

1 **11 NCAC 06A. 0802 IS AMENDMENT AS PUBLISHED IN NCR 25:16 1888 AS FOLLOWS:**

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3 **11 NCAC 06A .0802 LICENSEE REQUIREMENTS**

4 (a) Each person holding a life, accident and health or sickness, property, casualty, personal lines, or adjuster license shall  
5 obtain 24 ICECs during each biennial compliance period. Each person holding one or more life, accident and health or  
6 sickness, property, casualty, personal lines, variable life and variable annuity products or adjuster license shall complete  
7 an ethics course or courses within two years after January 1, 2008, and every biennial compliance period thereafter as  
8 defined in this Section. The course or courses shall comprise three ICECs.

9 (b) Each person holding one or more property, personal lines, or adjuster license, shall complete a continuing education  
10 course or courses on flood insurance and the National Flood Insurance Program, or any successor programs, within the  
11 first biennial compliance period after January 1, 2008, and every other biennial compliance period thereafter. The course  
12 or courses shall comprise three ICECs.

13 (c) Each licensee shall, before the end of that licensee's biennial compliance year, furnish evidence as set forth in this  
14 Section that the continuing education requirements have been satisfied.

15 (d) An instructor shall receive the maximum ICECs awarded to a student for the course.

16 (e) Licensees shall not receive ICECs for the same course more often than one time in any biennial compliance period.

17 (f) Licensees shall receive ICECs for a course only for the biennial compliance period in which the course is completed.  
18 Any course requiring an examination shall not be considered completed until the licensee passes the examination.

19 (g) Licensees shall maintain records of all ICECs for five years after obtaining those ICECs, which records shall be  
20 available for inspection by the Commissioner.

21 (h) Nonresident licensees who meet continuing education requirements in their home states meet the continuing  
22 education requirements of this Section. Nonresident adjusters who qualify for licensure by passing the North Carolina  
23 adjuster examination pursuant to G.S. 58-33-30(h)(2)a shall meet the same continuing education requirements as a  
24 resident adjuster including mandatory flood and ethics courses. Nonresident adjusters who qualify for licensure by  
25 passing an adjuster examination in another state pursuant to G.S. 58-33-30(h)(2)b and are in good standing in that state  
26 shall be credited with having met the same continuing education requirements as resident adjusters, including mandatory  
27 flood and ethics courses.

28 (i) Only a licensed insurance producer who is unable to comply with continuing education requirements due to military  
29 service, or long-term medical disability may request a waiver for continuing education requirements. A long-term  
30 medical disability means that it is certified on an annual basis by an attending physician to the licensee. The  
31 Commissioner shall grant an exemption from Continuing Education requirements for up to one year if the producer  
32 submits the following:

- 33 (1) Deployment orders from the United States Department of Defense; or  
34 (2) A notarized statement from a licensed physician stating the producer is unable to do the work he is  
35 licensed to do.

36 (j) A licensee who was granted an exemption from the requirements of this Section prior to October 1, 2010 continues to  
37 be exempt from continuing education requirements for as long as the licensee certifies to the Commissioner that he:

- 1           (1)     is age 65 or older;
- 2           (2)     has been continuously licensed in the line of insurance for at least 25 years; and
- 3           (3)     either:
  - 4                (A)     holds a professional designation specified in 11 NCAC 06A .0803; or
  - 5                (B)     certifies to the Commissioner annually that the licensee is an inactive agent who neither
  - 6                        solicits applications for insurance nor takes part in the day to day operation of an agency.

7 ~~(k) Any licensee who qualifies for exemption under Paragraph (j) of this Rule shall meet the ethics and flood courses as~~  
8 ~~required in Paragraph (a) and (b) of this Rule and in Rule .0812 of this Section.~~

9 ~~(k)~~ Courses completed before the issue date of a new license do not meet the requirements of this Section for that new  
10 license.

11 ~~(l)~~ No credit shall be given for courses taken before they have been approved by the Commissioner.

12 ~~(m)~~ Each person with an even numbered birth year shall meet continuing education requirements in an even numbered  
13 compliance year. Each person with an odd numbered birth year shall meet continuing education requirements in an odd  
14 numbered compliance year. The licensee shall complete 24 hours of continuing education by the last day of the licensee's  
15 birth month in the compliance year.

16 ~~(n)~~ An existing licensee requiring continuing education is an individual who holds any of the following licenses on or  
17 before December 31, 2007: life and health, property and liability, personal lines, or adjuster. The licensee's birth year  
18 determines if an individual must satisfy continuing education requirements in an even-numbered or odd-numbered year.  
19 (Example: 1960 is an even-numbered year; 1961 is an odd-numbered year.) The licensee's birth month determines the  
20 month that continuing education is due. (Example: An individual born in October would need to complete 24 hours of  
21 continuing education by the end of October in the licensee's compliance year.) The number of ICECs required by this  
22 Rule is prorated based on one ICEC per month, up to 24 months. This conversion shall be completed within four years.  
23 (Example: An individual with a birth date of February 16, 1960, would have the following two compliance periods  
24 during the continuing education conversion: 1st – two ICECs by the end of February 2008; the 2nd – 24 ICECs by the  
25 end of February 2010. An individual with a birth date of April 4, 1957, would have the following two compliance  
26 periods during the continuing education conversion: 1st – 16 ICECs by the end of April 2009; the 2nd – 24 ICECs by the  
27 end of April 2011.) The chart below reflects the number of hours an existing licensee requiring continuing education  
28 must have during the four-year conversion.

Compliance Year	EXISTING LICENSEE MONTH OF BIRTH EVEN/ODD YEAR OF BIRTH																							
	JAN		FEB		MAR		APR		MAY		JUN		JUL		AUG		SEPT		OCT		NOV		DEC	
	even	odd	even	odd	even	odd	even	odd	even	odd	even	odd	even	odd	even	odd	even	odd	even	odd	even	odd	even	odd
2008	1		2		3		4		5		6		7		8		9		10		11		12	
2009		13		14		15		16		17		18		19		20		21		22		23		24
2010	24		24		24		24		24		24		24		24		24		24		24		24	
2011		24		24		24		24		24		24		24		24		24		24		24		24

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~~(p)~~(o) A new licensee requiring continuing education is an individual who is issued any of the following licenses on or after January 1, 2008: life, accident and health or sickness, property, casualty, personal lines or adjuster. The licensee's birth year determines if an individual must satisfy continuing education requirements in an even-numbered or odd-numbered year. (Example: 1960 is an even-numbered year; 1961 is an odd-numbered year.) The licensee's birth month determines the month that continuing education is due. (Examples: An individual born in October would need to complete 24 hours of continuing education by the end of October in the licensee's compliance year. An individual with a birth date of December 1, 1960, licensed in 2008, is required to meet 24 hours of continuing education by December 31, 2010. An individual with a birth date of October 1, 1957, licensed in 2008, is required to meet 24 hours of continuing education by October 31, 2011.) The chart below shows the first deadline by which a new licensee would be required to complete 24 hours of continuing education.

NEW LICENSEE MONTH OF BIRTH EVEN/ODD YEAR OF BIRTH																									
License Issue Year	JAN		FEB		MAR		APR		MAY		JUN		JUL		AUG		SEPT		OCT		NOV		DEC		
	even	odd																							
2008	2010	2011	2010	2011	2010	2011	2010	2011	2010	2011	2010	2011	2010	2011	2010	2011	2010	2011	2010	2011	2010	2011	2010	2011	
2009	2012	2011	2012	2011	2012	2011	2012	2011	2012	2011	2012	2011	2012	2011	2012	2011	2012	2011	2012	2011	2012	2011	2012	2011	2012
2010	2012	2013	2012	2013	2012	2013	2012	2013	2012	2013	2012	2013	2012	2013	2012	2013	2012	2013	2012	2013	2012	2013	2012	2013	
2011	2014	2013	2014	2013	2014	2013	2014	2013	2014	2013	2014	2013	2014	2013	2014	2013	2014	2013	2014	2013	2014	2013	2014	2013	

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(p) A member of a professional insurance association may receive no more than two ICECs during the biennial compliance period based solely on membership in the association. The professional insurance association shall be approved as a continuing education provider, shall have been in existence for at least five years, and shall have been formed for purposes other than providing continuing education. The professional insurance association shall:

- (1) Provide the Commissioner or the Administrator with the association's Articles of Incorporation on file with the N.C. Secretary of State;
- (2) Certify to the Commissioner or Administrator that the licensee's membership is active during the biennial compliance period;
- (3) Certify to the Commissioner or Administrator that the licensee attended 50 percent of the regular meetings;
- (4) Certify to the Commissioner or Administrator that the licensee attended a statewide or intrastate regional educational meeting on an annual basis, where the regional meeting covered an area of at least 25 counties of the State; and
- (5) Pay the one dollar (\$1.00) per ICEC to the Commissioner or Administrator.

*History Note: Authority G.S. 58-2-40; 58-2-185; 58-2-195; 58-33-130; 58-33-133;  
Temporary Adoption Eff. June 22, 1990, for a period of 180 days to expire on December 19, 1990;  
ARRC Objection Lodged July 19, 1990;  
Eff. December 1, 1990;  
Temporary Amendment Eff. October 3, 1991 for a period of 180 days to expire on March 30, 1992;  
Amended Eff. June 1, 2011; October 1, 2010; February 1, 2008; January 1, 2007; February 1, 1995;  
August 1, 1994; February 1, 1994; January 1, 1993.*