

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Department of Insurance

RULE CITATION: 11 NCAC 06A .0808 Temporary

DEADLINE FOR RECEIPT: April 24, 2026

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

In (a), lines 4-5, are “the qualification requirements” those listed in (1)-(3)?

Lines 5-7, does the word “except” mean Commissioner selected expert instructors don’t have to possess the qualifications listed in (1)-(3)? Please clarify.

Line 16, add a comma after “supplement insurance.”

In (1)(F)(G), line 17, does the use of “or” indicate either (F) or (G) is required, but not both? It’s unclear to me what is required based on the language used in line 7.

In (2)(H)(I), line 32, does the use of “or” indicate either (H) or (I) is required, but not both? It’s unclear to me what is required based on the language used in line 7.

Page 2, in (3)(F)(G), line 8, does the use of “or” indicate either (F) or (G) is required, but not both? It’s unclear to me what is required based on the language used in line 7.

In (b), line 15, it appears “provide” rather than “provider” was intended.

In (d), line 19, consider replacing “submit to” with “participate in”.

Line 20, provide a “video or audio tape” of what? Also, consider adding “and submit” before “a written history”.

In (e), line 23, add a comma after “terminated.”

In (g)(5), line 33, add a comma after “has” and after “time.” Delete the comma after “terminated” and add a comma after “Commissioner” (line 34).

In (g)(6), line 37, what kind or type of “examination questions” are being referred to?

Travis C. Wiggs
Commission Counsel
Submitted on April 13, 2026

Page 3, in (h), line 2, consider replacing “applicable” with “applied”. Or add “and utilized” after “applicable”.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina.

Travis C. Wiggs
Commission Counsel
Submitted on April 13, 2026

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

2
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 Commissioner may approve instructors possessing specific areas of expertise to instruct courses comprising those
7 areas of expertise. Each instructor shall have the following qualifications which shall be verified by the instructor's
8 continuing education provider:

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

10 (A) Registered Health Underwriter (RHU);

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

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

13 (D) Health Insurance Associate (HIA);

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

17 (F) Holds an associate degree or bachelor's degree in insurance; or

18 (G) Has education and experience that are found by the Commissioner to be equivalent to:

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

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

23 (2) Life insurance and annuities:

24 (A) Chartered Life Underwriter (CLU);

25 (B) Chartered Financial Consultant (ChFC);

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

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

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

29 (F) Certified Financial Planner (CFP);

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

32 (H) Holds an associate degree or bachelor's degree in insurance; or

33 (I) Has education and experience that are found by the Commissioner to be equivalent to:

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

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

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

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

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

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

5 (D) Certified Insurance Counselor (CIC);

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

8 (F) Holds an associate degree or bachelor's degree in insurance; or

9 (G) Has education and experience that are found by the Commissioner to be equivalent to:

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

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

14 (b) Insurance company trainers as instructors shall be full time salaried employees of the insurance company
15 sponsoring the course and shall have as part of their full time responsibilities the duty to provider insurance company
16 training.

17 (c) College and university instructors may be full time or adjunct faculty of the college or university, and shall be
18 teaching a curriculum course in his or her field of expertise.

19 (d) The Commissioner shall require applicants and current instructors to submit to a personal interview, provide a
20 video or audio tape, a written history of courses taught or any other documentation that will verify the applicant's
21 qualifications to instruct approved insurance courses.

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

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

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

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

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

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

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

33 (5) The instructor has at any time had an insurance license denied, suspended, revoked, or terminated,
34 by the Commissioner or any other state insurance regulator, or has ever been required to return a
35 license while under investigation;

36 (6) The instructor has obtained or used, or attempted to obtain or use, in any manner or form,
37 examination questions.

1 (h) In all proceedings to deny, revoke, suspend, or terminate approval of an instructor, the provisions of Chapter 150B
2 of the General Statutes shall be applicable.

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

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7 *History Note: Authority G.S. 58-2-40; 58-33-130; 58-33-132;*
8 *Temporary Adoption Eff. June 22, 1990, for a period of 180 days to expire on December 19, 1990;*
9 *ARRC Objection Lodged July 19, 1990;*
10 *Eff. December 1, 1990;*
11 *Amended Eff. February 1, 2008; February 1, 1996;*
12 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. June 25,*
13 *2016-2016;*
14 *Temporary Amendment Eff. May 1, 2026.*
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REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Department of Insurance

RULE CITATION: 11 NCAC 06A .0811 Temporary

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PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

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In reviewing this Rule, the staff recommends the following changes be made:

Page 2, in (f), line 6, will the Commission notify the nonresident licensee if their license is cancelled under G.S. 58-33-32? If so, how and when must the notification be issued?

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina.

Travis C. Wiggs
Commission Counsel
Submitted on April 13, 2026

1 11 NCAC 06A .0811 is amended under temporary procedures 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 an appropriate prelicensing education course 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 (d) Course providers and presenters are responsible for the activities of persons conducting, supervising, instructing,
36 proctoring, monitoring, moderating, facilitating, or in any way responsible for the conduct of any of the activities
37 associated with the course.

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

- 1 (1) Refunding all course tuition and fees to licensees.
2 (2) Providing licensees with a course to replace the course that was found in violation.
3 (3) Withdrawal of approval of courses offered by the provider, presenter, or instructor.
4 (f) Each year, the Commissioner shall verify each nonresident licensee's record through the NAIC Producer Data
5 Base to ensure that the licensee has complied with the continuing education requirements in the licensee's home state.
6 If the license lapses under G.S. 58-33-32, the Commissioner shall cancel the license.

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

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

10 *ARRC Objection Lodged July 19, 1990;*

11 *Eff. December 1, 1990;*

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

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

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