

1 11 NCAC 06A .0701 is repealed under temporary procedures as follows:

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3 **11 NCAC 06A .0701 GENERAL REQUIREMENTS**

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5 *History Note: Authority G.S. 58-2-40; 58-33-30(d); 58-33-35; 58-33-132;*

6 *Eff. February 1, 1989;*

7 *Amended Eff. April 1, 1996; October 1, 1990;*

8 *Amended Eff. February 1, 2008;*

9 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. June 25,*

10 *~~2016-2016~~;*

11 *Repealed Eff. May 1, 2026.*

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1 11 NCAC 06A .0702 is repealed under temporary procedures as follows:

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3 **11 NCAC 06A .0702 PRELICENSING EDUCATION SCHOOLS**

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5 *History Note: Authority G.S. 58-2-40; 58-33-30(d); 58-33-132;*

6 *Eff. February 1, 1989;*

7 *Amended Eff. February 1, 2008; April 1, 2003; April 1, 1996; November 1, 1990;*

8 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. June 25,*

9 *~~2016-2016;~~*

10 *Repealed Eff. May 1, 2026.*

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1 11 NCAC 06A .0703 is repealed under temporary procedures as follows:

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3 **11 NCAC 06A .0703 PROGRAM DIRECTORS**

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5 *History Note: Authority G.S. 58-2-40; 58-33-30(d); 58-33-132;*

6 *Eff. February 1, 1989;*

7 *Amended Eff. February 1, 2008; October 1, ~~1990~~, 1990;*

8 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. June 25,*

9 *~~2016~~, 2016;*

10 *Repealed Eff, May 1, 2026.*

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1 11 NCAC 06A .0704 is repealed under temporary procedures as follows:

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3 **11 NCAC 06A .0704 COURSES**

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5 *History Note: Authority G.S. 58-2-40; 58-33-30(d); 58-33-132;*

6 *Eff. February 1, 1989;*

7 *Amended Eff. February 1, 2008; April 1, 1996; October 1, 1990;*

8 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. June 25,*

9 *~~2016-2016;~~*

10 *Repealed Eff. May 1, 2026.*

1 11 NCAC 06A .0705 is repealed under temporary procedures as follows:

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3 **11 NCAC 06A .0705 INSTRUCTORS**

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5 *History Note: Authority G.S. 58-2-40; 58-33-30(d); 58-33-132;*

6 *Eff. February 1, 1989;*

7 *Amended Eff. February 1, 2008; April 1, 1996; October 1, 1990;*

8 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. June 25,*

9 *~~2016-2016;~~*

10 *Repealed Eff. May 1, 2026.*

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1 11 NCAC 06A .0811 is amended under temporary procedures with changes as follows:

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3 **11 NCAC 06A .0811 SANCTIONS FOR NONCOMPLIANCE**

4 (a) If the license of any person lapses under G.S. 58-33-130(c), the license shall be reinstated when the person has
5 completed the continuing education requirements and paid an administrative fee of seventy-five dollars (\$75.00)
6 within four months after the end of the person's previous compliance year. If the person does not satisfy the
7 requirements for licensure reinstatement within four months after the end of the person's previous compliance year,
8 the person shall ~~complete the appropriate prelicensing education requirement and~~ pass the appropriate licensing
9 examination, at which time the Commissioner shall reinstate the person's license.

10 (b) The Commissioner may suspend, revoke, or refuse to renew a license for any of the following causes:

- 11 (1) Failing to respond to Department inquiries, including continuing education audit requests, within
12 seven calendar days after the receipt of the inquiry or request.
- 13 (2) Requesting an extension or waiver under false pretenses.
- 14 (3) Refusing to cooperate with Department employees in an investigation or inquiry.

15 (c) The Commissioner may suspend, revoke, or refuse to renew a course provider's, presenters, or instructor's authority
16 to offer courses for any of the following causes:

- 17 (1) Advertising that a course is approved before the Commissioner has granted such approval in writing.
- 18 (2) Submitting a course outline with material inaccuracies, either in length, presentation time, or topic
19 content.
- 20 (3) Presenting or using unapproved material in providing an approved course.
- 21 (4) Failing to conduct a course for the full time specified in the approval request submitted to the
22 Commissioner.
- 23 (5) Preparing and distributing certificates of attendance or completion before the course has been
24 approved.
- 25 (6) Issuing certificates of attendance or completion before the completion of the course.
- 26 (7) Failing to issue certificates of attendance or completion to any licensee who satisfactorily completes
27 a course.
- 28 (8) Failing to notify the Commissioner in writing of suspected or known violations of the North Carolina
29 General Statutes or Administrative Code within 30 days after suspecting or knowing about the
30 violations.
- 31 (9) Violating the North Carolina General Statutes or Administrative Code.
- 32 (10) Failing to monitor attendance and attention of attendees.
- 33 (11) Preparing and distributing fraudulent certificates of attendance or completion.
- 34 (12) Failing to ensure that the licensee completes the course hours approved by the Commissioner.
- 35 (13) Failing to use qualified or approved instructors.
- 36 (14) Refusing to cooperate with Department employees in an investigation or inquiry.

1 (d) Course providers and presenters are responsible for the activities of persons conducting, supervising, instructing,
2 proctoring, monitoring, moderating, facilitating, or in any way responsible for the conduct of any of the activities
3 associated with the course.

4 (e) The Commissioner may require any one of the following upon a finding of a violation of this Section:

5 (1) Refunding all course tuition and fees to licensees.

6 (2) Providing licensees with a course to replace the course that was found in violation.

7 (3) Withdrawal of approval of courses offered by the provider, presenter, or instructor.

8 ~~(f) Each year, the Commissioner shall verify each nonresident licensee's record through the NAIC Producer Data~~
9 ~~Base to ensure that the licensee has complied with the continuing education requirements in the licensee's home state.~~
10 ~~If the license lapses under G.S. 58-33-32, the Commissioner shall cancel the license.~~

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12 *History Note: Authority G.S. 58-2-40; 58-33-125(a); 58-33-130; 58-33-132;*

13 *Temporary Adoption Eff. June 22, 1990, for a period of 180 days to expire on December 19, 1990;*

14 *ARRC Objection Lodged July 19, 1990;*

15 *Eff. December 1, 1990;*

16 *Temporary Amendment Eff. May 1, 2026; Amended Eff. October 1, 2010; February 1, 2008;*

17 *January 1, 2007; June 1, 1992.*

1 11 NCAC 06A .0808 is amended under temporary procedures with changes as follows:

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3 **11 NCAC 06A .0808 INSTRUCTOR QUALIFICATION**

4 (a) Continuing education providers shall certify that continuing education instructors meet the qualification
5 requirements, which are the same as those for instructors as provided in 11 NCAC 06A .0705(e), except that the
6 requirements as provided in Paragraph (b) of this Rule. The Commissioner may approve instructors instructors, not
7 meeting the qualifications as provided in Paragraph (b) of this Rule, who possessing possess specific areas of expertise
8 to instruct courses comprising those areas of expertise.

9 (b) Each instructor [shall have] must meet one of the following qualifications which shall be verified by the instructor's
10 continuing education provider:

11 (1) Accident and health or sickness; Medicare supplement insurance and long-term care insurance:

12 (A) Registered Health Underwriter (RHU);

13 (B) Certified Employee Benefits Specialist (CEBS);

14 (C) Registered Employee Benefits Consultant (REBC);

15 (D) Health Insurance Associate (HIA);

16 (E) Five years of full-time experience as an employee, agent, or broker interpreting or
17 explaining policies covering accident and health or sickness insurance, Medicare
18 supplement [insurance] insurance, or long term care insurance;

19 (F) [Holds] Has an associate [degree] or bachelor's degree in [insurance;] insurance, or
20 possesses education and experience determined by the Commissioner to be equivalent to:

21 [(G) — Has education and experience that are found by the Commissioner to be equivalent to:]

22 (i) A baccalaureate or higher degree and at least two years of experience as an instructor of
23 insurance or as an educational administrator, or;

24 (ii) A baccalaureate degree or higher and at least six years of experience in the insurance
25 industry with a minimum of two years of experience in insurance management.

26 (2) Life insurance and annuities:

27 (A) Chartered Life Underwriter (CLU);

28 (B) Chartered Financial Consultant (ChFC);

29 (C) Fellow Life Management Institute (FLMI);

30 (D) Life Underwriter Training Council Fellow (LUTCF);

31 (E) Certified Employee Benefits Specialist (CEBS);

32 (F) Certified Financial Planner (CFP);

33 (G) Five years of full-time experience as an employee, agent, or broker interpreting or
34 explaining life insurance policies, or annuities;

35 (H) [Holds] Has an associate [degree] or bachelor's degree in [insurance;] insurance, or
36 possesses education and experience determined by the Commissioner to be equivalent to:

37 [(I) — Has education and experience that are found by the Commissioner to be equivalent to:]

1 (i) A baccalaureate or higher degree and at least two years of experience as an instructor
2 of insurance or as an educational administrator, or;

3 (ii) A baccalaureate degree or higher and at least six years of experience in the insurance
4 industry with a minimum of two years of experience in insurance management.

5 (3) Property insurance, casualty insurance, and personal lines:

6 (A) Chartered Property and Casualty Underwriter (CPCU);

7 (B) Accredited Advisor in Insurance (AAI);

8 (C) Associate in Risk Management (ARM);

9 (D) Certified Insurance Counselor (CIC);

10 (E) Five years of full-time experience as an employee, agent, or broker interpreting or
11 explaining property insurance, casualty insurance, or personal lines policies;

12 (F) [Holds] Has an associate [degree] or bachelor's degree in [insurance;] insurance, or
13 possesses education and experience determined by the Commissioner to be equivalent to:

14 [G]— Has education and experience that are found by the Commissioner to be equivalent to:

15 (i) A baccalaureate or higher degree and at least two years of experience as an instructor of
16 insurance or as an educational administrator, or;

17 (ii) A baccalaureate degree or higher and at least six years of experience in the insurance
18 industry with a minimum of two years of experience in insurance management.

19 ~~(b)~~ ~~(c)~~ Insurance company trainers as instructors shall be full time salaried employees of the insurance company
20 sponsoring the course and shall have as part of their full time responsibilities the duty to ~~provider~~ provide
21 insurance company training.

22 ~~(e)~~ ~~(d)~~ College and university instructors may be full time or adjunct faculty of the college or university, and shall be
23 teaching a curriculum course in his or her field of expertise.

24 ~~(d)~~ ~~(e)~~ The Commissioner shall require applicants and current instructors to ~~submit to~~ participate in a personal
25 interview, provide a video or audio ~~tape,~~ tape demonstrating course instruction, and ~~submit~~ a written history of courses
26 taught or any other documentation that will verify the applicant's qualifications to instruct approved insurance courses.

27 ~~(e)~~ ~~(f)~~ Temporary instructor authority shall be given to each qualified applicant. The instructor authority shall become
28 permanent after six months unless otherwise denied, suspended, ~~terminated~~ terminated, or revoked by the
29 Commissioner.

30 ~~(f)~~ ~~(g)~~ As a condition to continued instructor qualification, providers shall ~~insure~~ ensure that each instructor teaches
31 ~~at least one prelicensing or~~ continuing education course each calendar year.

32 ~~(g)~~ ~~(h)~~ The Commissioner shall deny, revoke, suspend, or terminate the approval of an instructor upon finding that:

33 (1) The instructor fails to meet the criteria for approval provided by this Rule;

34 (2) The instructor has failed to comply with statutes or rules regarding continuing education courses or
35 providers;

36 (3) The instructor's employment has been terminated by any approved provider on the grounds of
37 incompetence or failure to comply with institutional policies and procedures;

1 (4) The instructor provided false information to the Commissioner;

2 (5) The instructor ~~has~~ **has**, at any ~~time~~ **time**, had an insurance license denied, suspended, revoked,
3 or ~~terminated.~~ **terminated** by the ~~Commissioner~~ **Commissioner**, or any other state insurance
4 regulator, or has ever been required to return a license while under investigation;

5 (6) The instructor has obtained or used, or attempted to obtain or use, in any manner or form, **licensing**
6 examination ~~questions.~~ **questions** under G.S. 58-33-30.

7 ~~(h)~~ **(i)** In all proceedings to deny, revoke, suspend, or terminate approval of an instructor, the provisions of Chapter
8 150B of the General Statutes shall be ~~applicable.~~ **applied**.

9 ~~(i)~~ **(j)** When an instructor's approval is discontinued, the procedure for reinstatement shall be to apply as a new
10 instructor, with a statement of reasons that the applicant is now eligible for reconsideration. The Commissioner may
11 require an investigation before new approval is granted.

12
13 *History Note: Authority G.S. 58-2-40; 58-33-130; 58-33-132;*

14 *Temporary Adoption Eff. June 22, 1990, for a period of 180 days to expire on December 19, 1990;*

15 *ARRC Objection Lodged July 19, 1990;*

16 *Eff. December 1, 1990;*

17 *Amended Eff. February 1, 2008; February 1, 1996;*

18 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. June 25,*
19 *2016-2016;*

20 *Temporary Amendment Eff. May 1, 2026.*

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