# Life and Health Producer State Section Series 20-16 25 questions- 30-minute time limit

## **1.0 Insurance Regulation**

1.1 Licensing 20% (4 items) General Provisions and Definitions Purpose Process (Insurance Article Annotated Code- Sec. 10-118(b)(2); Sec. 10.109; Sec. 10-103(c)(1)Initial Licensure Qualifications Examination License fee & application Types of licensees (Insurance Article Annotated Code- Sec. 1-101(u)(1)) Producers Advisers Nonresidents **Business entities** Exceptions Maintenance (Insurance Article Annotated Code- Sec. 10-211(e)(2)(i); Sec. 10-115; Sec. 10-1-05; Sect. 10-116(a)(2)(i);)) Duration and termination Address and/or name changes Assumed names Requirement to report felony convictions Requirement to report other states actions Continuing education Appointment procedures (Insurance Article Annotated Code- Sec. 1-101; Sec. 10-118; Sec. 27-209) Producer's contract with insurer versus producer's appointment with insurer Poducer's appointment versus agency's appointment Solicitation prior to appointment Appointment requirement after becoming licensed Acknowledgment of appointment/notice to producer Requirement to cease solicitation Termination of appointment/notice to producer Termination of license without active appointment Disciplinary actions (Insurance Article Annotated Code- Sec. 1-301; Sec. 10-126(e); Sec. 27-202) Probation, suspension, revocation or refusal to issue or renew Cease and desist order Penalties Hearings/Notice of Hearings Fraud (Insurance Article Annotated Code- Sec. 27-216(a)(1)(i); Sec. 2-401) 1.2 State regulation 30% (6 items)

State Corporation Commission's general duties and powers (*Insurance Article Annotated Code- Sec. 2-102(a); Sec. 2-103(a)(4); Sec. 2-204(b)(1); 16-601;* 

Sec. 1-301; Sec. 2- 101; Sec. 10-126)	
Insurer Regulation (Insurance Article Annotated Code- Sec. 15-204(B); Sec. 15-208(A)(1); Sec. 15-211(A); Sec. 18-105(1); Sec. 18- 106(b)(1);	
Sec. $75-200(n)(1)$ , sec. $15-211(n)$ , sec. $10-100(1)$ , sec. $10-100(0)(1)$ , Sec. $27-501(a)(1)$ )	
Forms	
Unfair Claims Settlement Practices	
Certificate of Authority	
Producer regulation (Insurance Article Annotated Code- Sec. 27-209; Sec. 10-105;	
COMAR- Sec. 31.03.03)	
Acting for an unlicensed insurer	
Record retention	
Activities of unlicensed individuals	
Payment and sharing of commissions	
Charging of fees	
Illegal compensation; exceptions Fiduciary capacity	
Responsibility of trust accounts	
Unfair trade practices (Insurance Article Annotated Code- Sec. 27-304; Sec. 27-213;	
Sec. 27-305(a); Sec. 27-504(b)(1); COMAR- Sec. 31.15.02.12; Sec.31.15.02.18(A);	
Sec. 31.15.02.02; Sec. 31.15.02.03(B))	
Misrepresentation	
False advertising	
Defamation	
Notice of Adverse Underwriting Decisions	
False statements and entries	
Rebating	
Twisting	
Referrals	
Insurance information and privacy protection	
1.3 State Insurance Dequirements (Specific to Life Insurance)	15% (3 itoms)
<b>1.3 State Insurance Requirements (Specific to Life Insurance)</b> Policy Replacement (COMAR, Sec. 31.09.05.10)	15% (3 items)
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Eligibility requirements Dependent child age limit Coverage for adopted children Newborn child coverage Medical child support coverage Intellectual disability and physical handicap dependent coverage Mandated or Required Offers (Insurance Article Annotated Code- Sec. 15-407, 15-408, 15-409; Sec. 15-801, 15-802, 15-810, 15-839) Mandated or Required Benefits (COMAR Sec. 31.10.06.08(B)(12); Insurance Article Annotated Code- Sec. 15-804(3); Sec. 15- 802, 15-838, 15- 841) Other Requirements Small Employer Health Insurance (Insurance Article Annotated Code- Sec. 15-1204 (special note)(b); Sec. 15-1205; Sec. 15-1208(C); Sec. 15- 1201(e)) Medicare Supplement Insurance (Insurance Article Annotated Code- Sec. 15-901; Sec. 15-906; Sec. 15-909; Sec. 15-910) Purpose and Definitions Minimum Standards and Provisions Eligibility Disclosure and Marketing Maryland Health Benefit Exchange SHOP vs. Individual Exchange Open Enrollment/Special Enrollment **Employer Choice Options in SHOP Exchange** Mandated Referrals 1.6 Insurance for Senior Citizens and Special Needs Individuals Maryland Long-Term Care (LTC) regulations and required provisions (Tax General Article 10-710 - Sec. 10-718; Insurance Article Annotated Code- Sec. 18-101; Sec. 18-104; Sec. 18-105) Standards for marketing Advertising Consumer guide Outline of coverage Suitability including personal worksheet Right to return (free look) Replacement Renewal considerations Continuation of benefits Required disclosure provisions

5% (1 item)

Incontestability Inflation protection Unintentional lapse Pre-existing conditions Nonforfeiture benefit Benefit triggers Long-Term Care (LTC) Insurance Deductibility of Premiums for LTC Insurance for State Income Tax Purposes Maryland Medicare Supplement regulations and required provisions Standards for marketing Advertising Appropriateness of recommended purchase and excessive insurance Buyer's guide Outline of coverage Right to return (free look) Replacement Prohibited policy provisions

Minimum benefit standards Required disclosure provisions Pre-existing conditions Permitted compensation Guaranteed issue for eligible persons Continuation and conversion requirements Medicare SELECT

# Life and Health Producer General Section **Series 20-15** 115 questions- 120-minute time limit

#### 2.0 General Insurance 2.1 Concepts

8% (9 items)

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 assessment insurers Fraternal benefit societies Private versus government insurers Admitted versus nonadmitted insurers Purchasing Groups Government Plans Domestic, foreign and alien insurers Financial status (independent rating services) and operating results Marketing (distribution) systems Life and Health Insurance Guaranty Corporation

## 2.3 Producers and general rules of agency

Types Captive Independent Insurer as principal Producer of insurer Authority and powers of producers 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 Waiver and estoppel 2.5 Federal regulation Fair Credit Reporting Act (15 USC 1681–1681d) Fraud and false statements (18 USC 1033, 1034) Variable Products Employee Retirement Income Security Act (ERISA) Applicability Fiduciary responsibilities Reporting and disclosure COBRA Continuation ACA-Related Federal Market Reforms Definitions Individual health insurance coverage Dependent coverage Lifetime and annual limits Restrictions relating to premium rates Essential health benefits Waiting periods **2.6 Industry Associations** National Association of Insurance Commissioners (NAIC) NCOIL (National Conference of Insurance Legislators) Industry and Producer 3.0 Life Insurance Basics **3.1 Insurable interest** 3.2 Personal uses of life insurance Survivor protection Estate creation Cash accumulation Liquidity Estate conservation Debt Protection on Personal Mortgages (only) 3.3 Viatical/Life Settlements Nature and Purpose Viatical Settlement, Broker Authority, and Licensing Disclosure to Consumers General Rules Fraudulent Acts Definitions Chronically ill Fraudulent Viatical Settlement Act Terminally ill Viatical Settlement broker Viatical Settlement provider

14% (15 items)

Viatical settlement purchaser Viator 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 Social Security Benefits 3.5 Business uses of life insurance Buy-sell funding Key person Executive bonuses 3.6 Classes of life insurance policies Group versus individual Ordinary Industrial (Home Service) Permanent versus term Participating versus nonparticipating Fixed versus variable life insurance and annuities Regulation of variable products (FINRA) Types of variable products U.S. Government Plans 3.7 Premiums Factors in premium determination Mortality Interest Expense Premium concepts Net single premium Gross annual premium Premium payment mode 3.8 Producer responsibilities Rules Governing Advertisement of Life Insurance and Annuities Solicitation and sales presentations Maryland Life, Accident and Sickness Insurance Guaranty Association Advertising Illustrations Policy summary Buyer's guide Life Insurance Policy Cost Comparison Methods Replacement Use and disclosure of insurance information Field underwriting Notice of information practices Adverse underwriting decisions Application procedures **Required** signatures Changes in the application Consequences of incomplete applications Warranties and representations Collecting the initial premium and issuing the receipt Disclosures at point of sale (e.g., HIPAA, HIV consent) USA PATRIOT Act/anti-money laundering Delivery Policy review

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Effective date of coverage Premium collection Statement of good health 3.9 Individual underwriting by the insurer Information sources and regulation Application Producer report Attending physician statement Investigative consumer (inspection) report Medical Information Bureau (MIB) Medical examinations and lab tests including HIV Selection criteria and unfair discrimination Discrimination against victims of domestic violence Classification of risks Preferred Standard Substandard Declined 4.0 Life Insurance Policies 4.1 Term life insurance Level term Annual renewable term Level premium term Convertible Term Decreasing term Increasing term Return of premium 4.2 Whole life insurance Ordinary whole life Continuous premium (straight life) Limited payment Interest sensitive/current assumption Indexed life Equity indexed life Graded Premium Single premium Variable whole life Variable universal life 4.3 Flexible premium policies Adjustable life Universal life 4.4 Specialized policies Family (Family Protection and Family Plan) Joint life (first-to-die) Survivorship life (second-to-die) Juvenile/student life 4.5 Group life insurance Characteristics of group plans Types of eligible groups Employer/employee Debtor groups Labor union groups Trust Associations Group underwriting requirements

8% (9 items)

Benefit payments
Covered dependents
Lives covered
Conversion to individual policy
Contributory vs. noncontributory
4.6 Credit life insurance (individual versus group)

# 5.0 Life Insurance Policy Provisions, Options and Riders

5.1 Standard provisions

### 11% (12 items)

Ownership Assignment Entire contract Right to examine (free look) Payment of premiums Grace period Reinstatement Incontestability Misstatement of age and misstatement of gender Exclusions Suicide War clause Interest on proceeds Prohibited provisions including backdating 5.2 Beneficiaries **Designation options** Individuals Classes Estates Minors Trusts Succession Revocable versus irrevocable Annulment or divorce Common disaster clause Spendthrift clause Facility of Payment Clause 5.3 Settlement options Cash payment Interest only Fixed-period installments

Fixed-amount installments Life income Single life Joint and survivor

5.4 Nonforfeiture options

Cash surrender value Extended term Reduced paid-up insurance

#### 5.5 Policy loans

Cash loans Automatic premium loans Withdrawals or partial surrenders Educational loans Automatic Option Required

### 5.6 Dividend options

Cash payment

Reduction of premium payments Accumulation at interest One-year term option Paid-up additions Paid-up insurance 5.7 Disability riders Waiver of premium Waiver of cost of insurance Disability income benefit Payor benefit life/disability (juvenile insurance) 5.8 Accelerated benefit provision/rider Conditions for payment Diagnosis of terminal illness Diagnosis of catastrophic illness Permanent confinement Inability to perform ADLs Disclosure Written disclosure required Effect on death benefit Cash value Loans and loan interest Tax consequences Premium 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 6.1 Annuity principles and concepts Accumulation period versus annuity period Owner, annuitant and beneficiary Insurance aspects of annuities Suitability 6.2 Immediate versus deferred annuities Single premium immediate annuities (SPIAs) Deferred annuities Premium payment options Nonforfeiture Surrender charges **Bail-out** provisions 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) Installments for a fixed period Installments for a fixed amount **6.4** Annuity products Fixed annuities

6% (7 items)

General account assets Interest rate guarantees (minimum versus current) Level benefit payment amount Variable Annuities General Account Assets Guarantees Level Benefit Payment Amount Equity indexed annuities Market value adjusted annuities (modified guaranteed annuities) 6.5 Uses of annuities Lump-sum settlements Qualified retirement plans including group versus individual Personal uses Individual retirement plans Tax-deferred growth Retirement income Education funds Charitable gift annuity Suitability in Annuity Transactions 7.0 Federal Tax Considerations for Life Insurance and Annuities 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 accounts (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

8.1 General requirements

5% (6 items)

2% (2 items)

## 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 403(b) tax-sheltered annuities (TSAs) 9.0 Health Insurance Basics 9.1 Definitions of perils Accidental injury Sickness 9.2 Principal types of losses and benefits Loss of income from disability Medical expense Dental expense Long-term care expense Vision Prescription AD&D (Accidental Death and Dismemberment) Specified Disease 9.3 Classes of health insurance policies Individual versus group Private versus government Limited versus comprehensive 9.4 Limited policies 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 Critical illness (specified conditions) Short-term medical 9.5 Common exclusions from coverage Pre-existing conditions Intentionally self-inflicted injuries War or act of war Elective cosmetic surgery Conditions covered by workers compensation Government plans Participation in a felony or illegal occupation 9.6 Producer responsibilities in individual health insurance Marketing requirements Advertising Prohibited Advertising of Life and Health Insurance Maryland Life, Accident and Sickness Insurance Guaranty Association Sales presentations Field underwriting Nature and purpose

# 9% (10 items)

Application procedures Requirements at delivery of policy Errors and Omissions Notification of Medicare eligibility 9.7 Individual underwriting by the insurer Underwriting Criteria Sources of underwriting information Application Producer report Attending physician statement Investigative consumer (inspection) report Medical Information Bureau (MIB) Medical examinations and lab tests (including HIV consent) Unfair discrimination Discrimination against victims of domestic violence Genetic information privacy Classification of risks Preferred Standard Substandard Declined 9.8 Considerations in replacing health insurance Pre-existing conditions Pre-existing condition exclusion Benefits, limitations and exclusions Underwriting requirements **10.0 Individual Health Insurance Policy General Provisions 10.1 Uniform required provisions** Entire contract; changes Time limit on certain defenses Grace period Reinstatement Notice of claim Claim forms Proofs of loss Time of payment of claims Payment of claims Physical examinations and autopsy Legal actions Change of beneficiary Cancellation by insured **10.2** Uniform optional provisions Change of occupation Misstatement of age Other insurance in this company Insurance with other companies Expense-incurred basis Other benefits Relation of Earnings to Insurance Unpaid premium Cancellation by company Conformity with state statutes Illegal occupation Intoxicants and narcotics 10.3 Other general provisions

4% (4 items)

Right to examine (free look) Insuring clause Consideration clause Renewability clause Noncancelable Guaranteed renewable Conditionally renewable Renewable at option of insurer Nonrenewable (cancelable, term) Interest on claim proceeds Military suspension provision **11.0 Disability Income and Related Insurance** 11.1 Qualifying for disability benefits Inability to perform duties Own occupation Any occupation Pure loss of income (income replacement contracts) Presumptive disability Requirement to be under physician care 11.2 Individual disability income insurance Basic total disability plan Income benefits (monthly indemnity) Elimination and benefit periods Waiver of premium benefit Partial Disability Insurance Income Benefits (Monthly Indemnities) Elimination and Benefit Periods Waiver of Premium Benefit Coordination with Social Insurance 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 Annual renewable term rider Relation of earnings to insurance Change of occupation Other cash benefits Accidental death and dismemberment Rehabilitation benefit Medical reimbursement benefit (nondisabling injury) Refund provisions Return of premium Cash value benefit Exclusions Waiver of Premium 11.3 Unique aspects of individual disability underwriting Occupational considerations Benefit limits Policy issuance alternatives

11.4 Group disability income insurance

6% (7 items)

Group versus individual plans Short-term disability (STD) Long-term disability (LTD)

### **11.5 Business disability insurance** Key employee (partner) disability income Business overhead expense policy

Business Disability buyout policy

# **11.6 Social Security disability**

Qualification for disability benefits Definition of disability Waiting period Disability income benefits

# **11.7 Workers compensation** Eligibility

Benefits

# **12.0 Medical Plans**

11% (12 items)

- 12.1 Medical plan concepts

  Fee-for-service basis versus prepaid basis
  Prepaid Basis
  Specified coverages versus comprehensive care
  Comprehensive Care
  Benefit schedule versus usual/reasonable/customary charges
  Usual Reasonable Customary Charges
  Any provider versus limited choice of providers
  Limited Choice of Providers
  Insureds versus subscribers/participants

  12.2 Types of providers and plans

  Insurers
  Nonprofits Health Service Plans
  Major medical insurance (insurers)
  Characteristics
  - Common limitations
  - Common exclusions from coverage
  - Deductibles
  - Coinsurance feature
  - Stop-loss feature
  - Maximum benefits
  - Fixed Indemnity
  - Health services plans
    - Definitions
    - Plans offered
    - Other services
    - Qualified providers
    - Choice of provider or pharmacy
    - Provider panels
    - Disclosure of benefits
    - Subscribers
  - Health maintenance organizations (HMOs)
    - Combined health care delivery and financing
    - Limited service area/out of area benefits
    - Limited choice of providers
    - Gatekeeper concept
    - Copayments
    - Prepaid basis
    - Preventive care services

Primary care physician versus referral (specialty) physician Emergency care Hospital services Other basic services Subscribers High Risk Pool Preferred provider organizations (PPOs) General characteristics Open panel or closed panel Point-of-service (POS) plans Nature and purpose Out-of-network provider access (open-ended HMO) PCP referral Indemnity plan features **TRI-CARE** 12.3 Cost containment in health care delivery Cost-saving services Preventive care Outpatient ambulatory services Alternatives to hospital services Utilization management Prospective review Concurrent review Coordination of Benefits 12.4 HIPAA (Health Insurance Portability and Accountability Act) requirements Eligibility Guaranteed issue Pre-existing conditions Creditable coverage Renewability 12.5 Health Savings Accounts (HSAs) and Health Reimbursement Accounts (HRAs) Definition Eligibility Contribution limits 12.6 Patient Protection and Affordable Care Act Coverage of Children to Age 26 Preventative Care **Pre-existing Conditions** Lifetime and Annual Limits Grandfathered vs. Non-Grandfathered Plans Rescissions **Essential Health Benefits** Metal Levels SHOP Payment and Billing Internal Appeal and External Review Subsidies/Tax Credits Penalties and Fines **13.0 Group Health Insurance 13.1** Characteristics of group insurance Group contract Certificate of coverage Experience rating versus community rating **Community Rating** 

#### 13.2 Defined groups

Employer

4% (4 items)

Creditor Labor union Multiple Employer Trust Association Credit union 13.3 Marketing considerations Advertising Regulatory jurisdiction/place of delivery 13.4 Employer group health insurance Insurer underwriting criteria Characteristics of the group Plan design factors Persistency factors Administrative capability Eligibility for insurance Annual open enrollment Employee eligibility Dependent eligibility Coordination of benefits provision Change of insurance companies or loss of coverage Coinsurance and deductible carryover No-loss no-gain Events that terminate coverage Reinstatement of Coverage for Military Personnel Notification of Medicare Eligibility Reinstatement of coverage for military personnel Notification of Medicare eligibility Extension of benefits Continuation of coverage under COBRA and Maryland specific rules Conversion privilege Continuation of Coverage Special Enrollment Periods Minimizing Adverse Selection 13.5 Small employer medical plans Definition of small employer Availability of coverage Disclosure of coverage provisions Enrollment eligibility

Renewability

#### 14.0 Dental Insurance 14.1 Types of dental treatment

Diagnostic and preventive Restorative Oral surgery Endodontics Periodontics Prosthodontics Orthodontics

# 14.2 Indemnity plans

Choice of providers Scheduled versus nonscheduled plans Benefit categories Diagnostic/preventive services Basic services Major services 1% (1 items)

Deductibles and coinsurance Combination plans Exclusions Limitations Predetermination of benefits 14.3 Employer group dental expense Integrated deductibles versus stand-alone plans Minimizing adverse selection 15.0 Insurance for Senior Citizens and Special Needs Individuals 15.1 Medicare 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 **15.2 Medicare supplement insurance** Purpose Open enrollment Rating of Medicare supplement plans Attained age Issue age Community rated Standardized Medicare supplement plans Core benefits Additional benefits High deductible plans 15.3 Other options for individuals with Medicare Employer group health plans Disabled employees Employees with kidney failure Individuals age 65 and older Medicaid Eligibility Benefits 15.4 Long-term care (LTC) policies LTC, Medicare and Medicaid compared Eligibility for benefits Levels of care Skilled care Intermediate care Custodial care Home health care Adult day care Respite care Benefit periods Benefit amounts

7% (8 items)

**Optional benefits** Inflation Protection Nonforfeiture Guarantee of insurability Return of premium Qualified and Nonqualified Exclusions Underwriting Considerations Partnership Qualified LTC plans Deductibility of premiums for LTC insurance for state income tax purposes Exclusions Underwriting considerations **15.5 Interaction with Other Coverage** Medicare Medicaid Medical Insurance 16.0 Federal Tax Considerations for Health Insurance 4% (4 items) 16.1 Personally-owned health insurance Disability income insurance Medical expense insurance Long-term care insurance 16.2 Employer group health insurance Disability income (STD, LTD) 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 Business overhead expense Business Disability Buyout 16.5 Health Savings Accounts (HSAs), Health Reimbursement Accounts (HRAs), and Flexible Spending Accounts (FSAs) Health Savings Accounts Health Reimbursement Accounts Flexible Spending Accounts High Deductible Health Plans