

BEFORE THE COMMISSIONER OF INSURANCE

STATE OF GEORGIA

NOTICE OF INTENT TO ADOPT RULE CHANGES AND NOTICE OF HEARING

Notice is hereby given pursuant to the Georgia Administrative Procedure Act, O.C.G.A. Sections 50-13-3, 50-13-4, 50-13-6, 50-13-21 and 33-2-9 of the following proposals by the Commissioner of Insurance to amend the Rules and Regulations of the Office of Commissioner of Insurance entitled "Regulations Regarding Agents, Subagents, Counselors, Adjusters, Surplus Lines Brokers, and Agencies."

ADOPTION OF REGULATIONS IN 120-2-3 (Regulations Regarding Agents, Subagents, Counselors, Adjusters, Surplus Lines Brokers, and Agencies)

Such Rules and Regulations are proposed to be amended by the following actions:

- Repeal Emergency Regulation 120-2-3-0.24-.06 entitled "Kinds of Licenses Issued" and adopt Regulation 120-2-3-.06 with the same title;
- Repeal Emergency Regulation 120-2-3-0.24-.09 entitled "Examinations" and adopt Regulation 120-2-3-.09 with the same title;
- Repeal Emergency Regulation 120-2-3-0.24-.18 entitled "Resident Bond Requirements" and adopt Regulation 120-2-3-.18 with the same title;
- Repeal Emergency Regulation 120-2-3-0.24-.46 entitled "Limited Group Health Counselor" and adopt Regulation 120-2-3-.46 with the same title;
- Repeal Emergency Regulation 120-2-3-0.24-.47 entitled "Violations" and adopt Regulation 120-2-3-.47 with the same title; and
- Repeal Emergency Regulation 120-2-3-0.24-.48 entitled "Severability" and adopt Regulation 120-2-3-.48 with the same title;

The health insurance marketplace is undergoing changes resulting from the passage of the Patient Protection and Affordable Care Act. The regulatory proposals described above are aimed at ensuring that Georgia consumers will continue to have access to qualified individuals who can guide them through the health insurance process. A copy of these proposed regulations is attached hereto and made a part hereof by reference.

ADOPTION OF ADDITIONAL REGULATIONS IN 120-2-3 (Regulations Regarding Biennial Licenses)

The Rules and Regulations of the Office of Commissioner of Insurance are proposed to be further amended by the following actions:

- Repeal Emergency Regulation 120-2-3-0.25-.05 entitled "Licensure of Agencies" and adopt Regulation 120-2-3-.05 with the same title;

- Repeal Emergency Regulation 120-2-3-0.25-.15 entitled "Resident Continuing Education Requirements" and adopt Regulation 120-2-3-.15 with the same title;
- Repeal Emergency Regulation 120-2-3-0.25-.16 entitled "Dates for Resident License Renewal and Required Filing of Continuing Education Credits" and adopt Regulation 120-2-3-.16 with the same title;
- Repeal Emergency Regulation 120-2-3-0.25-.19 entitled "Exemptions or Reductions in Requirements for Continuing Education" and adopt Regulation 120-2-3-.19 with the same title;
- Repeal Emergency Regulation 120-2-3-0.25-.29 entitled "Resident Credit Insurance Agents and Limited Subagents" and adopt Regulation 120-2-3-.29 with the same title;
- Repeal Emergency Regulation 120-2-3-0.25-.31 entitled "Limited Subagent License" and adopt Regulation 120-2-3-.31 with the same title;
- Repeal Emergency Regulation 120-2-3-0.25-.34 entitled "Nonresident License Requirements" and adopt Regulation 120-2-3-.34 with the same title;"
- Repeal Emergency Regulation 120-2-3-0.25-.35 entitled "Nonresident License Renewals" and adopt Regulation 120-2-3-.35 with the same title;
- Repeal Emergency Regulation 120-2-3-0.25-.39 entitled "Retail Vendors of Communications Equipment Limited License" and adopt Regulation 120-2-3-.39 with the same title; and
- Repeal Emergency Regulation 120-2-3-0.25-45 entitled "Rental Company License" and adopt Regulation 120-2-3-.45 with the same title.

These changes dealing with biennial licenses are necessary so that the Rules and Regulations of the Office of Commissioner of Insurance remain in compliance with recent changes to Title 33 of the Georgia Code resulting from the passage of House Bill 477. A copy of these proposed regulations is attached hereto and made a part hereof by reference.

The aforesaid proposals, which are being forwarded to the Attorney General for approval as to legality pursuant to O.C.G.A. Section 33-2-9, are now on file in the Administrative Procedure Division of the Office of Commissioner of Insurance, 1016 West Tower, Floyd Building, Two Martin Luther King, Jr. Drive, Atlanta, Georgia 30334, and are hereby declared to be a public record as follows:

Interested persons may participate in the proposed rulemaking process by submitting their written comments to **Vince Wiegand, Administrative Procedure Division, Office of Commissioner of Insurance, 1016 West Tower, Floyd Building, Two Martin Luther King, Jr. Drive, Atlanta, Georgia 30334. All comments must be received by the Administrative Procedure Division by 4:30 P.M. on August 30, 2012.** Interested persons may also participate in the proposed rulemaking by submitting oral comments at the hearing to be held on **September 5, 2012 in the Hearing Room of the Office of Commissioner of Insurance, Seventh Floor, West Tower, Floyd Building, Two Martin Luther King, Jr. Drive, Atlanta, Georgia 30334 at the following times.**

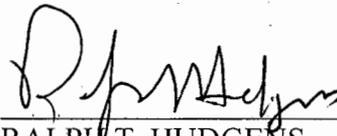
Regulation 120-2-3 [Regulations Regarding Agents, Subagents, Counselors, Adjusters, Surplus Lines Brokers, and Agencies] 9:00 a.m.

Regulation 120-2-3 [Regulations Regarding Biennial Licenses] 9:30 a.m.

Oral presentations at the hearing may be limited to five (5) minutes per person in order to afford all interested persons an opportunity to be heard. If you have a physical impairment and require assistance or have any questions regarding this notice, please contact the Administrative Procedure Division.

Based upon full consideration of all written and oral comments regarding the above matters, the Commissioner of Insurance may reject or adopt the proposed rules or may make changes to the proposed rules which may require another rulemaking hearing.

Given under my Hand and Official Seal this 26th day of July, 2012.



RALPH T. HUDGENS
COMMISSIONER OF INSURANCE
STATE OF GEORGIA

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