

SECTION .0800 - CONTINUING EDUCATION

11 NCAC 06A .0801 DEFINITIONS

As used in this Section:

- (1) "Biennial compliance period" means the 24-month period during which an agent or adjuster shall comply with continuing education requirements.
- (2) "Cluster of courses" means a number of courses, each of which is less than 100 minutes in length, but altogether 100 minutes or more in length, that are offered within one state or national program or convention.
- (3) "Compliance year" means the second year of the biennial compliance period.
- (4) "Continuing Education Administrator" or "Administrator" means the entity with which the Commissioner contracts for continuing education administration, including the approval of providers and courses and the retention of ICEC records for licensees.
- (5) "Course" means a continuing education course directly related to insurance principles and practices or a course designed and approved specifically for licensees; but does not mean a business course of a general nature or an insurance marketing or sales course.
- (6) "Disinterested third party" means a person not concerned, with respect to possible gain or loss, in the result of a pending course final examination.
- (7) "Distance learning" means an educational program in which the licensee and the instructor are in different physical locations and interact with each other through various methods of telecommunication.
- (8) "Ethics course" means a continuing education course that deals with usage and customs among members of the insurance profession involving their moral and professional duties toward one another, toward clients, toward insureds, and toward insurers.
- (9) "Insurance continuing education credit or "ICEC"" means a value assigned to a course by the Commissioner after review and approval of a course information. This term means the same as "credit hour" as used in G.S. 58-33-130.
- (10) "Instructor" means an individual who teaches, lectures, leads, or otherwise instructs a course.
- (11) "Licensee" means a licensed adjuster, a licensed broker, or a licensed agent with any of the following lines of authority: property, casualty, personal lines, life, or accident and health or sickness.
- (12) "Supervised examination" means a timed, closed book examination that is monitored and graded by a disinterested third party.
- (13) "Supervised individual study" means learning through the use of audio tapes, video tapes, computer programs, programmed learning courses, and other types of electronic media that are completed in the presence of an instructor.

History Note: Authority G.S. 58-2-40; 58-33-130;
Temporary Adoption Eff. June 22, 1990, for a period of 180 days to expire on December 19, 1990;
ARRC Objection Lodged July 19, 1990;
Eff. December 1, 1990;
Amended Eff. February 1, 2008; February 1, 1995; June 1, 1992.

11 NCAC 06A .0802 LICENSEE REQUIREMENTS

(a) Each person holding a life, accident and health or sickness, property, casualty, personal lines, or adjuster license shall obtain 24 ICECs during each biennial compliance period. Each person holding one or more life, accident and health or sickness, property, casualty, personal lines, variable life and variable annuity products or adjuster license shall complete an ethics course or courses within two years after January 1, 2008, and every biennial compliance period thereafter as defined in this Section. The course or courses shall comprise three ICECs.

(b) Each person holding one or more property, personal lines, or adjuster license, shall complete a continuing education course or courses on flood insurance and the National Flood Insurance Program, or any successor programs, within the first biennial compliance period after January 1, 2008, and every other biennial compliance period thereafter. The course or courses shall comprise three ICECs.

(c) Each licensee shall, before the end of that licensee's biennial compliance year, furnish evidence as set forth in this Section that the continuing education requirements have been satisfied.

(d) An instructor shall receive the maximum ICECs awarded to a student for the course.

(e) Licensees shall not receive ICECs for the same course more often than one time in any biennial compliance period.

(f) Licensees shall receive ICECs for a course only for the biennial compliance period in which the course is completed. Any course requiring an examination shall not be considered completed until the licensee passes the examination.

(g) Licensees shall maintain records of all ICECs for three years after obtaining those ICECs, which records shall be available for inspection by the Commissioner.

(h) Nonresident licensees who meet continuing education requirements in their home states meet the continuing education requirements of this Section. Nonresident adjusters who qualify for licensure by passing the North Carolina adjuster examination pursuant to G.S. 58-33-30(h)(2)a shall meet the same continuing education requirements as a resident adjuster including mandatory flood and ethics courses. Nonresident adjusters who qualify for licensure by passing an adjuster examination in another state pursuant to G.S. 58-33-30(h)(2)b and are in good standing in that state shall be credited with having met the same continuing education requirements as resident adjusters, including mandatory flood and ethics courses.

(i) A licensee is exempt from the requirements of this Section, other than ethics and flood courses as described in Paragraph (j) of this Rule, if the licensee:

(1) is age 65 or older; and

(2) has been continuously licensed in the line of insurance for at least 25 years; and

(3) either:

(A) holds a professional designation specified in 11 NCAC 06A .0803; or

(B) certifies to the Commissioner annually that the licensee is an inactive agent who neither solicits applications for insurance nor takes part in the day to day operation of an agency.

(j) Any licensee who qualifies for exemption under Paragraph (i) of this Rule shall meet the ethics and flood courses as required in Paragraph (a) and (b) of this Rule and in Rule .0812 of this Section.

(k) Courses completed before the issue date of a new license do not meet the requirements of this Section for that new license.

(l) No credit shall be given for courses taken before they have been approved by the Commissioner.

(m) Each person with an even numbered birth year shall meet continuing education requirements in an even numbered compliance year. Each person with an odd numbered birth year shall meet continuing education requirements in an odd numbered compliance year. The licensee shall complete 24 hours of continuing education by the last day of the licensee's birth month in the compliance year.

(n) An existing licensee requiring continuing education is an individual who holds any of the following licenses on or before December 31, 2007: life and health, property and liability, personal lines, or adjuster. The licensee's birth year determines if an individual must satisfy continuing education requirements in an even-numbered or odd-numbered year. (Example: 1960 is an even-numbered year; 1961 is an odd-numbered year.) The licensee's birth month determines the month that continuing education is due. (Example: An individual born in October would need to complete 24 hours of continuing education by the end of October in the licensee's compliance year.) The number of ICECs required by this Rule are prorated based on one ICEC per month, up to 24 months. This conversion shall be completed within four years. (Example: An individual with a birth date of February 16, 1960, would have the following two compliance periods during the continuing education conversion: 1st – two ICECs by the end of February 2008; the 2nd – 24 ICECs by the end of February 2010. An individual with a birth date of April 4, 1957, would have the following two compliance periods during the continuing education conversion: 1st – 16 ICECs by the end of April 2009; the 2nd – 24 ICECs by the end of April 2011.) The chart below reflects the number of hours an existing licensee requiring continuing education must have during the four-year conversion.

Compliance Year	EXISTING LICENSEE MONTH OF BIRTH EVEN/ODD YEAR OF BIRTH																							
	JAN		FEB		MAR		APR		MAY		JUN		JUL		AUG		SEPT		OCT		NOV		DEC	
	even	odd	even	odd	even	odd	even	odd	even	odd	even	odd	even	odd	even	odd	even	odd	even	odd	even	odd	even	odd
2008	1		2		3		4		5		6		7		8		9		10		11		12	
2009		13		14		15		16		17		18		19		20		21		22		23		24
2010	24		24		24		24		24		24		24		24		24		24		24		24	
2011		24		24		24		24		24		24		24		24		24		24		24		24

(o) A new licensee requiring continuing education is an individual who is issued any of the following licenses on or after January 1, 2008: life, accident and health or sickness, property, casualty, personal lines or adjuster. The licensee's birth year determines if an individual must satisfy continuing education requirements in an even-numbered or odd-numbered year. (Example: 1960 is an even-numbered year; 1961 is an odd-numbered year.) The licensee's birth month determines the month that continuing education is due. (Examples: An individual born in October would need to complete 24 hours of continuing education by the end of October in the licensee's compliance year. An individual with a birth date of December 1, 1960, licensed in 2008, is required to meet 24 hours of continuing education by December 31, 2010. An individual with a birth date of October 1, 1957, licensed in 2008, is required to meet 24 hours of continuing education by October 31, 2011.) The chart below shows the first deadline by which a new licensee would be required to complete 24 hours of continuing education.

License Issue Year	NEW LICENSEE MONTH OF BIRTH EVEN/ODD YEAR OF BIRTH																							
	JAN		FEB		MAR		APR		MAY		JUN		JUL		AUG		SEPT		OCT		NOV		DEC	
	even	odd	even	odd	even	odd	even	odd	even	odd	even	odd	even	odd	even	odd	even	odd	even	odd	even	odd	even	odd
2008	2010	2011	2010	2011	2010	2011	2010	2011	2010	2011	2010	2011	2010	2011	2010	2011	2010	2011	2010	2011	2010	2011	2010	2011
2009	2012	2011	2012	2011	2012	2011	2012	2011	2012	2011	2012	2011	2012	2011	2012	2011	2012	2011	2012	2011	2012	2011	2012	2011
2010	2012	2013	2012	2013	2012	2013	2012	2013	2012	2013	2012	2013	2012	2013	2012	2013	2012	2013	2012	2013	2012	2013	2012	2013
2011	2014	2013	2014	2013	2014	2013	2014	2013	2014	2013	2014	2013	2014	2013	2014	2013	2014	2013	2014	2013	2014	2013	2014	2013

(p) A member of a professional insurance association may receive no more than two ICECs during the biennial compliance period based solely on membership in the association. The professional insurance association shall be approved as a continuing education provider, shall have been in existence for at least five years, and shall have been formed for purposes other than providing continuing education. The professional insurance association shall:

- (1) Provide the Commissioner or the Administrator with the association's Articles of Incorporation on file with the N.C. Secretary of State;
- (2) Certify to the Commissioner or Administrator that the licensee's membership is active during the biennial compliance period;
- (3) Certify to the Commissioner or Administrator that the licensee attended 50 percent of the regular meetings;
- (4) Certify to the Commissioner or Administrator that the licensee attended a statewide or intrastate regional educational meeting on an annual basis, where the regional meeting covered an area of at least 25 counties of the State; and
- (5) Pay the one dollar (\$1.00) per ICEC to the Commissioner or Administrator.

History Note: Authority G.S. 58-2-40; 58-2-185; 58-2-195; 58-33-130; 58-33-133;
 Temporary Adoption Eff. June 22, 1990, for a period of 180 days to expire on December 19, 1990;
 ARRC Objection Lodged July 19, 1990;
 Eff. December 1, 1990;
 Temporary Amendment Eff. October 3, 1991 for a period of 180 days to expire on March 30, 1992;
 Amended Eff. February 1, 2008; January 1, 2007; February 1, 1995; August 1, 1994;
 February 1, 1994; January 1, 1993.

11 NCAC 06A .0803 COURSES SPECIFICALLY APPROVED

(a) Courses that are necessary to obtain the following nationally recognized designations are approved for 18 ICECs upon successful completion of the national examination for each part:

- (1) Accredited Advisor in Insurance (AAI);
- (2) Associate in Claims (AIC);
- (3) Associate in Loss Control Management (ALCM);
- (4) Associate in Risk Management (ARM);
- (5) Associate in Underwriting (AU);
- (6) Certified Employees Benefit Specialist (CEBS);
- (7) Chartered Financial Consultant (ChFC);
- (8) Chartered Life Underwriter (CLU);
- (9) Chartered Property and Casualty Underwriter (CPCU);
- (10) Fellow Life Management Institute (FLMI);
- (11) General Insurance (INS);
- (12) Life Underwriter Training Council Fellow, 26 week (LUTCF);
- (13) Certified Financial Planner (CFP).

(b) Courses that are necessary to obtain the following nationally recognized designations are approved for an amount of ICECs to be determined by the Commissioner under this Section.

- (1) Agency Management Training Course Graduate;
- (2) Certified Insurance Counselor (CIC);
- (3) Certified Insurance Service Representative (CISR);
- (4) Certified Professional Service Representative (CPSR);
- (5) Fraternal Insurance Counselor (FIC);
- (6) Health Insurance Associate (HIA);
- (7) Life Underwriter Training Council Fellow, 13 weeks (LUTCF);
- (8) Registered Health Underwriter (RHU).

(c) Courses that are taught by a college or university that is accredited by the Southern Association of Colleges and Schools or by an accreditation agency recognized by the U.S. Department of Education are approved for a number of ICECs to be determined by the Commissioner under this Section.

(d) Any course prepared by the Commissioner is approved as a component of each resident licensee's continuing education requirement for a number of ICECs to be determined by the Commissioner under this Section.

History Note: Authority G.S. 58-2-40; 58-33-130;
Temporary Adoption Eff. June 22, 1990, for a period of 180 days to expire on December 19, 1990;
ARRC Objection Lodged July 19, 1990;
Eff. December 1, 1990;
Amended Eff. January 1, 2007; February 1, 1995; June 1, 1992.

11 NCAC 06A .0804 CARRYOVER CREDIT

Only whole ICECs may be carried over from one biennial compliance period to the next biennial compliance period. There is no limit on the number of ICECs that can be carried over.

History Note: Authority G.S. 58-2-40; 58-33-130;
Temporary Adoption Eff. June 22, 1990, for a period of 180 days to expire on December 19, 1990;
ARRC Objection Lodged July 19, 1990;
Eff. December 1, 1990;
Temporary Amendment Eff. October 3, 1991 for a period of 180 days to expire on March 30, 1992;
Amended Eff. February 1, 2008; February 1, 1995; June 1, 1992; March 1, 1992.

11 NCAC 06A .0805 CALCULATION OF ICECS

The following standards are used to evaluate courses submitted for continuing education approval:

- (1) Programs requiring meeting or classroom attendance:
 - (a) Courses or clusters of courses of less than 50 minutes shall not be evaluated for continuing education ICECs.
 - (b) Courses shall not be approved for less than one ICEC.
 - (c) One ICEC shall be awarded for each 50 minutes of instruction unless the Commissioner assigns fewer ICECs based upon the evaluation of the submitted course materials. Courses shall only be approved for whole ICECs.
 - (d) Course providers shall monitor participants for attendance and attention.
- (2) Independent study programs:
 - (a) Independent study programs qualify for continuing education only when there is a supervised examination. No examination administered or graded by insurance company personnel for its own employees is considered to be administered by a disinterested third party. The examination supervisor shall submit to the provider a sworn affidavit that certifies the authenticity of the examination. The provider shall retain the affidavit and examination records.
 - (b) Each course shall be assigned ICECs, which shall be awarded upon the passing of the supervised examination.
- (3) Distance Learning Programs:
 - (a) Distance learning qualifies only when an instructor is available to respond to questions and to maintain attendance records.
 - (b) Any organization sponsoring a teleconference shall have an on-site instructor.
- (4) Internet programs qualify only when there is a secure examination required at the end of the licensee's study of the course material and when periodic security measures have been used throughout the course material before the final examination.
- (5) Webinar courses qualify only when there is a method of monitoring attendance, by way of a random question and answer segment throughout the course, or a monitor at each location. Examinations are not required in Webinar courses.

History Note: Authority G.S. 58-2-40; 58-33-130;
Temporary Adoption Eff. June 22, 1990, for a period of 180 days to expire on December 19, 1990;
ARRC Objection Lodged July 19, 1990;
Eff. December 1, 1990;
Amended Eff. February 1, 2008; April 1, 2003; February 1, 1995; June 1, 1992.

11 NCAC 06A .0806 ATTENDANCE

- (a) If six or fewer ICECs are assigned to a course, the licensee shall attend 100 percent of the course to receive any ICECs.
- (b) If more than six ICECs are assigned to a course, and the licensee passes the exam and attends at least 80 percent of the course, the licensee shall receive 100 percent of the ICECs assigned to the course.
- (c) If more than six ICECs are assigned to a course, and the licensee does not pass the exam but attends at least 80 percent of the course, the licensee shall receive 80 percent of the ICECs assigned to the course.
- (d) An instructor may conduct a class with up to 30 students with no additional assistance. For classes with attendance exceeding 30 students, one assistant to the instructor is required for each additional 50 students or any portion thereof. Each assistant shall be physically present in the classroom during the instructor's presentation.

*History Note: Authority G.S. 58-2-40; 58-33-130;
Temporary Adoption Eff. June 22, 1990, for a period of 180 days to expire on December 19, 1990;
ARRC Objection Lodged July 19, 1990;
Eff. December 1, 1990;
Amended Eff. January 1, 2007; February 1, 1995; June 1, 1992.*

11 NCAC 06A .0807 HARDSHIP

A licensee may request in writing an extension of time under G.S. 58-33-130(c) during or before the last month of the licensee's compliance year.

*History Note: Authority G.S. 58-2-40; 58-33-130;
Temporary Adoption Eff. June 22, 1990, for a period of 180 days to expire on December 19, 1990; ARRC Objection Lodged July 19, 1990;
Eff. December 1, 1990;
Amended Eff. February 1, 2008; January 1, 2007; June 1, 1992.*

11 NCAC 06A .0808 INSTRUCTOR QUALIFICATION

- (a) Continuing education providers shall certify that continuing education instructors meet the qualification requirements, which are the same as those for instructors as provided in 11 NCAC 06A .0705(c), except that the Commissioner may approve instructors possessing specific areas of expertise to instruct courses comprising those areas of expertise.
- (b) Insurance company trainers as instructors shall be full time salaried employees of the insurance company sponsoring the course and shall have as part of their full time responsibilities the duty to provider insurance company training.
- (c) College and university instructors may be full time or adjunct faculty of the college or university, and shall be teaching a curriculum course in his or her field of expertise.
- (d) The Commissioner shall require applicants and current instructors to submit to a personal interview, provide a video or audio tape, a written history of courses taught or any other documentation that will verify the applicant's qualifications to instruct approved insurance courses.
- (e) Temporary instructor authority shall be given to each qualified applicant. The instructor authority shall become permanent after six months unless otherwise denied, suspended, terminated or revoked by the Commissioner.
- (f) As a condition to continued instructor qualification, providers shall insure that each instructor teaches one prelicensing or continuing education course each calendar year.

*History Note: Authority G.S. 58-2-40; 58-33-130; 58-33-132;
Temporary Adoption Eff. June 22, 1990, for a period of 180 days to expire on December 19, 1990;
ARRC Objection Lodged July 19, 1990;
Eff. December 1, 1990;
Amended Eff. February 1, 2008; February 1, 1996.*

11 NCAC 06A .0809 APPROVAL OF COURSES

(a) Providers of all courses specifically approved under Rule .0803 of this Section shall file with the Commissioner or Administrator copies of program catalogs, course outlines, copies of advertising literature, and pay the fee prescribed in G.S. 58-33-133(b).

(b) All providers of courses not specifically approved under Rule .0803 of this Section shall do the following:

(1) Any individual, school, insurance company, insurance industry association, or other organization intending to provide classes, seminars, or other forms of instruction as approved courses shall apply on forms provided by the Commissioner or Administrator; pay the fee prescribed in G.S. 58-33-133(b), provide detailed outlines of the subject matter to be covered, and copies of handouts to be given.

(2) Providers of supervised individual study programs shall file copies of the study programs and the examination, and Internet course security procedures.

(c) The Commissioner shall indicate the number of ICECs that have been assigned to the course that has been approved. If a course is not approved or disapproved within 60 days after receipt of all required information, the course is deemed to be approved at the end of the 60-day period.

(d) If a course approval application is denied, a written explanation of the reason for such action shall be furnished with the denial.

(e) Course approval applications shall include the following:

(1) A statement for whom the course is designed;

(2) The course objectives;

(3) The names and duties of all persons who will be affiliated in an official capacity with the course;

(4) The course provider's tuition and fee refund policy;

(5) An outline that shall include:

(A) a statement of whether there will be a written examination, a written report, or a certification of attendance only;

(B) the method of presentation;

(C) a course content outline with instruction hours assigned to the major topics; and

(D) the schedule of dates, beginning and ending times and places the course will be offered, along with the names of instructors for each course session, submitted at least 30 days before any subsequent course offerings;

(6) A copy of the course completion certificate;

(7) A course rating form;

(8) A course bibliography; and

(9) An electronic copy of the course content and course examination for Internet courses.

(f) A provider may request that its materials be kept confidential if they are of a proprietary nature.

(g) Courses awarded more than six ICECs shall have an examination approved by the Commissioner in order for the licensee to get full credit.

(h) A provider shall not cancel a course unless the provider gives written notification to all students on the roster and to the Commissioner or Administrator at least five days before the date of the course.

(i) A provider shall submit course attendance records electronically within 15 business days after course completion.

(j) An error on the licensee's record that is caused by the provider in submitting the course attendance records shall be resolved by the provider within 15 days after the discovery of the error by the provider.

*History Note: Authority G.S. 58-2-40; 58-33-130; 58-33-132;
Temporary Adoption Eff. June 22, 1990, for a period of 180 days to expire on
December 19, 1990;
ARRC Objection Lodged July 19, 1990;
Eff. December 1, 1990;
Amended Eff. February 1, 2008; February 1, 1996; June 1, 1992.*

11 NCAC 06A .0810 ADVERTISING

- (a) Courses shall not be advertised as approved for ICECs unless such approval has been granted by the Commissioner in writing.
- (b) When a course has been approved for ICECs and is advertised as such, the advertisement shall include:
 - (1) the provider name, assigned provider number, course(s) title(s), assigned course number course(s) date(s) and course location;
 - (2) the number of approved ICECs;
 - (3) the type of licensee for whom the course would be most applicable;
 - (4) all fees and associated expenses; and
 - (5) course rating.
- (c) Advertisements shall be complete, truthful, clear, and not deceptive or misleading.
- (d) The Commissioner may withdraw his approval of any violator to provide or conduct courses.

History Note: Filed as a Temporary Adoption Eff. June 22, 1990, for a period of 180 days to expire on December 19, 1990;
ARRC Objection Lodged July 19, 1990;
Authority G.S. 58-2-40; 58-33-130; 58-33-132;
Eff. December 1, 1990;
Amended Eff. February 1, 1996; June 1, 1992.

11 NCAC 06A .0811 SANCTIONS FOR NONCOMPLIANCE

- (a) If the license of any person lapses under G.S. 58-33-130(c), the license shall be reinstated when the person has completed the continuing education requirements. If the person does not satisfy the requirements for licensure reinstatement within 120 days after the end of the person's previous compliance year, the person shall complete the appropriate precursing education requirement and pass the appropriate licensing examination, at which time the Commissioner shall reinstate the person's license.
- (b) The Commissioner may suspend, revoke, or refuse to renew a license for any of the following causes:
 - (1) Failing to respond to Department inquiries, including continuing education audit requests, within seven calendar days after the receipt of the inquiry or request.
 - (2) Requesting an extension or waiver under false pretenses.
 - (3) Refusing to cooperate with Department employees in an investigation or inquiry.
- (c) The Commissioner may suspend, revoke, or refuse to renew a course provider's, presenters, or instructor's authority to offer courses for any of the following causes:
 - (1) Advertising that a course is approved before the Commissioner has granted such approval in writing.
 - (2) Submitting a course outline with material inaccuracies, either in length, presentation time, or topic content.
 - (3) Presenting or using unapproved material in providing an approved course.
 - (4) Failing to conduct a course for the full time specified in the approval request submitted to the Commissioner.
 - (5) Preparing and distributing certificates of attendance or completion before the course has been approved.
 - (6) Issuing certificates of attendance or completion before the completion of the course.
 - (7) Failing to issue certificates of attendance or completion to any licensee who satisfactorily completes a course.
 - (8) Failing to notify the Commissioner in writing of suspected or known violations of the North Carolina General Statutes or Administrative Code within 30 days after suspecting or knowing about the violations.
 - (9) Violating the North Carolina General Statutes or Administrative Code.
 - (10) Failing to monitor attendance and attention of attendees.

(d) Course providers and presenters are responsible for the activities of persons conducting, supervising, instructing, proctoring, monitoring, moderating, facilitating, or in any way responsible for the conduct of any of the activities associated with the course.

(e) The Commissioner may require any one of the following upon a finding of a violation of this Section:

- (1) Refunding all course tuition and fees to licensees.
- (2) Providing licensees with a course to replace the course that was found in violation.
- (3) Withdrawal of approval of courses offered by the provider, presenter, or instructor.

(f) Each year, the Commissioner shall verify each nonresident licensee's record through the NAIC Producer Data Base to ensure that the licensee has complied with the continuing education requirements in the licensee's home state. If the license lapses under G.S. 58-33-32, the Commissioner shall cancel the license.

*History Note: Authority G.S. 58-2-40; 58-33-125(a); 58-33-130; 58-33-132;
Temporary Adoption Eff. June 22, 1990, for a period of 180 days to expire on December 19, 1990;
ARRC Objection Lodged July 19, 1990;
Eff. December 1, 1990;
Amended Eff. February 1, 2008; January 1, 2007; June 1, 1992.*

11 NCAC 06A .0812 SPECIAL CASES

(a) In addition to the courses in 11 NCAC 6A .0803, the Commissioner shall prepare courses to address and remedy deficiencies in licensee professional performance or conduct detected by the Commissioner through analyses of consumer complaints or from Departmental audits or examinations of insurance companies, licensees, or insurance agencies or brokerages.

(b) The Commissioner shall require individual licensees to take remedial or rehabilitative courses because of complaints or examination or audit findings:

- (1) showing a pattern of irregularities in professional performance or conduct; or
- (2) resulting in the finding of civil violations.

*History Note: Authority G.S. 58-2-40; 58-33-130;
Eff. August 1, 1995.*

11 NCAC 06A .0813 ISSUANCE/CONTINUATION OF PROVIDER APPROVAL

(a) Any individual or entity intending to provide classes, seminars, or other forms of instruction as approved courses shall submit:

- (1) an application prescribed by the Commissioner for provider approval; and
- (2) a course approval application in accordance with Rule .0809 of this Section.

(b) The Commissioner or the Administrator shall approve or deny the provider and course approval application.

(c) Any provider approval that is denied shall be furnished a written explanation for the denial in accordance with Rule .0809(4) of this Section.

(d) Any provider receiving a provider approval denial shall have 15 business days to respond to the denial.

(e) As a condition to continued provider approval, providers shall conduct a minimum of one course within the State of North Carolina each calendar year.

(f) Providers shall retain continuing education records for three years and shall provide these records upon request to the Commissioner or to the Administrator.

*History Note: Authority G.S. 58-2-40; 58-33-130; 58-33-132;
Eff. February 1, 1996;
Amended Eff. February 1, 2008.*

11 NCAC 06A .0705 INSTRUCTORS

(a) Each instructor shall have the following qualifications which shall be verified by the instructor's preclicensing education school:

- (1) Accident and health or sickness; Medicare supplement insurance and long-term care insurance:
 - (A) Registered Health Underwriter (RHU);
 - (B) Certified Employee Benefits Specialist (CEBS);
 - (C) Registered Employee Benefits Consultant (REBC);
 - (D) Health Insurance Associate (HIA);
 - (E) Five years of full-time experience as an employee, agent, or broker interpreting or explaining policies covering accident and health or sickness insurance, Medicare supplement insurance or long term care insurance;
 - (F) Holds an associate degree or bachelor's degree in insurance; or
 - (G) Has education and experience that are found by the Commissioner to be equivalent to the qualifications described in Rule .0703(d)(1) and (d)(2) of this Section.
- (2) Life insurance and annuities:
 - (A) Chartered Life Underwriter (CLU);
 - (B) Chartered Financial Consultant (ChFC);
 - (C) Fellow Life Management Institute (FLMI);
 - (D) Life Underwriter Training Council Fellow (LUTCF);
 - (E) Certified Employee Benefits Specialist (CEBS);
 - (F) Certified Financial Planner (CFP);
 - (G) Five years of full-time experience as an employee, agent, or broker interpreting or explaining life insurance policies, or annuities;
 - (H) Holds an associate degree or bachelor's degree in insurance; or
 - (I) Has education and experience that are found by the Commissioner to be equivalent to the qualifications described in Rule .0703(d)(1) and (d)(2) of this Section.
- (3) Property insurance, casualty insurance, and personal lines:
 - (A) Chartered Property and Casualty Underwriter (CPCU);
 - (B) Accredited Advisor in Insurance (AAI);
 - (C) Associate in Risk Management (ARM);
 - (D) Certified Insurance Counselor (CIC);
 - (E) Five years of full-time experience as an employee, agent, or broker interpreting or explaining property insurance, casualty insurance, or personal lines policies;
 - (F) Holds an associate degree or bachelor's degree in insurance; or
 - (G) Has education and experience that are found by the Commissioner to be equivalent to the qualifications described in Rule .0703(d)(1) and (d)(2) of this Section.

(b) An applicant for instructor shall be determined qualified by the preclicensing education school for each course taught in the preclicensing curriculum.

(c) The Commissioner shall deny, revoke, suspend, or terminate the approval of an instructor upon finding that:

- (1) The instructor fails to meet the criteria for approval provided by this Rule;
- (2) The instructor has failed to comply with statutes or rules regarding preclicensing courses or schools;
- (3) The instructor's employment has been terminated by any approved school on the grounds of incompetence or failure to comply with institutional policies and procedures;
- (4) The instructor provided false information to the Commissioner;
- (5) The instructor has at any time had an insurance license denied, suspended, revoked, or terminated, by the Commissioner or any other state insurance regulator, or has ever been required to return a license while under investigation;
- (6) The instructor has obtained or used, or attempted to obtain or use, in any manner or form, examination questions; or

- (7) The instructor's students have a first-time licensing examination performance record that is below the average examination performance record of all first-time examination candidates.
- (d) In all proceedings to deny, revoke, suspend, or terminate approval of an instructor, the provisions of Chapter 150B of the General Statutes shall be applicable.
- (e) When an instructor's approval is discontinued, the procedure for reinstatement shall be to apply as a new instructor, with a statement of reasons that he is now eligible for reconsideration. The Commissioner may require an investigation before new approval is granted.
- (f) Instructors shall meet the requirements in 11 NCAC 06A .0808.

History Note: Authority G.S. 58-2-40; 58-33-30(d); 58-33-132;
Eff. February 1, 1989;
Amended Eff. February 1, 2008; April 1, 1996; October 1, 1990.