

**BEFORE THE COMMISSIONER OF INSURANCE
STATE OF GEORGIA**

IN THE MATTER OF:)	
)	
REGULATION CHAPTER)	DOCKET NUMBER
120-2-3)	
)	I-16-I-01
LIMITED HEALTH)	
COUNSELOR LICENSE)	

ORDER

I. STATEMENT OF PROCEEDINGS

On April 1, 2016, a Notice of Hearing and Intent to Adopt Rule Changes was issued regarding the proposed amendments to Regulation Sections 120-2-3-.06 entitled "Kinds of Licenses Issued," 120-2-3-.09 entitled "Examinations," 120-2-3-.18 entitled "Resident Bond Requirements," and 120-2-3-.46 entitled "Limited Group Health Counselor." (Record, Exhibit 1). The purpose of the proposed regulatory actions is to allow for the issuance of a Limited Health Counselor license in lieu of the current Limited *Group* Health Counselor license. Accordingly, the proposed limited license would allow for counseling services with regard to both group and individual health insurance products.

By letter dated April 20, 2016, the Office of the Attorney General opined that the proposed regulations were within this Office's scope of authority. (Record, Exhibit 5). Pursuant to O.C.G.A. §50-13-4(e), the proposed regulations were transmitted to Wayne R. Allen, Legislative Counsel for the General Assembly, for assignment to the appropriate standing committees of the Senate and House of Representatives. (Record, Exhibit 6). The proposed regulations were assigned accordingly. (Record, Exhibit 7).

Interested persons were given the opportunity to participate in the proposed rulemaking by submitting their written comments by May 20, 2016, and by making oral comments at the

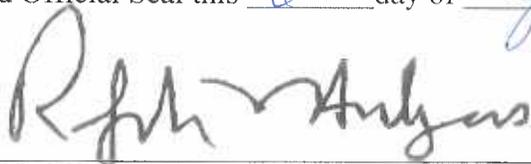
public hearing held on May 24, 2016. No written comments were received.

Tammy Holmes, Director of the Agents Licensing Division of this Office, was the only person to offer oral comments at the hearing. (Transcript, pp. 7-8) According to Ms. Holmes, some insurers reduced agent commissions in order to comply with the medical loss ratio requirements in the Patient Protection and Affordable Care Act (“PPACA”). The initial reductions in commissions were generally focused on group health policies but now reduced commissions are being applied to both group and individual health policies. The proposed amended regulations would allow for the issuance of a Limited Health Counselor license in lieu of the current more restrictive Limited Group Health Counselor license.¹

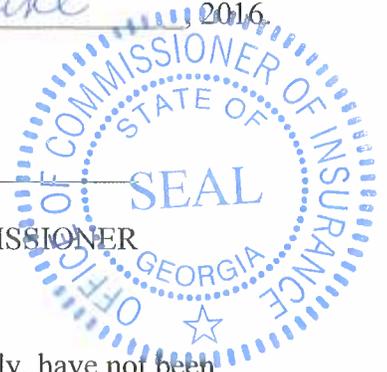
II. DECISION

WHEREAS, the Commissioner finds persuasive Ms. Holmes’ comments offered in support of the proposed amendments, and no comments were offered in opposition, **IT IS HEREBY ORDERED** that Regulation Sections 120-2-3-.06, entitled “Kinds of Licenses issued,” 120-2-3-.09 entitled “Examinations,” 120-2-3-.18 entitled “Resident Bond Requirements,” and 120-2-3-.46 entitled “Limited Group Health Counselor,” copies of which are attached hereto and made a part hereof by reference, are **HEREBY ADOPTED**.

Given under my Hand and Official Seal this 6th day of June 2016.



RALPH T. HUDGENS
INSURANCE AND SAFETY FIRE COMMISSIONER
STATE OF GEORGIA



¹ Counselors’ fees are not subject to any medical loss ratio and, consequently, have not been substantially reduced in response to PPACA’s requirements.