

NOTICE OF RULE DEVELOPMENT

DEPARTMENT OF FINANCIAL SERVICES
Division of Insurance Agents and Agency Services

RULE NO.:	RULE TITLE:
69B-228.180	Forms
69B-228.220	Licensee Compliance; Requirements; Penalties for Non-Compliance

PURPOSE AND EFFECT: The purpose of the proposed amendments is to implement changes made by Chapter 2012-209, Laws of Florida, to Section 626.2815, F.S. Effective October 1, 2014, licensees will be required to complete a 5-hour update course every 2 years which is specific to the license held by the licensee and cover insurance law updates, premium discounts, ethics, disciplinary trends, industry trends, and suitability of insurance products. Since all licensees have 24 months to complete their continuing education requirements, the new law will affect those licensees who began their continuing education cycle on November 1, 2012 and will complete the cycle in October, 2014. The proposed rule amendments will allow continuing education providers to develop appropriate course materials, submit them for approval by the Department, and then offer the courses to licensees.

SUBJECT AREA TO BE ADDRESSED: Continuing education requirements for licensees.

RULEMAKING AUTHORITY: 624.308, 648.26(1)(a) FS

LAW IMPLEMENTED: 624.307(1), 626.221(2)(d), 626.2815, 626.611, 626.621, 626.681, 626.691, 626.869(5), 648.385 FS

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT:

DATE AND TIME: January 11, 2013 @ 10:00 A.M.

PLACE: Room 142, Larson Building, 200 E. Gaines Street, Tallahassee, FL

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting Jean Jeune at (850) 413-5411 or Jean.Jeune@myfloridacfo.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Jean Jeune, Senior Management Analyst Supervisor, Bureau of Licensing, Room 419, Larson Building, 200 E. Gaines Street, Tallahassee, FL 32399-0318 Phone (850) 413-5411 or Jean.Jeune@MyFloridaCFO.com.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

69B-228.180 Forms.

(1) The following forms are hereby adopted and incorporated by reference:

FORM	TITLE	REVISED
(a) DFS-H2-397	Schedule of Course Offerings	rev. 1/01
(b) DFS-H2-398	Certification of Instructor	rev. 1/01
(c) DFS-H2-399	Certificate of Completion	rev. 4/98
(d) DFS-H2-400	Roster	rev. 2/01
(e) DFS-H2-460	Request for Extension of Time	rev. 2/99
(f) DFS-H2-463	Nonresident Agent Certification	rev. 11/00
(g) DFS-H2-464	Application for Course Provider Approval	rev. 11/00
(h) DFS-H2-465	Course Provider Information Update	rev. 11/00
(i) DFS-H2-501	Appointment Form	rev. 6/00
(j) DFS-H2-1106	Statement of Government Status	rev. 12/96
(k) DFS-H2-1108	Statement of Adjuster Status	rev. 8/98
(l) DFS-H2-1109	Application for CLU/CPCU/College Degree + Experience Status	rev. 4/98
(m) DFS-H2-1111	Computer Transmittal Form	rev. 4/98
(n) DFS-H2-1137	Application for School Official Appointment	rev. 11/00
(o) DFS-H2-1268	Application for Course Approval	rev. 11/00
(p) DFS-H2-1269	Application for Supervising Instructor Approval	rev. 11/00
(q) <u>DFS-H2-2081</u>	<u>5-Hour Law and Ethics Update</u>	<u>eff. 8/12</u>

(2) and (3) No change.

Rulemaking Specific Authority 624.308, 648.26 FS. Law Implemented 624.307(1), 624.501, 626.2815, 626.8419(1), 626.869(5), 627.952(1)(b), 648.386 FS. History—New 8-17-93, Amended 4-29-01, Formerly 4-228.180, Amended

69B-228.220 Licensee Compliance; Requirements; Penalties for Non-Compliance.

(1) through (12) No change.

(13) A curriculum outline for a 5-hour law and ethics update course shall be approved by the Department on Form DFS-H2-2081, "5-hour Law and Ethics Update," which is incorporated by reference in Rule 69B-228.180, F.A.C.

(a) A 5-hour law and ethics update course shall be approved in any of the following authorities:

1. Life and Variable Annuity.
2. Life Health and Variable Annuity.
3. Health.
4. General Lines.
5. Adjuster.

6. Public Adjuster.

7. Bail Bonds.

(b) The course shall not be approved for less than 5 hours and 5 hours of the course must follow the curriculum outline approved by the Department including discussion on the following subjects:

1. Regulatory Awareness.

2. Insurance Law and Updates.

3. Ethical Requirements.

4. Trends.

(c) The course shall only apply to a compliance cycle if the 5-hour course is:

1. Specific to a license held by the licensee when the compliance cycle began;
and

2. Not completed earlier than the compliance cycle immediately preceding.

(d) An approved 5-hour course shall expire two years after its approval date.
Rulemaking Authority 624.308, 648.26(1)(a) FS. Law Implemented 624.307(1),
626.221(2)(d), 626.2815, 626.611, 626.621, 626.681, 626.691, 626.869(5),
648.385 FS. History—New 8-17-93, Amended 4-11-94, 4-29-01, Formerly 4-
228.220, Amended 1-17-05, 8-3-09,_____.