

**RULES AND REGULATIONS OF
THE INSURANCE COMMISSIONER**

CHAPTER 120-2-3

**REGUALTIONS REGARDING AGENTS, SUBAGENTS, COUNSELORS, ADJUSTERS,
SURPLUS LINES BROKERS, AND AGENCIES**

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RULE 120-2-3-.12. Continuing Education Courses Approval

(1) Considerations for course qualification and approval shall be based on improving the student's knowledge in the insurance areas in which the student is licensed.

(a) The overriding consideration in determining whether a course qualifies as acceptable continuing education is that it be a formal program of learning which contributes directly to the professional or technical competence of a licensed individual. Sales, motivational, self-improvement, telephone techniques, office techniques (except to the extent of improving service to the public when combined with other eligible instruction), election of officers, installation of officers, attendance at conventions and other similar activities, programs, or courses will not be approved.

(b) Courses must be related directly to the types of insurance business or accounts for which a continuation of licenses is sought. In general, subjects would be acceptable if they contribute to the technical competence of the individual person in the capacity for which such person is licensed.

(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.

(d) The training required under 120-2-3-.15(2)(g) can be approved to be delivered as a classroom course or self-study; the course shall not include any marketing information or provide training on sales techniques or provide specific information about a particular insurer's products; the training required shall consist of topics related to annuities and annuity suitability and must include the following:

1. The types of annuities and various classifications of annuities;
2. Identification of the parties to an annuity;
3. How fixed, variable and indexed annuity contract provisions affect consumers;
4. The application of income taxation of qualified and non-qualified annuities;
5. The primary uses of annuities; and
6. Appropriate sales practices, replacement and disclosure requirements.

(2) The general requirements for course or program conduct shall be:

- (a) An outline of the program must be prepared by the program director or instructor and provided to each student;
- (b) The program must be conducted by a person whose formal training and experience qualify such person as an instructor;
- (c) Hours of continuing education credit earned shall be calculated in full hours only;
- (d) Throughout the entire program, the program provider and the licensee must maintain a record of registration and attendance;
- (e) Such courses or program must be filed with the Commissioner at least forty-five (45) days in advance of the date when such approval is desired;
- (f) Credit will be given for contact hours only, except:

1. University or college credit courses - each semester credit hour shall equal three (3) hours toward the requirement, each quarter hour shall equal two (2) hours;

2. Noncredit courses from a college or university - each classroom hour shall be deemed to be one hour of continuing education.

(g) Correspondence or other individual study courses (including taped study courses) will qualify if they:

1. Have received the prior approval of the Commissioner;

2. Require registration; and

3. Certify satisfactory completion, including a proctored final examination.

(h) If any scheduled course is to be cancelled by the provider, the provider must notify the Department and all registrants at least 10 days prior to the previously scheduled start of the course provided. This restriction shall not apply if, at the time of registration, the provider notifies registrants in writing that the class is subject to cancellation and registrants are notified of the cancellation a reasonable time in advance of the scheduled start of the course.

(3) The course filing requirements are:

(a) Continuing education sponsors must complete the appropriate form, pay the required fees, and must submit those items required in Rules 120-2-3-.08(3) and (4);

(b) The Commissioner, at his discretion, may verify the information submitted by the instructor or course provider. The Commissioner may review any approved instructor or course and may cancel approval of such instructor or course with regard to all future offerings. Once an instructor or course provider has been canceled, such instructor or course provider shall not reapply for approval for a period of five (5) years from the date of the cancellation.

(4) For courses or seminars offered in Georgia, the person, group, association, or institution making such courses available would be the continuing education provider, seeking its approval for continuing education purposes, and monitoring and certifying students' performance or attendance.

(5) For out-of-state courses or seminars offered by regional or national professional associations or societies, the national professional association may assume the role of sponsor. However, local or state chapters or affiliates of the national professional association may, through their local offices, assume the role of Georgia provider of the national course or seminar, seeking course approval for continuing education purposes and monitoring and certifying students' performance and attendance.

(6) The following standards will be used to measure the hours of credit to be given for acceptable continuing education courses completed by any individual:

(a) Courses requiring class attendance:

1. All courses will be measured in terms of contact hours. The shortest recognized course will consist of one (1) contact hour. A contact hour is fifty (50) minutes of continuous participation in a course. Under this standard, credit is granted only for full contact hours. For example, a course lasting between fifty (50) and one hundred (100) minutes would count for only one (1) hour.

2. For continuous courses, when individual segments are less than fifty (50) minutes, the sum of the segments should be considered one (1) total course.

3. Program providers must monitor group programs in order to accurately assign the appropriate number of credit hours for participants who arrive late or leave before a program is completed.

4. Credit will be allowed for a question and answer period at the rate of fifty percent (50%) of the number of minutes devoted to questions and answers. Credit will not be allowed for introductions, announcements or other such activity which may be a part of the program.

5. Only hours in class, or the equivalent, will be counted. No credit will be allowed for time devoted to preparation.

6. Each semester hour of credit from a college or university shall be deemed to be three (3) hours of continuing education credit, and each quarter hour of credit shall be deemed to be two (2) hours of continuing education credit.

7. Each classroom hour of noncredit courses from a college or university shall be counted as one (1) hour of continuing professional education.

(b) Correspondence and other individual study courses:

1. In determining the amount of credit to be allowed for specific correspondence and individual study courses, each course provider must certify the hours of study, on the average, required to complete a course successfully. Credit will be given for fifty percent (50%) of hours so certified upon certification of successful completion.

2. Successful completion must include a proctored final examination.

3. Credit will be allowed in the renewal period in which the course is completed.

(7) A program provider may request that its materials furnished for certification be kept confidential on the grounds that they are of a proprietary nature and intended only for program

attendees, its agents or employees. The Commissioner or his designee will promptly review and return such materials.

(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).

(9) Instructors may receive the same credit for courses as applicants when their attendance is certified as provided in Paragraph (8) of this Section.

Authority:

O.C.G.A. Secs. 33-2-9, 33-8-1, 33-23-8, 33-23-18, 33-23-44, 33-42-6, 33-42-7.