

Resident insurance producer's license was revoked after he submitted false claim to insurance company. *New Jersey Department of Insurance v. Rosenblatt*, 96 N.J.A.R.2d (INS) 102.

Insurance producer's license was revoked because he failed to disclose that his real estate licenses had previously been revoked. *Karpinski v. Pepe*, 96 N.J.A.R.2d (INS) 97.

License of insurance producer was properly revoked upon proof of fraudulent misconduct, including issuing bad checks and forging insured's signature. *Fortunato v. Huertas*, 96 N.J.A.R.2d (INS) 34.

Insurance producer's conviction for issuing bad checks shows unfitness for licensure. *Karpinski v. McKishen*, 96 N.J.A.R.2d (INS) 20.

Prior theft convictions and numerous misrepresentations on application warranted denial of request for licensure as resident insurance producer. *Fortunato v. Thomas*, 95 N.J.A.R.2d (INS) 73.

Long course of conduct in issuing false premium and rating information and in wrongfully applying premium funds justified denial of application for licensure as an insurance producer. *Sirchio v. Fortunato*, 95 N.J.A.R.2d (INS) 68.

Misappropriation of funds that led to federal conviction justified revocation of license as an insurance broker. *Shipitofsky v. Karpinski*, 95 N.J.A.R.2d (INS) 67.

Resident insurance producer license revoked; penalties, restitution and costs; failure to remit collected funds to an insurer. *Samuel F. Fortunato v. Wallace W. Lee, t/a Universal Casualty Insurance Agency*, 94 N.J.A.R.2d (INS) 53.

Revocation of insurance producer's license was appropriate. *Karpinski v. Weiss*, 94 N.J.A.R.2d (INS) 43.

**11:17-2.15 Licensee records**

(a) The following licensee records shall be public records in accordance with N.J.S.A. 47:1A-1 et seq.:

1. Individual licensee: Name, license reference number, business name, business mailing and location address, business telephone and fax numbers, date of birth, license authorities, date first licensed, date of license examination, current license issue date, professional qualification, date last licensed or current license expiration date; names of companies for which notice of agency contracts have been filed, date of agency contract and date of termination of agency contract if any, and limits on authority if any; names and reference numbers of licensed organizations for which the producer serves as a licensed officer or partner, date became a licensed officer or partner and date terminated if any; names and reference numbers of employed or employing producers, date relationship began and terminated.

2. Licensed organization: Legal name of producer, license reference number, other business name if any, business mailing and location address; license authorities, date first licensed, date last licensed or current expiration date, names and reference numbers of licensed officers and partners; names and reference numbers of insurance companies for which notice of agency contracts have been filed, agency contract date and termination date if any, limits of authority if any; names and reference numbers of employed producers, date relationship began and terminated.

(b) The following licensee records are specifically determined to be nonpublic records in accordance with N.J.S.A. 47:1A-1 et seq.:

1. Criminal complaints, indictments, judgments of conviction and other separate documents submitted in connection with a license application concerning whether an applicant is disqualified by reason of conviction of a crime;

2. Criminal history records obtained as the result of any criminal history check;

3. Petitions or discharges in bankruptcy, complaints, orders or other pleadings in actions for assignment to creditors and other separate documents submitted in connection with a license application concerning whether the applicant is disqualified by reason of unworthiness;

4. Copies of orders of suspension or revocation issued by professional or occupational licensing authorities, and other separate documents submitted in connection with a license application concerning whether the applicant is disqualified by reason of unworthiness;

5. Records concerning the medical disability of any licensee;

6. Investigative files in any matter pending investigation, or in any completed investigation in which no formal disciplinary action was taken; and

7. Records identified in N.J.S.A. 17:22A-43.

(c) Upon request by any person, the Department shall issue a certification of the license status of any currently licensed producer or producer licensed within the preceding four years. Such certification shall contain the licensee's name, date of birth, license reference number, whether currently licensed or expired, kinds of insurance for which authorized whether qualified by examination or the equivalent, and whether any formal disciplinary action was taken during the last four years.

(d) Nothing in this section shall compel the Department to maintain licensee records beyond normal retirement or destruction schedules as approved by the Division of State Library, or to retrieve and provide a copy of any written record required to be filed with the Department when the information requested is available as a certified abstract of information contained in the Department's electronic data processing system.

Recodified from 11:17-2.15 R.1993 d.507, effective October 18, 1993.

See: 24 N.J.R. 3216(a), 25 N.J.R. 4744(b).

Amended by R.1998 d.233, effective May 18, 1998.

See: 30 N.J.R. 779(a), 30 N.J.R. 1833(a).

In (a)1, included business telephone and fax numbers, date of license examination, and current license issue date as public records.

Recodified from N.J.A.C. 11:17-2.16 and amended by R.2002 d.354, effective November 4, 2002.

See: 34 N.J.R. 2286(a), 34 N.J.R. 2549(b), 34 N.J.R. 3839(a).

Added (b)7. Former N.J.A.C. 11:17-2.15, Termination and cancellation of license; reinstatement after termination, recodified to N.J.A.C. 11:17-2.14.

**11:17-2.16 Requests for disclosure of social security numbers**

(a) The Department may request that licensed producers and license applicants submit their social security numbers to the Department. All such requests shall either include or be accompanied by a notice stating:

1. The purpose or purposes for which the Department intends to use the social security numbers;
2. That disclosure made pursuant to the request is either voluntary or mandatory; and
3. That the request is authorized by this section and by such other law as may be applicable.

New Rule, R.1996 d.183, effective April 1, 1996.

See: 28 N.J.R. 234(a), 28 N.J.R. 1891(a).

Amended by R.1997 d.187, effective May 5, 1997.

See: 29 N.J.R. 304(a), 29 N.J.R. 2178(a).

In (a), inserted reference to registered insurance representatives and registration applicants; in (a)2, inserted reference to mandatory disclosure; and in (a)3, inserted reference to other applicable law.

Recodified from N.J.A.C. 11:17-2.17 and amended by R.2002 d.354, effective November 4, 2002.

See: 34 N.J.R. 2286(a), 34 N.J.R. 2549(b), 34 N.J.R. 3839(a).

In (a), rewrote the introductory paragraph. Former N.J.A.C. 11:17-2.16, Licensee records, recodified to N.J.A.C. 11:17-2.15.

5. Whether the insurance education provider will teach or offer prelicensing education courses, continuing education courses, or both;

6. The address of any permanent classroom or classrooms to be used by the provider; and

7. Any other information that may be required by the Department to determine whether the provider and the insurance education program meets the requirements for approval.

(c) Insurance education providers seeking approval to teach courses of prelicensing education shall also provide:

1. The names of all instructors employed by the insurance education provider to teach prelicensing education courses and certify that the producers have completed the prelicensing program together with documentation confirming that each is qualified in accordance with N.J.A.C. 11:17-3.2(a)3;

2. The names of the courses, by license authority, which will be taught by the insurance education provider, if approved;

3. A copy of the enrollment application for the insurance education provider, the student contract, and any other agreement between the insurance education provider and student; and

4. Copies of the course curriculum and a detailed description of the methods that the provider will use to document that the student has satisfactorily completed the course content for each line of authority for which prelicensing education shall be offered.

(d) Each application for approval of an insurance education provider's program shall be certified as correct by the insurance education director or directors named in the application, and shall be accompanied by a fee of \$300.00. The application shall be submitted to the Department at least 90 days prior to the anticipated opening of the program.

(e) Applications for program approval shall be reviewed to determine compliance with the requirements prescribed in this subchapter. An applicant shall supply such additional information or documentation as may be required by the Department to determine whether such requirements are met.

1. An inspection of the provider's office and any permanent classroom facility may be conducted prior to approval or the approval may be granted conditioned upon the results of an inspection.

2. Upon approval of an application, the Department shall issue a certificate of approval which shall contain:

i. The name and approval code number of the insurance education provider;

ii. An indication as to whether the insurance education provider is approved for prelicensing education, continuing education or both; and

**SUBCHAPTER 3. PROFESSIONAL QUALIFICATIONS****11:17-3.1 Approval of insurance education program**

(a) Persons and entities that establish programs that include teaching or offering insurance courses to satisfy professional qualification requirements for prelicensing or continuing education for producers shall, prior to conducting such courses, be approved by the Department in accordance with this section.

(b) An application for approval of an insurance education provider shall be made on a form prescribed by the Commissioner and shall provide the following information:

1. The name of the insurance education provider and the address of the permanent program office;

2. The name and address of the sponsoring organization, if any;

3. The name, address, email address, and telephone number of the program director or directors, New Jersey producer license reference number(s), if any, and a signed statement from each insurance education director that he or she has read this subchapter, understands his or her responsibilities as an insurance education director, and that he or she is fully responsible for the activity of the insurance education program;

4. The names, addresses and telephone numbers of any authorized personnel;

iii. The effective date and expiration date of the approval.

3. An insurance education provider approval shall expire in the fourth year on the last day of the licensing quarter in which it was effective;

4. At least 10 days prior to the renewal date, the provider's insurance education director shall submit a properly completed renewal application; and, if offering pre-licensing education, copies of the course curriculum and a detailed description of the methods that the provider will use to document that the student has satisfactorily completed the course content for each line of authority for which pre-licensing education is offered; and the \$300.00 renewal fee. Applications for renewal shall be reviewed by the Department in accordance with the procedures established in this section for new insurance education provider approval. Failure to submit the renewal application for receipt by the date of expiration shall be deemed to establish that the insurance education provider approval has expired, and the provider is not thereafter authorized to teach or offer insurance courses to satisfy professional qualification requirements for prelicensing or continuing education for producers.

Amended by R.1994 d.438, effective September 6, 1994.

See: 26 N.J.R. 1289(a), 26 N.J.R. 3731(a).

Amended by R.2002 d.354, effective November 4, 2002.

See: 34 N.J.R. 2286(a), 34 N.J.R. 2549(b), 34 N.J.R. 3839(a).

Rewrote the section.

Amended by R.2006 d.429, effective December 18, 2006.

See: 38 N.J.R. 2378(a), 38 N.J.R. 5369(a).

In (c)2, deleted "and" from the end; in (c)3, substituted "; and" for the period at the end; added (c)4; and in (e)4, inserted "; and, if offering prelicensing education, copies of the course curriculum and a detailed description of the methods that the provider will use to document that the student has satisfactorily completed the course content for each line of authority for which pre-licensing education is offered;".

Amended by R.2009 d.153, effective May 4, 2009.

See: 40 N.J.R. 6523(a), 41 N.J.R. 2014(c).

In (b)3, inserted ", email address,".

### 11:17-3.2 Insurance education provider duties and requirements

(a) Each approved insurance education provider (except as modified hereafter) shall:

1. Maintain an office where student records, samples of all instructional material used, and the certificate of approval for the program are kept. The office shall be accessible to the Department. The insurance education provider shall provide information regarding the means by which prospective, present and former students may contact the insurance education provider through its authorized personnel and insurance education director;

2. Retain an insurance education director in charge of the program, who shall be accessible to the Department and the public as required in (a) above during normal business hours. A producer whose license is suspended, revoked or voluntarily surrendered for cause in this or any other state may not act as an insurance education director. The insurance education director shall:

i. Oversee the program and activities of all instructors and authorized personnel;

ii. Be responsible to carry out or oversee the program's administrative duties imposed by this subchapter;

iii. Receive and distribute to all instructors, authorized personnel and students communications from the Department and the Department's contract vendor; and

iv. Notify the Department in writing of any change to the insurance education provider's application or renewal information, including, but not limited to, changes in the insurance education provider's name, address or telephone number, as well as the identity of the authorized insurance education director or authorized personnel.

3. Use knowledgeable and competent instructors to teach all courses. An instructor shall not have had his or her insurance producer license revoked, suspended or voluntarily surrendered for cause in any state and shall in the opinion of the Commissioner, be otherwise of good character and reputation. Prelicensing education instructors shall possess at least five years' experience in insurance practice, insurance education or the equivalent, at least three years of which must be derived from the same authority or authorities of insurance for which the instructor is teaching. Continuing education providers shall possess at least three years experience in the subject area taught. Prelicensing education instructors shall, in addition:

i. Hold a recognized professional designation; or

ii. Have passed the New Jersey instructor examination; or

iii. Be a faculty member of an accredited college or university teaching insurance courses;

4. Be permitted to use substitute teachers, special lecturers or guest speakers to instruct on particular topics, so long as the insurance education provider fulfills the record-keeping and reporting requirements imposed by this subchapter. For prelicensing education courses, the use of substitute teachers, special lecturers or guest speakers shall not collectively exceed 25 percent of the total course hours.

5. When using classroom facilities, provide sufficient lighting, desks, tables and other equipment which are conducive to learning. Classroom facilities shall be open to the Commissioner or his or her designee for monitoring at any time;

6. If approved to teach prelicensing courses, instruct students in accordance with a curricula submitted and approved by the Department;

7. Conduct and administer courses in a manner reasonably calculated to assure that certificates or reports of courses attended and completed accurately reflect the students' attendance, for classroom courses of study, and performance. For classroom or seminar prelicensing education or continuing education offerings, an instructor shall be

physically present in the classroom during the entire course including any tests or examinations;

8. Maintain for five years the records of each student including the name(s) of the course or courses taken; proof that the course final examination was passed, if applicable; and copies of the final examinations and education certificates issued. Programs voluntarily terminating operations shall turn over education certificates to the Department within 14 days of ceasing operation. If a program approval is revoked, the Department shall retain the right to secure such records;

9. If approved to teach prelicensing courses, provide remedies for students who have failed the State licensing examination, which may include review courses or additional full courses at reduced rates. Each provider offering prelicensing education courses shall provide each prospective student a written outline of available remedies during the registration process or earlier upon request; and

10. If approved to teach prelicensing courses and if it charges tuition therefor, without specific request and in a manner approved by the Department, provide to all persons at the time of requests for enrollment application or information, all passing rates by line of authority for the State licensing examination for all prelicensing education courses offered by the provider during the preceding six month period; or, if the program has not been in operation for this period of time, the passing rate for all examinations given during the period which the program has been in operation.

(b) Fifteen days prior to the start of each quarter, each insurance education provider shall provide to the Department in writing by hard copy or electronic means, information about the time, date and location of all prelicensing or continuing education courses scheduled for the following quarter. If the insurance education provider is offering self-study and examination courses, it shall provide the Department with the name of the approved courses offered and the date and location of each proctored examination. If the provider is not offering any courses during the upcoming quarter, it shall so notify the Department. If the schedule of courses changes, the provider shall immediately notify the Department of any additions or cancellations.

(c) An approved insurance education program shall issue to each student who has successfully completed a prelicensing education course a certificate which shall contain the following:

1. The program name and program code number;
2. The student's name;
3. The name of the course and the hours of study;
4. A statement from the instructor, authorized personnel, or the insurance education director of the program verifying completion of the course and that, based upon the results of an objective evaluation, the instructor is satisfied that the student knows the material; and

5. The course completion date.

(d) An approved insurance education program shall issue to each student who has successfully completed a continuing education course a certificate verifying completion of the course. The certificate may be provided by electronic means and shall contain the following:

1. The name and provider authorization number of the approved education provider;
2. The course name and authorization code;
3. The student's name and New Jersey license reference number;
4. The course completion date; and
5. The signature of the course instructor or authorized insurance education director of the approved education provider, or other verification that the certificate was issued by an approved education provider.

Amended by R.1994 d.438, effective September 6, 1994.

See: 26 N.J.R. 1289(a), 26 N.J.R. 3731(a).

Amended by R.1998 d.277, effective June 1, 1998.

See: 29 N.J.R. 5257(a), 30 N.J.R. 2025(a).

Added a new (k) and appendix.

Recodified in part from N.J.A.C. 11:17-3.1 and amended by R.2002 d.354, effective November 4, 2002.

See: 34 N.J.R. 2286(a), 34 N.J.R. 2549(b), 34 N.J.R. 3839(a).

Added a new (a); former 11:17-3.1(i) and (j) recodified as (b) and (c) with substantial amendments. Former N.J.A.C. 11:17-3.2, Prelicensing education, recodified to 11:17-3.4.

Amended by R.2003 d.441, effective November 3, 2003.

See: 35 N.J.R. 2159(a), 35 N.J.R. 5115(a).

In (a), rewrote the introductory paragraph in 3, added a new 4 and recodified former 4 through 9 as 5 through 10.

Amended by R.2006 d.429, effective December 18, 2006.

See: 38 N.J.R. 2378(a), 38 N.J.R. 5369(a).

In (a)5, substituted "When using" for "Use" and "provide" for "with"; in (a)7, inserted "for classroom courses of study," substituted "For" for "Except as may be provided consistent with the provisions of N.J.A.C. 11:17-3.4(k), for prelicensing education and for", and inserted "prelicensing education or"; in (a)9, inserted "Each provider offering prelicensing education courses shall provide each prospective student a written outline of available remedies during the registration process or earlier upon request"; in (c)4, substituted "A statement from" for "signatures of the student and" and "verifying completion of the course and that, based upon the results of an objective evaluation, the instructor is satisfied that the student knows the material; and" for the semicolon at the end; in (c)5, substituted a period for "and"; deleted (c)6; and added (d).

Amended by R.2009 d.153, effective May 4, 2009.

See: 40 N.J.R. 6523(a), 41 N.J.R. 2014(c).

In (b), inserted the third sentence.

### 11:17-3.3 Penalties for insurance education providers, insurance education directors and authorized personnel

(a) An insurance education provider may be denied approval for failure to meet the requirements of this subchapter.

(b) Any denial of an application for approval of insurance education provider's program, or any proposal to revoke or suspend approval of insurance education provider's program, shall be in writing, and shall advise the applicant of his or her

2. After review of the record, the Commissioner shall either modify or rescind the order or require the licensee or applicant for licensure to retake the examination within a prescribed period of time.

i. If a licensee fails to retake the examination within the prescribed period of time, the Commissioner shall issue an Order to Show Cause why the license should not be revoked and shall advise the licensee of his or her right to a hearing pursuant to the provisions of the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., as implemented by the Uniform Administrative Procedure Rules, N.J.A.C. 1:1.

ii. If an applicant for licensure fails to retake the examination within the prescribed period of time, the Commissioner may refuse to issue the license for which application is made and shall advise the applicant for licensure of his or her right to a hearing pursuant to the provisions of the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., as implemented by the Uniform Administrative Procedure Rules, N.J.A.C. 1:1.

Amended by R.1994 d.438, effective September 6, 1994.

See: 26 N.J.R. 1289(a), 26 N.J.R. 3731(a).

Recodified from N.J.A.C. 11:17-3.3 and amended by R.2002 d.354, effective November 4, 2002.

See: 34 N.J.R. 2286(a), 34 N.J.R. 2549(b), 34 N.J.R. 3839(a).

Rewrote the section. Former N.J.A.C. 11:17-3.5, Recognized professional designations, recodified to N.J.A.C. 11:17-3.7.

Amended by R.2006 d.429, effective December 18, 2006.

See: 38 N.J.R. 2378(a), 38 N.J.R. 5369(a).

In (a), inserted "travel insurance, car rental insurance,;" in the introductory paragraph of (b), deleted a comma following "include"; rewrote (b)2, (b)3i, (b)4, (b)8, and the introductory paragraph of (b)10; in (b)10i, substituted "Lists" for "Alphabetical lists"; in (b)14, inserted "Banking and"; rewrote (b)17; deleted former (c) and (d); and recodified former (e) and (f) as new (c) and (d).

**11:17-3.6 Continuing education**

(a) For licenses issued for a four-year term, no resident individual insurance producer licensed with life, accident and health or sickness, property, casualty, surplus lines, title, variable life and variable annuity or personal lines authority shall be renewed unless the renewal applicant demonstrates that he or she has completed 48 credit hours of approved continuing education courses during the previous four years, six of which shall be in approved courses related to insurance fraud, professional ethics or any other subject matter required by the Commissioner for the protection of consumers. Producers licensed as of November 4, 2002 shall have until the second renewal following November 4, 2002 to comply with the requirement to obtain six credits in approved courses related to insurance fraud, professional ethics or any other subject matter required by the Commissioner for the protection of consumers.

1. For licenses initially issued on or after January 1, 2007 and, subject to (a)2 below, for renewals on or after January 1, 2007, no resident individual insurance producer licensed with life, accident and health or sickness, property, casualty, surplus lines, title, variable life and variable

annuity or personal lines authority shall be renewed unless the renewal applicant demonstrates that he or she has completed 24 credit hours of approved continuing education courses during the previous license term, three of which shall have been in approved courses related to professional ethics.

2. During the transition period from four-year license terms to two-year license terms based upon the individual producer's date of birth as set forth in N.J.A.C. 11:17-2.1(b), if the term of their expiring license was four years, in order to qualify for renewal, a resident individual producer licensee shall demonstrate that he or she has completed 48 hours of continuing education credits during the prior license term, six of which shall have been in approved courses related to professional ethics or fraud. If the term of their expiring license was two years or is a transitional term as described in N.J.A.C. 11:17-2.1(b), in order to qualify for renewal, such a licensee shall demonstrate that he or she has completed 24 credit hours of continuing education courses during the previous license term, three of which shall have been in approved courses related to professional ethics.

3. With respect only to the first renewal following the initial issuance or initial renewal of a license on or after January 1, 2007, no resident individual insurance producer with property or personal lines authority who writes flood insurance shall be renewed unless the renewal applicant demonstrates that, as part of their total continuing education obligation as set forth above, he or she has completed a three credit hour approved continuing education course related to flood insurance and the National Flood Insurance Program during the previous license term.

4. Prelicensing education courses may not be utilized to fulfill continuing education credits.

5. Producers may only receive credit for the successful completion of any single approved continuing education course one time during the licensing term.

(b) For a contact course, a credit hour shall provide no less than 50 minutes of instruction. Breaks, announcements and time not spent in instruction shall not be included in calculating credit hours requested. For self-study courses, credit hours include time for reading and study, which the Department has approved as reasonable to successfully pass the final examination. Time taking the examination is not counted towards approved credit hours. Each continuing education course submitted for approval shall be in whole credit hours and shall contain at least one hour of instruction or time spent for reading and study. No continuing education course will be approved for more than 24 credit hours, regardless of the actual number of hours of instruction, reading or study.

(c) Self-study courses shall be considered for approval if the program of instruction culminates in a monitored examination of the subject presented. A monitored examination is

not required for an interactive, online program that the Department determines has sufficient internal testing to validate the student's full comprehension of the material presented.

(d) Producers satisfying credit requirements in a state other than New Jersey will be considered to have satisfied New Jersey's continuing education requirements if the home state recognizes the satisfaction of its continuing education requirements imposed upon New Jersey producers on the same basis.

(e) Producers who fulfill the continuing education requirements for a professional insurance designation approved by the Department shall be awarded 12 credit hours for each full year of the license period preceding renewal for which these requirements were fulfilled. Application to obtain such approval shall be made on a form approved by the Department and accompanied by an official document or transcript from the organization awarding such designation.

(f) Approved insurance education providers shall submit courses for approval by the Department at least 30 days prior to the date the course is to begin. This 30-day requirement may be waived upon a showing by the program of unusual circumstances that require immediate action:

1. A request for continuing education credit certification shall be made on a form prescribed by the Department which shall contain the following information:

i. The name, code number and contact information of the approved insurance education provider submitting the course;

ii. An outline of the course including the time allowed for each topic;

iii. A copy of the table of contents for any textbooks used;

iv. For self-study courses that are not interactive, online courses:

(1) A copy of a sample competency examination, including answers;

(2) The amount of time allowed for the exam;

(3) A statement of how the integrity of the exam will be maintained; and

(4) A statement of how the exam will be monitored to assure the enrolled licensee takes the exam;

v. For interactive, online courses:

(1) Online access with instructions for the Department to review the course;

(2) Evidence of the internal testing included with the course; and

(3) Details of how access shall be controlled to assure the enrolled licensee completes the course;

vi. The number of hours proposed for the course; and

vii. Such other information as may, in the opinion of the Department, be necessary to evaluate the course for certification of continuing education credits.

2. If a continuing education course has been approved for use in the resident state of an insurance education provider and the resident state accepts courses approved by New Jersey for its resident insurance providers, the Department shall approve such courses unless the content is prohibited under (f)4 below. The insurance education provider shall submit evidence of such approval with the information required in (f)1 above.

3. Effective January 1, 2007, each request for approval of a continuing education course shall be charged a processing fee of \$20.00. The Commissioner may determine the billing and collection format for periodic collection of course processing fees from providers.

4. The Department shall notify the insurance education provider of approval or disapproval of courses submitted for continuing education credits. In the event of disagreement with the decision, the insurance education director may, within 30 days of receipt of notice from the Department, supply the Department with a written request for reevaluation supported by reasons for disagreement with the decision and such additional information as may be appropriate. The Department shall promptly reevaluate the course and advise the insurance education director of the result of the reevaluation.

5. Approval shall be considered for courses that include information on types of insurance products, insurance practices, ethics, insurance fraud, insurance taxation, relevant state or national laws, claims or underwriting practices or procedures or other topics directly related to the business of insurance. Approval shall not be granted for credit hours for course content dealing in whole or in part with sales training, motivation or personal enrichment, or computer or business skills not specifically related to insurance, nor shall primarily social activities be considered in computing course length.

6. Effective January 1, 2007, courses approved pursuant to this subsection shall be approved for a period of time that shall expire at the time that the education provider's approval expires pursuant to N.J.A.C. 11:17-3.1(e)3. If the provider wishes to continue to use the course following expiration, it must submit a request to renew the approval of the course in a format prescribed by the Department and pay a renewal fee of \$10.00. The Commissioner may determine the billing and collection format for periodic collection of course approval renewal processing fees from providers.

(g) The insurance education director or authorized personnel for an approved insurance education provider shall report the names and producer license reference number of those

persons completing each continuing education course within 15 days of course completion or certification of continuing education credits, whichever is later, either in hard copy or through electronic submission. The instructor teaching the course may be deemed to have completed it for the purpose of securing continuing education credit. Instructors may only receive credit once for teaching any one approved course once during each license cycle. The report shall be made to the Department, or its designee, in a format prescribed by the Department, and shall include the following information:

1. The insurance education provider name and school code;
2. The name and code number of the continuing education course and date completed; and
3. The number of continuing education credits as certified by the Department.

(h) Producers who request continuing education credit for successful completion of an insurance course from an accredited college or university or for successful completion of a course of study and examination for a course leading to attainment of an approved professional insurance designation shall submit to the Department, in a format prescribed by the Department, the request together with a transcript or other documentation certifying completion of the course and credits awarded.

(i) Producers are responsible for verifying their compliance with continuing education credits by viewing the online producer transcript available on the website of the Department's continuing education recordkeeping vendor. Access information for viewing the continuing education transcript is available at the Department's website at [www.njdoabi.org](http://www.njdoabi.org).

(j) If the resident producer considers his or her online producer transcript in (i) above to be inaccurate, he or she shall promptly request the insurance education provider of the approved education program to file with the Department, or its designee, an appropriate corrected report.

(k) In the event the producer asserts that credit has not been recorded for a certified continuing education course completed prior to the renewal of the producer's license, it shall be the sole responsibility of the producer to request the insurance education provider of the approved program where the course was taken to file with the Department, or its designee, a supplemental report of continuing education credits.

(l) Attorneys who are licensed for title insurance only on November 4, 2002 shall submit to the Department, at least three months but not more than one year prior to renewal, a certificate of good standing issued by the Clerk of the Supreme Court of New Jersey accompanied by a completed form prescribed by the Department, which provides the attorney's name, producer reference number, date of birth,

social security number and license expiration date. Attorneys who as of November 4, 2002, are licensed for title insurance only, shall have until the second renewal following November 4, 2002 to comply with the continuing education requirements of this section.

Public Notice: operative date delayed until May 1, 1991.  
 See: 22 N.J.R. 662(b).  
 Amended by R.1991 d.218, effective April 15, 1991 (operative May 1, 1991).  
 See: 23 N.J.R. 287(a), 23 N.J.R. 1133(a).

Added "For example, annual maintenance of the certified insurance counselor designation shall, upon approval of the program, satisfy the continuing education requirements of this paragraph." to (c)4.  
 Amended by R.1994 d.438, effective September 6, 1994.

See: 26 N.J.R. 1289(a), 26 N.J.R. 3731(a).  
 Amended by R.1998 d.233, effective May 18, 1998.  
 See: 30 N.J.R. 779(a), 30 N.J.R. 1833(a).

In (a), added last two sentences; in (c)1, substituted "Consultant" for "Counselor"; and in (g), updated address information.  
 Recodified from N.J.A.C. 11:17-3.4 by R.2002 d.354, effective November 4, 2002.

See: 34 N.J.R. 2286(a), 34 N.J.R. 2549(b), 34 N.J.R. 3839(a).  
 Rewrote the section.

Amended by R.2003 d.441, effective November 3, 2003.  
 See: 35 N.J.R. 2159(a), 35 N.J.R. 5115(a).

In (a), inserted "those 24" following "and six of" in the first sentence.  
 Amended by R.2006 d.429, effective December 18, 2006.  
 See: 38 N.J.R. 2378(a), 38 N.J.R. 5369(a).

Rewrote the introductory paragraph of (a); added (a)1 through (a)3; in (e), substituted "license period" for "four years"; added new (f)3; and recodified former (f)3 and (f)4 as new (f)4 and (f)5; deleted former (f)5; added (f)6; in (g), substituted "15" for "30", inserted "either in hard copy or through electronic submission" and deleted "four-year" preceding "license cycle"; in (h), substituted "in" for "on" and "format" for "form"; rewrote the introductory paragraph of (i); and in (k), deleted the first sentence and inserted "completed prior to the renewal of the producer's license."

Amended by R.2009 d.153, effective May 4, 2009.  
 See: 40 N.J.R. 6523(a), 41 N.J.R. 2014(c).

In (a)3, inserted "or personal lines"; added (a)4 and (a)5; in (b), substituted "one hour" for "two hours"; rewrote (i); and in (j), deleted "accounting required by (i) above is considered by the" preceding "resident" and inserted "considers his or her online producer transcript in (i) above".

**11:17-3.7 (Reserved)**

Amended by R.1998 d.153, effective April 6, 1998.  
 See: 29 N.J.R. 5259(a), 30 N.J.R. 1318(a).

In (a)1, inserted a reference to a Chartered Financial Consultant designation.  
 Recodified from N.J.A.C. 11:17-3.5 by R.2002 d.354, effective November 4, 2002.

See: 34 N.J.R. 2286(a), 34 N.J.R. 2549(b), 34 N.J.R. 3839(a).  
 Rewrote the section.

Repealed by R.2006 d.429, effective December 18, 2006.  
 See: 38 N.J.R. 2378(a), 38 N.J.R. 5369(a).

Section was "Recognized professional designations".

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SUBCHAPTER 4. (RESERVED)

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SUBCHAPTER 5. (RESERVED)

## SUBCHAPTER 6. MANAGING GENERAL AGENTS

porations who act as managing general agents on behalf of insurers.

**11:17-6.1 Purpose and scope**

This subchapter implements the provisions of N.J.S.A. 17:22C-1 et seq. This subchapter sets forth the procedures for the regulation of certain persons, firms, associations or cor-