REGULATIONS REGARDING AGENTS, SUBAGENTS, COUNSELORS, ADJUSTERS, SURPLUS LINES BROKERS, AND AGENCIES

Table of Contents

Section

120-2-3-0.26-.08 Prelicensing Course and Provider Approval
120-2-3-0.27-.50 Navigator

120-2-3-0.26-.08 Prelicensing Course and Provider Approval

(1) All agent and adjuster prelicensing courses must contain a minimum of twenty (20) hours of instruction per major line of authority; the major lines are
(a) Life;
(b) Accident and Sickness;
(c) Property;
(d) Casualty; and
(e) Personal Lines.
(2) Limited subagent courses must contain a minimum of twenty (20) hours per combination lines of life, accident and sickness or property and casualty.
(3) Navigator prelicensing courses must contain a minimum of ten (10) hours of instruction in health benefit insurance, the exchange provision of the federal act, the medical assistance program provided for by Article 7 of Chapter 4 of Title 49, and the PeachCare for Kids Program provided for by Article 13 of Chapter 5 of Title 49, information pertaining to state licensing laws and any other information which will give the applicant a proficient knowledge of state insurance laws.
(4) Additionally, all prelicensing courses must meet the following standard:
(a) Instructors must have had training or educational experience satisfactory to the Commissioner in order to be certified to teach any part of an approved prelicensing course. Each instructor must have three (3) or more years in insurance work or otherwise qualify with equivalent educational and teaching experience and be approved by the Commissioner prior to teaching any prelicensing course, or any part of any course.
(b) Reference materials such as sample policy forms, manuals, the Georgia Insurance Code, textbooks, Georgia Insurance Department study manuals as appropriate, programmed textual materials, and other illustrative materials are required to be readily available for student use.
(c) All classrooms used shall be rooms separate from other activities while instruction is being given and shall provide comfortable physical facilities for the students. Such classrooms must be properly equipped with sufficient desk or table space to accommodate the number of students taking the course and must contain sufficient teaching aids to facilitate a learning atmosphere for those students.
(d) The subject matter of the prelicensing course must pertain to the category or categories of license for which the applicant has applied or is intending to apply and must include all of the

following to such extent as the information applies to the categories of license sought by the applicant:
1. The Georgia Agents' Licensing Study Manual Life and Health, and the Georgia Agents' Licensing Study Manual Property and Casualty;
2. Chapters 5, 6, 7, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 39, 42, 43, 44, 50, and 51 of Title 33 of the Official Code of Georgia Annotated and corresponding regulations;
3. Fundamental needs of various kinds of insurance;
4. Study and analysis of various kinds of policies, endorsements, riders, and other policy contract documents;
5. Study and analysis of various rating plans and systems; and
6. Such additional material as the commissioner may from time to time require by notice to course sponsors.
(e) All prelicensing courses must include O.C.G.A. §§ 33-1-9, 33-1-16 and this Regulation.
(f) If the prelicensing course is conducted in a virtual classroom setting, for example as a web cast or internet based course, system security must be in place to ensure user attendance.
(4) Any person, including but not limited to, colleges and universities, insurers, adult education centers, and associations may seek approval as a provider of prelicensing courses.
(5) Course providers must obtain approval from the Commissioner prior to the beginning of any course. To request approval, the provider shall file with the Commissioner the appropriate required form and pay the appropriate fees, and the following:
(a) An outline of the proposed course, including instructional time for each course major component;
(b) A list of all instructional materials to be used;
(c) A description of the facility to be used as a classroom and a statement that adequate parking facilities are available and that handicap access is provided;
(d) The name or names of the instructors; and
(e) The category or categories of license for which the course is intended to prepare applicants for licensing.
(6) The Commissioner may require further detail of the proposed course content or filing of copies of any instructional materials to be used as are necessary to determine the adequacy of the proposed instruction.
(7) Course providers must provide a listing of examination sites and times to each applicant. The Commissioner will notify all course sponsors of any changes in the information.
(8) Nothing in this Regulation is intended to prohibit any person upon payment of any required fees from taking any prelicensing course whether or not such person has applied for or intends to apply for a license under Chapter 23 of Title 33 of the Official Code of Georgia Annotated.
(9) Course providers must certify to the Commissioner and the student on the appropriate required form, the contact hours completed by each applicant.
(a) The course provider name and instructor name must appear on certification; the instructor must sign such certification.
(b) False certification shall be cause for withdrawal of approval of the course provider or instructor and shall be deemed a violation of Chapter 23 of Title 33 of the Official Code of Georgia Annotated.
(c) The Commissioner may require certification of course completions to be reported electronically. Such reporting must be submitted within fourteen (14) days from course completion.

(10) Instructors may receive the same credit for courses as applicants when their attendance is certified in the same manner as provided in Paragraph (7) of this Section.
(11) The Commissioner may review any approved program, instructor or course and may cancel approval of such program, instructor or course with regard to all future offerings. Once a program, instructor or course provider has been canceled, such program, instructor or course provider shall not reapply for approval for a period of five (5) years from the date of cancellation.

Authority O.C.G.A. Secs. 33-2-9, 33-8-1, 33-23-5, 33-23-9, 33-23-44, 33-23-200, 33-23-201, 33-23-202, 33-23-203, 33-23-204, 33-23-205.

120-2-3-0.27-.50 Navigator

(1) No person shall act as a Navigator, as defined in O.C.G.A. 33-23-201(3), without first obtaining a license to act as such from the Commissioner.

(2) The Commissioner may not issue a Navigator license to any applicant until such applicant has:

(a) Submitted an application on forms provided by the Commissioner. Such form shall include an acknowledgement from the applicant that such applicant understands that a Navigator license is not alone sufficient to sell, solicit, or negotiate insurance in the State of Georgia;

(b) Submitted an application fee of 50 dollars pursuant to O.C.G.A. § 33-8-1(6)(Z);

(c) Submitted a résumé listing the applicant's educational background and experience related to the functions of a Navigator;

(d) Successfully completed not less than 35 hours of instruction;

(e) Passed an exam as required by the Commissioner;

(f) Attained the age of 18;

(g) Submitted electronic fingerprints through a vendor selected by the Department to run criminal background checks. The applicant shall bear the cost for electronic fingerprinting; and

(h) Submitted proof satisfactory to the Commissioner that such applicant (or such applicant's sponsoring entity) has been approved by the federal authorities, by being awarded a grant or otherwise, to act as Navigator, as defined in O.C.G.A. § 33-23-201(3).

(3) Each Navigator license shall expire August 31.

(4) In determining whether any applicant has satisfied the pre-licensing education requirement set forth in subparagraph (d) of paragraph (2) of this regulation, the Commissioner may consider any training provided by federal authorities to act as a Navigator, as defined in O.C.G.A. § 33-

23-201(3). Up to 25 hours of pre-licensing training may consist of education provided by federal authorities provided that the applicant submits documentation, satisfactory to the Commissioner that the applicant has, in fact, spent the amount of time requested engaged in federal pre-licensing training. If the applicant completes 25 hours of federal navigator training, the remaining 10 hours must be satisfied by completing the 10 hour Navigator prelicensing course through an approved provider.

(5) The Commissioner may not renew a Navigator license until such applicant has:

(a) Submitted a license renewal on forms prescribed by the Commissioner;

(b) Submitted a fee of 50 dollars pursuant to O.C.G.A. § 33-8-1(6)(Z);

(c) License renewals are due on or before the August 31 expiration date;

(d) Licensee may file a late renewal with appropriate late fee within 15 days of the expiration date of the license;

(e) Failure to file the required license renewal form along with the appropriate fee shall result in the expiration of the license.

(f) Completed 15 hours of Continuing education; hours must be completed annually on or before the expiration date of the license. Up to 10 hours of Continuing Education may consist of education provided by federal authorities provided that the licensee submits documentation, satisfactory to the Commissioner that the licensee has, in fact, spent the amount of time requested engaged in federal training.

(g) Submitted proof satisfactory to the Commissioner that such applicant (or such applicant's sponsoring entity) has been approved, by being awarded a federal grant or otherwise, to act as a Navigator.

(6) Resident licensees that fail to file the complete and correct renewal with required attachments, fees and/or evidence of completion of required continuing education by the required filing date will result in a penalty being assessed when licensee applies for late renewal reinstatement.

(a) The penalty assessed will be $150; this penalty is in addition to any required renewal and late fees. The penalty and required fees are to be paid at the time of submission of late renewal reinstatement.

(b) If late renewal reinstatement is received 6 or more months after the expiration date, the licensee is required to submit electronic fingerprints in addition to the $150 penalty and required renewal and late fees.

(c) If an individual fails to file for late renewal reinstatement prior to one (1) year from the license expiration date, the licensee will be required to reapply for the license and satisfy all prelicensing requirements.

Authority O.C.G.A. Secs. 33-2-9, 33-8-1, 33-23-5, 33-23-5.1, 33-23-10, 33-23-9, 33-23-44, 33-23-200, 33-23-201, 33-23-202, 33-23-203, 33-23-204, 33-23-205.