120-2-3-.12 Continuing Education Courses and Provider Approval.

(1) Considerations for program or course qualification and approval shall be based on improving the student's knowledge in the insurance areas in which the student is licensed.
(a) The overriding consideration in determining whether a specific program or course qualifies as acceptable continuing education is that it be a formal program of learning which contributes directly to the professional or technical competence of a licensed individual. Sales, motivational, self- improvement, telephone techniques, office techniques (except to the extent of improving service to the public when combined with other eligible instruction), election of officers, installation of officers, attendance at conventions and other similar activities, programs, or courses will not be approved.
(b) Programs or courses must be related directly to the types of insurance business or accounts for which a continuation of licenses is sought. In general, subjects would be acceptable if they contribute to the technical competence of the individual person in the capacity for which such person is licensed.
(c) The training required under 120-2-3-.15(2)(f) shall consist of topics related to long term care insurance, long term care services and qualified state long term care insurance Partnership programs under Rule 120-2-16-.34(5), including but not limited to
1. State and federal regulations and requirements and the relationship between qualified state long term care insurance Partnership programs and other public and private coverage of long term care services, including Medicaid;
2. Available long term services and providers;
3. Changes or improvements in long term care services or providers;
4. Alternatives to the purchase of private long term care insurance;
5. The effect of inflation on benefits and the importance of inflation protection;
6. Consumer suitability standards and guidelines;
7. Said course must contain a minimum of two (2) hours instruction covering Georgia Medicaid provisions.
(d) The training required under 120-2-3-.15(2)(g) can be approved to be delivered as a classroom course or self-study; the course shall not include any marketing information or provide training on sales techniques or provide specific information about a particular insurer's products; the training required shall consist of topics related to annuities and annuity suitability and must include the following:
1. The types of annuities and various classifications of annuities;
2. Identification of the parties to an annuity;
3. How fixed, variable and indexed annuity contract provisions affect consumers;
4. The application of income taxation of qualified and non-qualified annuities;
5. The primary uses of annuities; and
6. Appropriate sales practices, replacement and disclosure requirements.
(2) The general requirements for course or program conduct shall be:
(a) An outline of the program must be prepared by the program director or instructor and provided to each student;
(b) The program must be conducted by a person whose formal training and experience qualify such person as an instructor;
(c) Hours of continuing education credit earned shall be calculated in full hours only;

(d) Throughout the entire program, the program provider and the licensee must maintain a record of registration and attendance;
(e) Such courses or program must be filed with the Commissioner at least forty-five (45) days in advance of the date when such approval is desired;
(f) Credit will be given for contact hours only, except:
1. University or college credit courses — each semester credit hour shall equal three (3) hours toward the requirement, each quarter hour shall equal two (2) hours;
2. Noncredit courses from a college or university — each classroom hour shall be deemed to be one hour of continuing education.
(g) Correspondence or other individual study programs (including taped study programs) will qualify if they:
1. Have received the prior approval of the Commissioner;
2. Require registration; and
3. Certify satisfactory completion, including a proctored final examination.
(h) If any scheduled course or program is to be cancelled by the provider, the provider must notify the Department and all registrants at least 10 days prior to the previously scheduled start of the course or program provided, however , that this restriction shall not apply if, at the time of registration, the provider notifies registrants in writing that the class is subject to cancellation and registrants are notified of the cancellation a reasonable time in advance of the scheduled start of the course or program.
(3) The program or course filing requirements are:
(a) Continuing education sponsors must complete the appropriate form, pay the required fees, and must submit those items required in Rules 120-2-3-.08(3) and (4);
(b) The Commissioner, at his discretion, may verify the information submitted by the program, instructor or course provider. 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 the cancellation.
(4) For courses, seminars, or programs offered in Georgia, the person, group, association, or institution making such courses or programs available would be the program provider, seeking its approval for continuing education purposes, and monitoring and certifying students' performance or attendance.
(5) For out-of-state courses, seminars, or programs offered by regional or national professional associations or societies, the national professional association may assume the role of sponsor. However, local or state chapters or affiliates of the national professional association may, through their local offices, assume the role of Georgia provider of the national course, seminar, or program, seeking course approval for continuing education purposes and monitoring and certifying students' performance and attendance.
(6) The following standards will be used to measure the hours of credit to be given for acceptable continuing education programs/ courses completed by any individual:
(a) Programs requiring class attendance:
1. All programs will be measured in terms of contact hours. The shortest recognized program will consist of one (1) contact hour. A contact hour is fifty (50) minutes of continuous participation in a course or program. Under this standard, credit is granted only for full contact

hours. For example, a course or program lasting between fifty (50) and one hundred (100) minutes would count for only one (1) hour.
2. For continuous programs or courses, when individual segments are less than fifty (50) minutes, the sum of the segments should be considered one (1) total program.
3. Program providers must monitor group programs in order to accurately assign the appropriate number of credit hours for participants who arrive late or leave before a program is completed.
4. Credit will be allowed for a question and answer period at the rate of fifty percent (50%) of the number of minutes devoted to questions and answers. Credit will not be allowed for introductions, announcements or other such activity which may be a part of the program.
5. Only hours in class, or the equivalent, will be counted. No credit will be allowed for time devoted to preparation.
6. Each semester hour of credit from a college or university shall be deemed to be three (3) hours of continuing education credit, and each quarter hour of credit shall be deemed to be two (2) hours of continuing education credit.
7. Each classroom hour of noncredit courses from a college or university shall be counted as one (1) hour of continuing professional education.
(b) Correspondence and other individual study programs:
1. In determining the amount of credit to be allowed for specific correspondence and individual study programs, each course provider must certify the hours of study, on the average, required to complete a course successfully. Credit will be given for fifty percent (50%) of hours so certified upon certification of successful completion.
2. Successful completion must include a proctored final examination.
3. Credit will be allowed in the renewal period in which the course is completed.
(7) A program provider may request that its materials furnished for certification be kept confidential on the grounds that they are of a proprietary nature and intended only for program attendees, its agents or employees. The Commissioner or his designee will promptly review and return such materials.
(8) Course providers must certify contact hours to the Commissioner electronically or by means prescribed by the Commissioner. Such reporting must be submitted within fourteen (14) days from course completion. Failure to do so may result in administrative action taken against the provider. Course providers must provide certification to each person taking the course in the same manner as provided in Rule 120-2-3-.08(7).
(9) Instructors may receive the same credit for courses as applicants when their attendance is certified as provided in Paragraph (8) of this Section.

Authority O.C.G.A. Secs. 33-2-9, 33-8-1, 33-23-8, 33-23-18, 33-23-44, 33-42-6, 33-42-7.

120-2-3-.15 Resident Continuing Education Requirements.

(1) Continuing education requirements.
Each resident licensee licensed for less than 20 years must complete a minimum of twenty four (24) continuing education hours, three (3) of which must be completed in Ethics, by the dates specified in Rule 120-2-3-.16. For resident licensees continually licensed for 20 years or longer, a minimum of twenty (20) continuing education hours, three (3) of which must be completed in Ethics, by the dates specified in Rule 120-2-3-.16. The continuing education hours may be

completed at any time during the current biennial license period as long as the hours are completed prior to the license expiration date.
(2) Continuing education hours may be completed in any subject area for which he or she is licensed, provided licensees complete a minimum of three (3) hours of their continuing education requirement in the subject area of Ethics biennially. The Ethics requirement may be satisfied by completing courses in the subject area of Ethical practices, Legislative updates or Federal or Departmental Regulatory changes in insurance, current issues and other such topics that the Commissioner may at his or her discretion approve.
(a) Credit Insurance Exception. For any person holding a multiple line license where one of the lines is Credit insurance, no more than five (5) hours can come in the area of Credit insurance self-study. The remainder of the continuing education requirement must come from the other lines of insurance. If licensed for credit insurance only, the Ethics course requirement does not apply.
(b) Limited Subagent Exception. For any person holding multiple license types, where one of the licenses is for a Limited Subagent, no more than five (5) hours of continuing education credit can come from the subject area that coincides with the Limited Subagent license. The remainder of the continuing education requirement must come from the lines of insurance held under the agent, adjuster or counselor license. If licensed only as a Limited Subagent, the Ethics course requirement does not apply.
(c) Workers' Compensation Adjuster Exception. Licensee may either complete 10 hours of approved continuing education courses through the State Workers' Compensation Board; or complete the normal continuing education requirement specifically in the lines of property and casualty. If licensed as a workers' compensation adjuster only, the ethics requirement does not apply. After conversion to a biennial license, each resident licensee must complete twenty (20) hours of approved continuing education courses through the State Workers' Compensation Board or complete the normal continuing education requirement specifically in the lines of property and casualty, by the dates specified in Rule 120-2-3-.16.
(d) Persons newly licensed prior to July 1, 2012. Newly licensed persons who have taken the required prelicensing course will be considered to have met the initial requirements for continuing education by filing a copy of the prelicensing course certificate with the required renewal form. This exemption only applies to continuing education requirements for the first year of licensure for those who obtained their license prior to July 1, 2012.
(e) Agents licensed in the property line of authority that will be selling through the National Flood Insurance Program (NFIP) must complete a one-time three (3) hour continuing education course related to NFIP. This three (3) hour course will count towards the agent's continuing education requirement and can be used toward the Ethics requirement.
(f) On or after January 1, 2009, an Agent may not sell, solicit or negotiate a long term care partnership policy unless the individual has completed an initial eight (8) hour long term care training course. Agent must also complete ongoing training consisting of a four (4) hour continuing education course every 24 months. Such training must meet the requirements as outlined in Section 120-2-3-.12. To meet the 24-month timing requirements, an agent must complete this long term care continuing education course during each biennial license cycle required of all other continuing education requirements as set out in Section 120-2-3-.16 measured from the date of completion of the agent's initial eight (8) hour long term care training course.

1. Resident agents that have taken another state's qualified long term care partnership course may receive credit for up to six (6) hours toward the Georgia partnership training course requirement. Such resident agent must complete an approved two (2) hour Georgia specific Medicaid course in order to meet the eight (8) hour training requirement.
2. Insurers offering a long term care partnership policy shall obtain verification that an agent has received the training required in 120-2-3-.12(1)(c) and this section before the agent is permitted to sell, solicit or negotiate the insurer's long term care partnership policy.
3. Each insurer shall maintain records with respect to the training of its agents qualified to sell, solicit or negotiate long term care partnership policies, to include training received and that the agent has demonstrated an understanding of the partnership policies and their relationship to public and private coverage of long term care, including Medicaid. These records shall be maintained for a period of not less than five years and shall be made available to the Commissioner upon request.
(g) On or after March 1, 2016, an Agent may not sell, solicit or negotiate an annuity product unless the individual has completed a one- time four (4) hour Annuity Suitability continuing education course approved by the department of insurance and provided by a department approved education provider.
1. Insurance producers who hold a life insurance line of authority on the effective date of this regulation and who desire to sell annuities shall complete the requirements of this subsection within six (6) months after the effective date of this regulation.
2. Individuals who obtain a life insurance line of authority on or after the effective date of this regulation may not engage in the sale of annuities until the annuity training course required under this subsection has been completed.
3. The satisfaction of the training requirements of another State that are substantially similar to the provisions of this subsection shall be deemed to satisfy the training requirements of this subsection in this State.
4. An insurer shall verify that an insurance producer has completed the annuity training course required under 120-2-3-.12(1)(d) and this subsection before allowing the producer to sell an annuity product for that insurer. An insurer may satisfy its responsibility under this subsection by obtaining certificates of completion of the training course or obtaining reports provided by Commissioner-sponsored database systems or vendors or from a reasonably reliable commercial database vendor that has a reporting arrangement with approved insurance education providers.
(3) Following the initial reporting date for new licensees, each person shall report on the date specified in Rule 120-2-3-.16 of this Regulation the appropriate number of hours for the previous reporting period.
(4) Credit will not be given for the same Continuing Education course taken multiple times within the same Continuing Education reporting period.
(5) Credit for continuing education earned in one filing period in excess of the hours required may be carried forward to the next filing period, provided that credit carried forward shall not exceed fifty percent (50%) of biennial continuing education requirement.

Authority: O.C.G.A. Secs. 33-2-9, 33-23-12, 33-23-15, 33-23-18, 33-23-44, 33-42-6, 33-42-7.