-10, 33-23-12, 33-23-18, 33-23-44.

120-2-3-.34 Nonresident license requirements

(1) A nonresident person shall receive a nonresident agent license if all requirements set forth in O.C.G.A. § 33-23-16 have been met. All applicants for a Variable Products license must also have a valid agent license for life insurance and provide proof of current NASD Series 6, 7, IR or GS registration; such proof shall accompany the license application. Failure to maintain a current agent's license for life insurance will result in the cancellation of the variable products license.

(2) A nonresident person shall receive a nonresident adjuster license if all requirements set forth in O.C.G.A. § 33-23-29 have been met.

(3) A nonresident person shall receive a nonresident counselor license if all requirements set forth in O.C.G.A. § 33-23-29.1 have been met.

(4) A nonresident person shall receive a nonresident surplus lines broker license if all requirements set forth in O.C.G.A. § 33-23-16 have been met. The applicant must also hold a nonresident agent license for property and casualty insurance.

Failure to maintain a current nonresident property and casualty agent's license will result in the cancellation of the surplus lines broker license.

(5) A nonresident applicant shall receive a nonresident agency license if all requirements set forth in O.C.G.A. §§ 33-23-3, 33-23-16 and Rule 120-2-3-.05 have been met.

(6) All nonresident agent, agency, adjuster, counselor, and surplus lines broker licenses will expire December 31 of the year issued.

Rule 120-2-3-.34 (7) entitled “Nonresident License requirements” is hereby proposed to be amended as follows:

(7) Prior to the issuance of a nonresident license, verification that the nonresident applicant is currently licensed as a resident in good standing in such person's home state shall be provided to the Commissioner. Applicant's home state license will be verified on the NAIC producer database. If an applicant's license information can not be verified through this site, an original certification letter from the applicant's home state dated within 90 days of submission to the Commissioner will satisfy this requirement.

Authority - O.C.G.A. §§ 33-2-9, 33-8-1, 33-23-16, 33-23-29, 33-23-29.1 and 33-23-44, 33-42-6, 33-42-7.

Rule 120-2-3-.34 entitled “Nonresident License requirements” is hereby proposed to be amended by adding a new subparagraph (9) to read as follows:

(9) On or after January 1, 2009, a nonresident Agent may not sell, solicit or negotiate a long term care partnership policy in Georgia or to a Georgia resident unless the individual has completed an initial eight (8) hour long term care training course. Such training must meet the requirements as outlined in Section 120-2-3-.12. If the nonresident agent has completed a non Georgia approved long term care partnership course for a minimum of six (6) hours, regardless of whether the long term care partnership course has a state specific Medicaid requirement, said agent must complete a minimum of a two (2) hour course covering Georgia specific Medicaid provisions to meet the full requirement for Georgia long term care partnership agent training requirements under Rule 120-2-16-.34(5). After satisfying the initial eight (8) hour long term care partnership training requirements, agent must also complete ongoing training consisting of a four (4) hour long term care continuing education course every 24 months.

Authority - O.C.G.A. §§ 33-2-9, 33-8-1, 33-23-16, 33-23-29, 33-23-29.1 and 33-23-44, 33-42-6, 33-42-7.

Rule 120-2-3-.40 entitled “Resident Temporary License” is hereby proposed to be amended by deleting the Rule in its entirety and substituting a new Rule 120-2-3-.40 to read as follows:

120-2-3-.40 Resident temporary license

(1) In order to be eligible for any resident temporary insurance license issued in accordance with Chapter 23 of Title 33 of the Official Code of Georgia Annotated and this Regulation, the applicant must make proper application to the Commissioner and pay all required fees.

(2) The application process shall include the following:

(a) The application process shall include sponsorship by an insurer licensed to do business in this state unless applicant is for a temporary hardship license. Prior to issuance of the license, the sponsor shall agree to appoint the applicant as a representative of the company. The sponsor shall affirm that an investigation of the general character of the applicant has been conducted by an agency not affiliated with the insurer and that the sponsor recommends the applicant for a license. Such investigation shall include a criminal background check;

(b) Effective January 1, 2010, all new applicants, excluding active licensees and individuals that apply for reinstatement within 6 months of expiration date, shall be required to submit electronic fingerprints through a vendor selected by the Department for a criminal background check. The applicant shall bear the cost for electronic fingerprinting.

(c) The name and license number of the supervising resident agent for the temporary licensee;

(3) The temporary license is valid for a period of six (6) months from original issue date and renewable thereafter for three (3) month periods. In no instance, however, shall the licensee hold a temporary license beyond fifteen (15) months from the original issue date. This continuous fifteen (15) month eligibility period is not altered by lapses or changes in sponsoring insurers. The applicant is eligible for only one fifteen (15) month temporary license in the same lines of authority.

(4) If an individual chooses to change sponsoring insurers, the application process must be completed by the applicant and the new sponsoring insurer.

(5) Renewal of a temporary license may be requested by filing the required application and the required fees with the Commissioner.

(6) Upon receipt of proof of a temporary licensee's completion of the required prelicensing course and passing prelicensing examination as set forth in Rules 120-2-3-.08 and 120-2-3-.09, an agent license (non-temporary) shall be issued.

Authority. — O.C.G.A. §§ 33-2-9, 33-8-1, 33-23-5, 33-23-5.1, 33-23-8, 33-23-10, 33-23-13, 33-23-44.

Rule 120-2-3-.44(1) entitled “Resident Title Agent License” is hereby proposed to be amended as follows:

120-2-3-.44 Resident title agent license

(1) Upon application to the Commissioner on the required form, accompanied by the required fee, a license to sell title insurance shall be issued to any resident provided that:

(a) The individual meets the requirements for an agent license under Chapter 23 of Title 33 of the Official Code of Georgia Annotated and this Regulation;

(b) The application process shall include sponsorship by an insurer authorized to do business in this state. Prior to issuance of the license, the sponsor shall agree to appoint the applicant as a representative of the company. The sponsor shall affirm that an investigation on the general character of the applicant has been conducted by an agency not affiliated with the insurer and that the sponsor recommends the applicant for a license. Such investigation shall include a criminal background check.

(c) Effective January 1, 2010, all new applicants, excluding active licensees and individuals that apply for reinstatement within 6 months of expiration date, shall be required to submit electronic fingerprints through a vendor selected by the Department for a criminal background check. The applicant shall bear the cost for electronic fingerprinting.

(2) No prelicensing education or examination shall be required.

(3) Each year by the dates specified in Rule 120-2-3-.16 of this Regulation, license renewals, accompanied by the required fees, must be filed on forms prescribed by the Commissioner.

(4) No continuing education shall be required for this license.

Authority. — O.C.G.A. §§ 33-2-9, 33-8-1, 33-23-5.1, 33-23-12, 33-23-18, 33-23-44.

Rule 120-16-.34(5) entitled “Georgia Long-Term Care Insurance Partnership Program” is hereby proposed to be amended as follows:

120-2-16-.34 Georgia Long-Term Care Insurance Partnership Program

(5) Agent training requirements. On and after January 1, 2009 an individual may not sell, solicit or negotiate a partnership policy unless the individual is a licensed and appointed insurance agent in accordance with provisions of O.C.G.A. Chapter 33-23 and has completed an initial training component and ongoing training every 24 months thereafter. The training shall meet the following requirements:

(a) All training shall be approved as continuing education by the Commissioner in accordance with O.C.G.A. Section 33-23-18.

(b) The initial training required by this subsection shall be no less than eight hours, and the on-going training required by this subsection shall be no less than four hours.

(c) The training required under subdivision (b) of this subsection shall consist of topics related to long-term care insurance, long-term care services, and qualified state long-term care insurance partnership programs, including, but not limited to:

1. State and federal regulations and requirements and the relationship between qualified state long-term care insurance partnership programs and other public and private coverage of long-term care services, including Medicaid;
2. Available long-term care services and providers;
3. Changes or improvements in long-term care services or providers;
4. Alternatives to the purchase of private long-term care insurance;
5. The effect of inflation on benefits and the importance of inflation protection; and
6. Consumer suitability standards and guidelines

Authority.—O.C.G.A. Secs. 33-2-9, 33-42-6, 33-42-7, 49-4-164, 49-4-165.