# Your Exam Content Outline

The following outline describes the content of one of the Utah insurance examinations. The examination will contain questions on the subjects contained in the outline. The percentages indicate the relative weight assigned to each section of the examination. For example, 10 percent means that 6 questions will be drawn from the section on a 60-question exam, 10 will be drawn on a 100-question exam and 15 will be drawn on a 150-question exam.

#### Utah Consultant's Combined Life, Accident and Health Exam Series 17-09

150 questions (plus 5 unscored items)

2.5-hour time limit

#### Effective date: January 1, 2020

## **1.0 Insurance Regulation 7% (11 Items)**

## 1.1 Licensing

Purpose (31A-23a-101)

Process (31A-23a-103-105, 107, 302)

Qualifications (31A-23a-107, 108)

Types of licensees 31A-1-301, 31A-23a-106, 203, 401, 504)

Producers

Consultants

Adjusters

Nonresidents (31A-23a-109)

Maintenance and duration

Renewal (31A-23a-105; 31A-23a-111)

Continuing education requirements (31A-23a-202; Reg R590-142-1-10)

Reinstatement (31A-23a-111(2), 113)

Assumed name (31A-23a-110(2))

Change of address or telephone number (31A-23a-412(1)(c))

Reporting of actions (31A-23a-105(2)(b))

**Disciplinary** actions

License termination, suspension, or revocation (31A-2-308(10)(a); 31A-23a-111)

Probation (31A-23a-112)

Monetary forfeiture (fines) (31A-2-308)

#### 1.2 State regulation

Commissioner's general duties and powers (31A-2-201)

Company regulation

Solvency (31A-4-105, 105.5)

Rates (31A-19a-201-203)

Policy forms (31A-21-201-203)

Producer appointment (31A-23a-115; Reg R590-244-1-14)

Termination of appointment (Reg R590-244-1-14)

Unfair claim settlement practices (31A-26-303; Reg R590-190-192)

Producer regulation

Fiduciary and trust account responsibilities (31A-23a-409)

Place of business/records maintenance (31A-23a-412)

Controlled business (31A-23a-502)

Shared commissions (31A-23a-504)

## Unfair marketing practices (Reg R590-154)

Misrepresentation (31A-21-105; 31A-23a-402(1))

False advertising (31A-23a-402(1))

Rebating (31A-23a-402(2), 31A-1-301(145))

Unfair discrimination (31A-23a-402(3))

Boycott, coercion or intimidation (31A-23a-402(4))

Illegal inducement (31A-23a-402.5, Reg R590-154-11)

Examination of records (31A-2-203-205; 31A-23a-412)

Privacy of Consumer Information (Reg R590-206)

Insurance fraud regulation (31A-31-103-106)

Personal liability for unpaid claims (31A-15-105)

#### 1.3 Federal regulation

Fair Credit Reporting Act (15 USC 1681– 1681d)

Fraud and false statements (18 USC 1033, 1034)

Privacy (Gramm Leach Bliley)

National Do Not Call List

Affordable Care Act

## 2.0 General Insurance 5% (8 Items)

## 2.1 Concepts

Risk management key terms

Risk

Exposure

Hazard

Peril

Loss

Methods of handling risk

Avoidance

Retention

Sharing

Reduction

Transfer

Elements of insurable risks

Adverse selection

Law of large numbers

Reinsurance

## 2.2 Insurers

Types of insurers

Stock companies

Mutual companies

Fraternal benefit societies

Reciprocals

Lloyd's associations

Risk retention groups

Private versus government insurers

Admitted versus nonadmitted insurers

Domestic, foreign and alien insurers

Financial status (independent rating services)

Marketing (distribution) systems

2.3 Producers and general rules of agency

Insurer as principal Producer/insurer relationship Authority and powers of producer Express Implied Apparent Responsibilities to the applicant/insured 2.4 Contracts Elements of a legal contract Offer and acceptance Consideration Competent parties Legal purpose Distinct characteristics of an insurance contract Contract of adhesion Aleatory contract Personal contract Unilateral contract Conditional contract Legal interpretations affecting contracts Ambiguities in a contract of adhesion Reasonable expectations Indemnity Utmost good faith Representations/misrepresentations Warranties Concealment Fraud

3.0 Life Insurance Basics 7% (11 Items)

Waiver and estoppel

## **3.1 Insurable interest** (31A-21-104)

#### 3.2 Personal uses of life insurance

Survivor protection

Estate creation

Cash accumulation

Liquidity

Estate conservation

- 3.3 Life settlements (including stranger originated life insurance)
- 3.4 Determining amount of personal life insurance

Human life value approach

Needs approach

Types of information gathered

Determining lump-sum needs

Planning for income needs

## 3.5 Business uses of life insurance

- Buy-sell funding
- Key person
- Executive bonuses
- Deferred compensation funding

Split dollar plans

Change of insured provision

## 3.6 Classes of life insurance policies

Group versus individual

Ordinary versus industrial (home service)

Permanent versus term

Participating versus nonparticipating

Fixed versus variable life insurance and annuities including regulation of variable products (SEC, FINRA, and Utah) (31A-5-217, 217.5; 31A-23a-206)

#### 3.7 Premiums

Factors in premium determination

Mortality

Interest

Expense

Premium concepts

Net single premium

Gross annual premium

Premium payment mode

#### 3.8 Licensee responsibilities

Solicitation and sales presentations (Reg R590-79-1-8)

Advertising (Reg R590-130-4-16)

Utah Life and Health Insurance Guaranty Association (31A-28-119(1-4); Reg R590-155)

Illustrations (31A-22-631; Reg R590-177-1-13)

Policy summary (31A-22-631; Reg R590-79-4(F), 5)

Buyer's guide (Reg R590-79-4(A), 5)

Life insurance policy cost comparison methods

Suitability (R590-230)

Need for variable license to recommend termination of a variable product (R590-133)

Replacement (Reg R590-93-1-12)

Use and disclosure of insurance information

#### Field underwriting

Notice of information practices

Application procedures

#### Delivery

Policy review

Effective date of coverage

Premium collection

Statement of good health

## 3.9 Individual underwriting by the insurer

Information sources and regulation

Application

Licensee report

Attending physician statement

Investigative consumer (inspection) report

Medical Information Bureau (MIB)

Medical examinations and lab tests (including HIV consent) (Reg R590-132-3)

Selection criteria and unfair discrimination (31A-23a-402(3))

Classification of risks

Preferred

Standard

Substandard

#### 4.0 Life Insurance Policies 7% (11 Items)

#### 4.1 Term life insurance

Level term

Annual renewable term

Level premium term

Decreasing term

#### 4.2 Whole life insurance

Continuous premium (straight life)

Limited payment

Single premium

#### 4.3 Flexible premium policies

Adjustable life

Universal life

## 4.4 Specialized policies

Joint life (first-to-die)

Juvenile life

## 4.5 Group life insurance

Characteristics of group plans

Types of plan sponsors

Group underwriting requirements

Conversion to individual policy (31A-22-517– 519)

## 5.0 Life Insurance Policy Provisions, Options and Riders 5% (7 Items)

## 5.1 Standard provisions

Ownership

Assignment (31A-22-412)

Entire contract (31A-22-424)

Modifications

Right to examine (free look) (31A-22-423)

Payment of premiums

Grace period (31A-22-402)

Reinstatement (31A-22-407)

Incontestability (31A-22-403)

Misstatement of age and gender (31A-22-405)

Exclusions

Suicide exclusion (31A-22-404)

Medical examination; autopsy (31A-22-417)

Prohibited provisions including backdating (31A-22-401)

### 5.2 Beneficiaries

Designation options

Individuals

Classes

Estates

Minors

Trusts

Succession

Revocable versus irrevocable

Common disaster clause

Spendthrift clause

Revocation at divorce 30-3-5

#### 5.3 Settlement options

Cash payment Interest only Fixed-period installments Fixed-amount installments Life income Sinale life Joint and survivor 5.4 Nonforfeiture options Cash surrender value Extended term Reduced paid-up insurance 5.5 Policy loan and withdrawal options Cash loans Automatic premium loans Withdrawals or partial surrenders 5.6 Dividend options Cash payment Reduction of premium payments Accumulation at interest One-year term option Paid-up additions 5.7 Disability riders Waiver of premium Waiver of cost of insurance Disability income benefit Payor benefit life/disability (juvenile insurance) 5.8 Accelerated (living) benefit provision/rider Qualifying events Disclosure Effect of benefit payment 5.9 Riders covering additional insureds Spouse/other-insured term rider Children's term rider Family term rider 5.10 Riders affecting the death benefit amount

Accidental death Guaranteed insurability Cost of living Return of premium

## 6.0 Annuities 9% (13 Items)

## 6.1 Annuity principles and concepts

Accumulation period versus annuity period Owner, annuitant and beneficiary

Insurance aspects of annuities

#### 6.2 Immediate versus deferred annuities

Single premium immediate annuities (SPIAs)

#### Deferred annuities

Premium payment options

Nonforfeiture

Surrender charges

Death benefits

#### 6.3 Annuity (benefit) payment options

Life contingency options

Pure life versus life with guaranteed minimum

Single life versus multiple life

Annuities certain (types)

#### 6.4 Annuity products

Fixed annuities

General account assets

Interest rate guarantees (minimum versus current)

Level benefit payment amount

Indexed annuities

Market value adjusted annuities

Guaranteed living benefit riders

Variable annuities

#### 6.5 Uses of annuities

Lump-sum settlements

Qualified retirement plans including group versus individual annuities

Personal uses

Individual retirement annuities (IRAs)

Tax-deferred growth

Retirement income

Education funds

#### 7.0 Federal Tax Considerations for Life Insurance and Annuities 9% (13 Items)

## 7.1 Taxation of personal life insurance

Amounts available to policyowner

Cash value increases

Dividends

Policy loans

Surrenders

Amounts received by beneficiary

General rule and exceptions

Settlement options

Values included in insured's estate

#### 7.2 Modified endowment contracts (MECs)

Modified endowment versus life insurance

Seven-pay test

Distributions

## 7.3 Taxation of non-qualified annuities

Individually-owned

Accumulation phase (tax issues related to withdrawals)

Annuity phase and the exclusion ratio

Distributions at death

Corporate-owned

## 7.4 Taxation of individual retirement annuities (IRAs)

Traditional IRAs

Contributions and deductible amounts

Premature distributions (including taxation issues)

Annuity phase benefit payments

Values included in the annuitant's estate

Amounts received by beneficiary

Roth IRAs

Contributions and limits

Distributions

# 7.5 Rollovers and transfers (IRAs and qualified plans)

#### 7.6 Section 1035 exchanges

#### 8.0 Qualified Plans 6% (9 Items)

## 8.1 General requirements

#### 8.2 Federal tax considerations

Tax advantages for employers and employees

Taxation of distributions (age-related)

#### 8.3 Plan types, characteristics and purchasers

Simplified employee pensions (SEPs) Self-employed plans (HR 10 or Keogh plans) Profit-sharing and 401(k) plans

SIMPLE plans

Pension plans

Section 457 deferred compensation

403(b) tax-sheltered annuities (TSAs)

## 8.4 Special rules for life insurance

Incidental limitation

Taxation of economic benefit

Taxation of life insurance distributions

# 9.0 Accident and Health Insurance Basics 12% (18 Items)

## 9.1 Definitions of perils

Accidental injury (R590-126, 233)

Sickness, medical necessity and emergency (31A-22-627)

## 9.2 Principal types of losses and benefits

Loss of income from disability (R590-126, 233)

Medical expense

Dental expense

Long-term care expense

## 9.3 Classes of health insurance policies

Individual versus group

Private versus government

Self-funded vs fully insured

Limited versus comprehensive

Employer group versus association group

## 9.4 Limited policies (R590-126)

Limited perils and amounts

Required notice to insured

Types of limited policies

Accident-only

Specified (dread) disease

Hospital indemnity (income)

Credit disability

Blanket insurance (teams, passengers, other)

Prescription drugs

Vision care

- **9.5 Common exclusions from coverage** (R590-126)
- 9.6 Licensee responsibilities in individual health insurance

Marketing requirements

Advertising (Reg R590-130-4-16)

Utah Life and Health Insurance Guaranty Association (31A-28-119(1-4); R590-155)

### Sales presentations

Outline of coverage (Reg R590-126-8, 233-8)

Compensation disclosure (31A-23a-501)

## Field underwriting

Nature and purpose

Employee waiver form (31A-22-635; R590-247)

Disclosure of information about individuals (R590-126, 233)

Application procedures

Requirements at delivery of policy

Utah individual and small employer health insurance application (R590-247)

Common situations for errors/omissions

## 9.7 Individual underwriting by the insurer

Underwriting criteria

Sources of underwriting information

Application

Licensee report

Attending physician statement

Investigative consumer (inspection) report

Medical Information Bureau (MIB)

Medical examinations and lab tests (including HIV consent) (Reg R590-132-3)

Unfair discrimination (31A-23a-402(3))

Genetic Information and Nondiscrimination Act of 2008 (GINA)

Classification of risks

Preferred

Standard

Substandard

#### **9.8 Considerations in replacing accident and health insurance** (Reg R590-126-9, 233)

Pre-existing conditions (31A-22-605.1)

Benefits, limitations and exclusions

Underwriting requirements

Licensee liability for errors and omissions

Required notification

# **9.9 Other required, uniform and general** provisions (R590-126, 133)

Incontestability (31A-22-609)

Grace period (31A-22-607)

Reinstatement (31A-22-608)

Claim procedures (31A-21-312; 31A-22-614; 31A-26-301; Reg R590-192-1-14)

Change of occupation (31A-22-613(1))

Misstatement of age (31A-22-613(2,3))

Coordination of benefits (31A-22-619)

Right to examine (free look) (31A-22-606)

Rights of spouse (31A-22-612)

Insuring clause

- Consideration clause
- Entire contract; changes

Physical examinations and autopsy

Legal actions

Change of beneficiary

- Unpaid premium
- Conformity with state statutes
- Illegal occupation
- Renewability clause (31A-30-107; Reg R590-126-5; Reg R590-233)

Noncancelable

Guaranteed renewable

Conditionally renewable

Renewable at option of insurer

Nonrenewable (cancelable, term)

### 9.10 Federal Health Reform (Patient Protection and Affordability Care Act)

#### 9.11 Utah Health Exchange

## 10.0 Disability Income and Related Insurance 2% (3 Items)

## 10.1 Qualifying for disability benefits

Inability to perform duties

Own occupation

Any occupation

Loss of income (income replacement contracts)

Definition of total disability (R590-126-3)

Presumptive disability

Requirement to be under physician care

### 10.2 Individual disability income insurance

Basic total disability plan Income benefits (monthly indemnity) Elimination and benefit periods Waiver of premium feature Coordination with social insurance and workers compensation benefits Additional monthly benefit (AMB) Social insurance supplement (SIS) Occupational versus nonoccupational coverage At-work benefits Partial disability benefit Residual disability benefit Other provisions affecting income benefits Cost of living adjustment (COLA) rider Future increase option (FIO) rider Relation of earnings to insurance Other cash benefits Accidental death and dismemberment Rehabilitation benefit Medical reimbursement benefit (nondisabling injury) Refund provisions Return of premium Cash surrender value Exclusions 10.3 Unique aspects of individual disability underwriting Occupational considerations Benefit limits Policy issuance alternatives 10.4 Group disability income insurance Group versus individual plans Short-term disability (STD) Long-term disability (LTD) 10.5 Social Security disability Qualification for disability benefits Definition of disability Waiting period Disability income benefits

11.0 Medical Plans 10% (15 Items)

## 11.1 Medical plan concepts

Fee-for-service basis versus prepaid basis

Specified coverages versus comprehensive care

Benefit schedule versus usual/reasonable/customary charges

Any provider versus limited choice of providers

Insureds versus subscribers/participants

## 11.2 Types of providers and plans

Major medical insurance (indemnity plans)

Characteristics

**Common limitations** 

Exclusions from coverage

Provisions affecting cost to insured

Health maintenance organizations (HMOs)

General characteristics

Preventive care services

Primary care physician versus referral (specialty) physician

Emergency care

Hospital services

Other basic services

Preferred provider organizations (PPOs)

General characteristics

Limited health plans (31A-8-101(6))

Open panel or closed panel

Types of parties to the provider contract

Utah Net Care Plan (31A-22-724)

Point-of-service (POS) plans

Nature and purpose

Out-of-network provider access (openended HMO)

PCP referral (gatekeeper PPO)

Indemnity plan features

#### 11.3 Cost containment in health care delivery

Cost-saving services

Preventive care

Hospital outpatient benefits

Alternatives to hospital services

Maternity stay minimum limits (31A-22-610.2)

Utilization management

Prospective review

Concurrent review

# 11.4 Utah requirements (individual and group)

Eligibility requirements

Newborn child coverage (31A-22-610)

Dependent child age limit (31A-22-610.5)

Court ordered dependency coverage (31A-22-610.5)

Eligibility of dependent children not based solely on residency (31A-22-718)

Policy extension for handicapped children (31A-22-611)

Adoptions (31A-22-610.1)

Federal health care reform required dependent coverage

Benefit offers

Substance abuse coverage (31A-22-715)

## 11.5 HIPAA (Health Insurance Portability and Accountability Act) requirements

Eligibility

Guaranteed issue

Creditable coverage

Renewability

## 11.6 Health Savings Accounts (HSAs) and Health Reimbursement Accounts (HRAs)

Definition

- Eligibility
- Contribution limits

Portability

**11.7** Uniform health benefit plan information card (31A-22-635)

#### **11.8 Federal Health Care Reform (Patient Protection and Affordable Care Act)**

# 12.0 Group Accident and Health Insurance 10% (15 Items)

# **12.1** Characteristics of group insurance (31a-22-501)

Group contract

Certificate of coverage

Experience rating versus community rating

## **12.2** Types of eligible groups

Employment-related groups (31a-22-501.1)

Individual employer groups (31a-22-501.1)

Multiple-Employer Trusts (METs) or Welfare Arrangements (MEWAs)

Associations (alumni, professional, other) (31a-22-701)

Customer groups (depositors, creditor-debtor, other) (31a-22-506)

Discretionary groups (31a-22-701)

#### 12.3 Marketing considerations

Advertising (R590-155)

Unfair inducements (R590-154)

Regulatory jurisdiction/place of delivery

#### 12.4 Employer group health insurance

Insurer underwriting criteria

Characteristics of group

Plan design factors

Persistency factors

Administrative capability

Eligibility for insurance

Annual open enrollment

Employee eligibility

Dependent eligibility (31a-22-610, 31a-22-610.5, 31a-22-718, 31a-22-610.1, 31a-22-611)

Coordination of benefits provision (Reg R590-131)

Change of insurance companies or loss of coverage

Coinsurance and deductible carryover

No-loss no-gain

Events that terminate coverage

Extension of benefits

Continuation of coverage under COBRA and Utah Mini-COBRA (31A-22-722)

Conversion rights (31A-22-723)

Reinstatement of coverage for military personnel (31A-22-717)

#### 12.5 Small employer medical plans

Definition of small employer (31A-1-301)

Basic coverage (31A-22-613.5)

Availability of coverage (31A-30-108)

Benefit choices (31A-30-109)

Renewability of coverage (31A-30-107)

Pre-existing conditions (31A-22-605.1)

Participation requirements (31A-30-112)

Surcharge for charging carriers (31A-30-106.7)

Open enrollment (Reg R590-176)

Rating of small employer plans (31A-30; Reg R590-167)

#### 12.6 Regulation of employer group insurance plans

Employee Retirement Income Security Act (ERISA)

Applicability

Fiduciary responsibilities

Reporting and disclosure

Age Discrimination in Employment Act (ADEA)

Applicability to employers and workers

Permitted reductions in insured benefits

Permitted increases in employee contributions

Requirements for medical expense coverage

Civil Rights Act/Pregnancy Discrimination Act

Applicability

Guidelines

Relationship with Medicare

Medicare secondary rules

Medicare carve-outs and supplements

Nondiscrimination rules (highly-compensated)

#### 12.7 Types of funding and administration

Conventional fully-insured plans

Fully self-funded (self-administered) plans

Characteristics

Conditions suitable for self-funding

Benefits suitable for self-funding

## **13.0** Dental Insurance 1% (1 Item)

## 13.1 Categories of dental treatment

Diagnostic and preventive Restorative Oral surgery Endodontics Periodontics Prosthodontics Orthodontics

## 13.2 Indemnity plans

Choice of providers

Scheduled versus nonscheduled plans

Benefit categories

Diagnostic/preventive services

- Basic services
- Major services

Deductibles and coinsurance

- Combination plans
- Exclusions/Limitations R590-126
- Predetermination of benefits

## 13.3 Employer group dental expense

Integrated deductibles versus stand-alone plans

Minimizing adverse selection

#### 14.0 Medicare 4% (6 Items)

## 14.1 Medicare standard policies

Nature, financing and administration

Part A — Hospital Insurance

Individual eligibility requirements

Enrollment

Coverages and cost-sharing amounts

Part B — Medical Insurance

Individual eligibility requirements

Enrollment

Coverages and cost-sharing amounts

Exclusions

Claims terminology and other key terms

Part C — Medicare Advantage

Part D — Prescription Drug Insurance

## 14.2 Medicare supplement

Purpose

Open enrollment (Reg R590-146-11)

Standardized Medicare supplement plans

Core benefits (Reg R590-146-8(B))

Additional benefits (Reg R590-146-8(C))

Utah regulations and required provisions

Standards for marketing (Reg R590-146-20)

Advertising (Reg R590-146-19)

Appropriateness of recommended purchase and excessive insurance (Reg R590-146-21)

Right to return (free look) (31A-22-620(6))

- Replacement (Reg R590-146-18, 23)
- Pre-existing conditions (Reg R590-146-23)

Required disclosure provisions (Reg R590-146-17)

Outline of coverage (Reg R590-146-17(C))

Guide to Health Insurance for People with Medicare (Reg R590-146-17(A)(6)(a))

Permitted compensation (Reg R590-146-16)

New plans effective June 1, 2010 (Reg R590-146)

Medicare Advantage

#### 14.3 Other options for individuals with Medicare

Employer group health plans

Disabled employees

Employees with kidney failure (End Stage Renal Disease) (ESRD)

Individuals age 65 and older

Medicaid

Eligibility

Benefits

#### 14.4 Medicare Improvements for Patients and Providers Act of 2008 (MIPPA)

## 15.0 Long-Term Care Insurance 4% (6 Items)

15.1 Long-term care (LTC) policies

Eligibility for benefits

Levels of care

Skilled care

Intermediate care

Custodial care

Home health care

- Adult day care
- Respite care

Federal reform — CLASS ACT

- Benefit periods
- Benefit amounts

Optional benefits

Guarantee of insurability

Return of premium

Qualified LTC plans

Exclusions

Underwriting considerations

Utah regulations and required provisions

Standards for marketing (Reg R590-148-18)

Advertising (Reg R590-148-20)

Shopper's guide (Reg R590-148-16)

Outline of coverage (31A-22-1409; Reg R590-148-15)

Appropriateness of recommended purchase (Reg R590-148-17)

Right to return (free look) (31A-22-1408)

Replacement (Reg R590-148-6)

Renewal provisions (Reg R590-148-6)

Continuation or conversion (Reg R590-148-10)

Required disclosure provisions (Reg R590-148-6)

Inflation protection (Reg R590-148-13)

Pre-existing conditions (31A-22-1406; Reg R590-148-6)

Protection against unintentional lapse (Reg R590-148-11)

Prohibited provisions (31A-22-1405, 1407)

Rate disclosure form

**16.0 Federal Tax Considerations for Accident and** Health Insurance 2% (3 Items)

## 16.1 Personally-owned health insurance

Individual mandate/penalties for noncompliance

Disability income insurance

Medical expense insurance

Long-term care insurance

## 16.2 Employer group health insurance

Disability income (STD, LTD)

Benefits subject to FICA

Medical and dental expense

Long-term care insurance

Accidental death and dismemberment

#### 16.3 Medical expense coverage for sole proprietors and partners

## 16.4 Business disability insurance

Key person disability income

Buy-sell policy

16.5 Health Savings Accounts (HSAs) and Health Reimbursement Accounts (HRAs)