

NOTICE OF PROPOSED CHANGES IN THE
REGULATIONS OF THE DIVISION OF INSURANCE

BRIEF DESCRIPTION

The Division of Insurance proposes to adopt regulations to change the continuing education requirements for insurance producer licensees by transferring the burden of review and approval of continuing education providers and courses from the licensees to the Division of Insurance and to change the responsibility of reporting earned continuing education credits from the licensees to the continuing education providers.

The Division of Insurance proposes to adopt regulation changes in Title 3 of the Alaska Administrative Code, dealing with the continuing education requirements for licensees under AS 21.27, including the following:

Existing sections and new sections are proposed to be amended or added to 3 AAC 23.100 – 3 AAC 23.208 to as follows:

Section 100 sets out the continuing education requirements a licensee must meet before a license can be renewed and provides for exceptions under certain circumstances.

Section 105 describes what types of courses will be accepted for credit.

Sections 110, 115, 125, 130, and 135 are repealed because preapproval of all courses will be required before they are offered and the provisions of these sections will no longer apply, nor will credit be allowed under these sections.

Section 120 sets out how continuing education credit hours will be computed and filed.

Section 140 lists items for which the director will not allow continuing education credit.

Section 145 reduces the number of members on the committee that advises the director on continuing education matters and provides a mechanism for a person to request the director to schedule a meeting of the committee.

Section 157 provides for the transition for licensees from the existing continuing education program requirements to the new program requirements.

Section 160 updates noncompliance to include the newly proposed sections and states what happens for failure to comply with continuing education requirements.

Sections 164 and 168 list the qualifications and requirements for a continuing education provider to be allowed to offer or sponsor courses in this state.

Section 172 states when and what a continuing education provider must do to be renewed by the director and the consequences of not renewing.

Section 176 provides for suspension or revocation of a continuing education provider.

Section 180 addresses referrals to a continuing education provider.

Section 184 lists the qualifications for a continuing education instructor and requires a continuing education provider to maintain documentation regarding the qualifications of a continuing education instructor.

Section 188 outlines the requirements for approval of a continuing education course.

Section 192 lists advertising requirements of a continuing education course.

Section 196 states when and what a continuing education provider must do to renew a continuing education course and the consequences of not renewing.

Section 200 provides for revocation of a continuing education course.

Section 204 informs what a licensee must do to request credit for a non-approved course from a non-approved provider.

Section 208 provides definitions for the proposed regulations, which were previously listed in section 170, now proposed to be repealed.

3 AAC 26.778 and 3 AAC 26.789 are amended to correct the cite references to the new cite.

3 AAC 31.060 is amended to establish fees for services performed under 3 AAC 23.100 – 3 AAC 23.208.

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed action, by submitting written comments to the Division of Insurance; Attention: Linda Brunette; P.O. Box 110805; Juneau, AK 99811-0805 or by e-mail to Linda.Brunette@alaska.gov; or fax to (907) 465-2816. The comments must be received **no later than 5:00 p.m., Alaska Daylight Time, August 28, 2013.**

Oral or written comments also may be submitted at a hearing to be held on **Monday, August 19, 2013** in the 15th floor conference room, 550 West Seventh Avenue, Suite 1540, (Atwood Building) Anchorage, Alaska. The hearing will be held from **10:30 a.m. to 11:30 a.m., ADT**, and may be extended to accommodate those present before 11:30 a.m. who may not have had the opportunity to comment.

If you are a person with a disability who needs a special accommodation in order to participate in the process, please contact Barbara Karl at (907) 269-7900, or TDD (907) 465-5437 no later than August 15, 2013 to ensure that any necessary accommodations can be provided.

For a copy of the proposed regulation changes, please contact the Division of Insurance by telephoning (907) 269-7900 in Anchorage or (907) 465-2515 in Juneau, or via the Internet at <http://www.dced.state.ak.us/insurance/Insurance/notices.html>

After the public comment period ends, the Division of Insurance will either adopt these or other provisions dealing with the same subject, without further notice, or decide to take no action on them. The language of the final regulations may be different from that of the proposed regulations. **YOU SHOULD COMMENT DURING THE TIME ALLOWED IF YOUR INTERESTS COULD BE AFFECTED.** Written comments received are public records and are subject to public inspection.

Statutory Authority: AS 21.06.090; 21.06.250; AS 21.27.020; and AS 21.75.045.

Statutes Being Implemented, Interpreted, or Made Specific: AS 14.43.148, AS 21.27.020; 21.27.025; 21.27.150; 21.27.350; 21.27.380; 21.27.390; AS 21.34.040; AS 21.36.020; 21.36.030; 21.36.040; 21.36.050; 21.36.355; 21.36.900; AS 21.66.210; AS 21.75.045; and AS 25.27.244.

Fiscal Information: This action is not expected to require an increased appropriation.

DATE: July 23, 2013.



Bret S. Kolb
Director of Insurance

**FORM FOR ADDITIONAL REGULATIONS
NOTICE INFORMATION
(AS 44.62.190(d))**

1. **Adopting agency:** Dept. of Commerce, Community, and Economic Development, Division of Insurance
2. **General subject of regulation:** Continuing Education Requirements for Licensees.
3. **Citation of regulation (may be grouped):** 3 AAC 23.100 – 3 AAC 23.208, 3 AAC 26.778, 3 AAC 26.789, 3 AAC 31.060

4. **Reason for the proposed action:**
- compliance with federal law
- compliance with new or changed state statute
- compliance with court order
- development of program standards
- other: (please list)

5. **RDU/component affected:** Public Protection/Insurance

6. **Cost of implementation to the Division of Insurance and available funding (in thousands of dollars):**

	Initial Year FY 14	Subsequent Years
Operating Cost	\$ -0-	\$ -0-
Capital Cost	\$ -0-	\$ -0-
Federal receipts	\$ -0-	\$ -0-
General fund match	\$ -0-	\$ -0-
General fund	\$ -0-	\$ -0-
General fund/ program receipts	\$ -0-	\$ -0-
General fund/mental health	\$ -0-	\$ -0-
Other funds (specify)	\$ -0-	\$ -0-

7. **Contact person for the regulations:**

Linda Brunette
Program Coordinator
Division of Insurance
P.O. Box 110805
Juneau, AK 99811-0805

Telephone: 907/465-2545
Fax: 907/465-2816

8. **The origin of the proposed action:**

staff of the state agency

federal government

general public

petition for regulation change

other (please list)

9. **Prepared by:** Bret S. Kolb
(Signature)

Name (typed): Bret S. Kolb
Title (typed): Director
Telephone: 907/269-7900
Date: July 24, 2013