

**Title 3. Commerce, Community, and Economic Development.**

**Part 2. Division of Insurance.**

**Chapter 23. Producers, Managing General Agents, Surplus lines Brokers, Reinsurance Intermediary Managers, Reinsurance Intermediary Brokers, Third Party Administrators, and Independent Adjusters.**

3 AAC 23.100(a) is amended to read:

(a) In order to renew a license under AS 21.27.380, a licensee must satisfy the continuing education requirements under **3 AAC 23.100 – 3 AAC 23.208** [3 AAC 23.100 – 3 AAC 23.170] unless the licensee seeks renewal of a

- (1) temporary license under **AS 14.43.148, AS 25.27.244, or** AS 21.27.390; or
- (2) limited lines license under AS 21.27.150; [;]

3 AAC 23.100(b) is amended to read:

(b) In order to qualify for license renewal, a licensee who has held a license for a full two-year period must have 24 continuing education credit hours, of which at least three credit hours must include [A COURSE, SEMINAR, OR PROGRAM OF INSTRUCTION IN BUSINESS] **the topic of** insurance ethics. **Three credit hours on the topic of insurance ethics must be taken for each renewal cycle. A person holding a license issued by the director under AS 21.27 for more than one class of authority is not required to complete a greater number of credit hours than is required of a person holding a license for one class of authority.** For purposes of this subsection, **an expiration or** a lapse in licensure or cancellation or suspension of a license will be considered part of a full two-year license period.

[CONTINUING EDUCATION CREDIT] **Credit** hours acquired by a licensee that conform with **3 AAC 23.100 – 3 AAC 23.208** [3 AAC 23.100 – 3 AAC 23.170] may be applied to the continuing education requirement for license renewal. **Credit hours will be allowed only within the renewal period in which the course is completed, unless the credit hours are carry-over credits permitted under AS 21.27.020(f).**

3 AAC 23.100(c) is amended to read:

(c) A licensee may earn credit hours only if a licensee completes **continuing education** courses [, SEMINARS, OR PROGRAMS OF INSTRUCTION] that meet the criteria **under 3 AAC 23.105 – 3 AAC 23.208** [in 3 AAC 23.105 – 3 AAC 23.170].

3 AAC 23.100(d) is repealed and readopted to read:

(d) A licensee who is unable to comply with the credit hour requirements in (b) of this section due to military service, medical condition, or some other extenuating circumstance may request a waiver of those requirements from the director. A waiver is only valid for the associated license renewal period; but, for the military service circumstance, the director may waive the credit hour requirements for renewal of a license for the duration of the licensee's active military service if the information required in (1) of this subsection remains current. It is the obligation of the licensee to notify the director of any change in the identity or contact information of the person designated in (1)(B) of this subsection. A request for a waiver must include

(1) for a military circumstance waiver,

(A) a copy of the licensee’s letter of mobilization; and

(B) the name, address, and electronic mail address of the person given power-of-attorney by the licensee to receive and complete license renewal notices and receive other correspondence from the division on the licensee’s behalf during the licensee’s active military service;

(2) for a medical condition waiver, a statement describing the illness or injury from the medical provider providing treatment; or

(3) for any other extenuating circumstance waiver, a statement from the licensee describing the extenuating circumstance.

3 AAC 23.100(e) is amended to read:

(e) If a licensee fails to **comply with** [meet] the **credit hour** [CONTINUING EDUCATION] requirements in (b) of this section, the director will consider the licensee no longer qualified under AS 21.27.020 and the license **expires or** lapses, unless the licensee is granted **a waiver by the director** [AN EXTENSION OF TIME TO COMPLY WITH THE CONTINUING EDUCATION REQUIREMENTS] under (d) of this section. **An expired or lapsed license may be reinstated and renewed under AS 21.27.380.** In addition to any other requirements to reinstate **an expired or** [A] lapsed license, a licensee must complete the continuing education credit **hour** requirements. (Eff. 9/26/96, Register 139; am 7/25/2008, Register 187; am \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_, Register \_\_\_\_\_)

**Authority:** **AS 14.43.148** AS 21.27.150 AS 21.27.390  
AS 21.06.090 AS 21.27.380 **AS 25.27.244**

AS 21.27.020

3 AAC 23.105 is amended to read:

**3 AAC 23.105. Credit for continuing education.** (a) A **contact class course or self-study** course [, SEMINAR, OR PROGRAM OF INSTRUCTION] will be accepted for continuing education credit if **the course** [IS A FORMAL PROGRAM OF LEARNING THAT]

(1) meets the **requirements of 3 AAC 23.188** [STANDARDS OF AS 21.27.020 AND 3 AAC 23.110]; and

(2) is in the general subject area of

(A) insurance technical or product information;

(B) risk management;

(C) insurance law and regulation;

(D) mathematics, statistics, and probability;

(E) economics;

(F) business law;

(G) finance;

(H) taxation directly related to insurance products;

(I) business insurance ethics;

(J) licensee professional liability; [OR]

(K) [BUSINESS ORGANIZATION,] management, **marketing** [AND ENVIRONMENT, INCLUDING MOTIVATION, PSYCHOLOGY], and sales training; **or**

**(L) securities specific to insurance products.**

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(b) The director will not approve more than eight [CONTINUING EDUCATION] credit hours in the general subject area of [BUSINESS ORGANIZATION,] management, marketing, and sales training [ENVIRONMENT] during the two-year license period. (Eff. 9/26/96, Register 139; am \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_, Register \_\_\_\_\_)

**Authority:** AS 21.06.090 AS 21.27.020

3 AAC 23.110 is repealed:

**3 AAC 23.110. Academic and nonacademic program criteria.** Repealed. (Eff. 9/26/96, Register 139; repealed \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_, Register \_\_\_\_\_)

3 AAC 23.115 is repealed:

**3 AAC 23.115. Computation of academic continuing education credit hours.** Repealed. (Eff. 9/26/96, Register 139; repealed \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_, Register \_\_\_\_\_)

3 AAC 23.120 is repealed and readopted to read:

**3 AAC 23.120. Computation of [NONACADEMIC] continuing education credit hours.** (a) A credit hour for a continuing education course must consist of at least 50 minutes of instruction time.

(b) The director will determine the number of credit hours to be assigned to each continuing education course. The director's determination will consider

- (1) presentation hours for a contact class course; and
- (2) the word count of the course study material for a self-study course.

(c) A licensee may earn credit hours for a course only if the licensee successfully completes the course and the course meets the requirements under 3 AAC 23.188.

(d) Credit hours for a course will not be considered by the director when determining whether a licensee has met the continuing education requirements under AS 21.27.020(f) and 3 AAC 23.100 – 3 AAC 23.208 until

(1) a continuing education provider has submitted a complete course roster or other evidence to the director that the licensee has successfully completed the course and the licensee's successful completion of the course appears on the licensee's online transcript on file with the director;

(2) the licensee has paid the processing fee under 3 AAC 31.060 and submitted to the director a request to have the director manually process any continuing education provider-sponsored continuing education course successfully completed by the licensee; or

(3) the licensee has paid the processing fee under 3 ACC 31.060 and submitted to the director a request to have the director consider, approve, and manually process a continuing education course completed under 3 AAC 23.204.

(e) Compliance by a licensee in meeting the continuing education requirements of AS 21.27.020(f) and 3 AAC 23.100 – 3 AAC 23.208 will be determined based on the completion date of each course. The director will review a licensee's transcript on file with the director to determine whether the licensee has met the continuing education requirements. A licensee is responsible for monitoring the licensee's continuing education transcript on file with the director to ensure that the licensee's transcript is current and accurate. The licensee shall notify the

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director of any discrepancies in the transcript. (Eff. 9/26/96, Register 139; am

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_, Register \_\_\_\_\_)

**Authority:** AS 21.06.090 AS 21.27.020

3 AAC 23.125 is repealed:

**3 AAC 23.125. Nonacademic continuing education programs.** Repealed. (Eff. 9/26/96, Register 139; repealed \_\_\_\_/\_\_\_\_/\_\_\_\_\_, Register \_\_\_\_\_)

3 AAC 23.130 is repealed:

**3 AAC 23.130. Credit for instructing an education program.** (Eff. 9/26/96, Register 139; repealed \_\_\_\_/\_\_\_\_/\_\_\_\_\_, Register \_\_\_\_\_)

3 AAC 23.135 is repealed:

**3 AAC 23.135. Publication credit.** Repealed. (Eff. 9/26/96, Register 139; repealed \_\_\_\_/\_\_\_\_/\_\_\_\_\_, Register \_\_\_\_\_)

3 AAC 23.140 is amended to read:

**3 AAC 23.140. Continuing education credit not allowed.** The director will not allow continuing education credit for the following items:

(1) committee service in a professional organization or for the division [OF INSURANCE] under 3 AAC 23.145;

(2) **credit hours** [A COURSE, SEMINAR, OR PROGRAM OF INSTRUCTION] taken and claimed for credit more than once in any two-year license period;

(3) **credit hours** [A COURSE, SEMINAR, OR PROGRAM OF INSTRUCTION] completed before the effective date of the person's current license, except as provided under AS 21.27.020(f)(3) **or 3 AAC 23.100(e)**;

(4) **credit hours** [A COURSE, SEMINAR, OR PROGRAM OF INSTRUCTION] taken but not listed for carryover credit on the licensee's previous license period application as provided for under AS 21.27.020(f)(3);

**(5) a review, quiz, or examination;**

**(6) a course about or that includes automation, computer training, office skills, social networking, time management, or similar general education topics;**

**(7) a course about or that includes business succession planning, estate planning, financial planning, retirement planning, or risk management unless the continuing education provider or licensee can demonstrate to the satisfaction of the director that the course is direct and specific to insurance products or ethics for insurance licensees.** (Eff. 9/26/96, Register 139; am 12/28/2008, Register 188; am

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_, Register \_\_\_\_\_)

**Authority:** AS 21.06.090 AS 21.27.020

3 AAC 23.145(a) is amended to read:



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(a) In accordance with AS 21.27.020(g), the director will appoint a **four-member** [FIVE-MEMBER] continuing education advisory committee to provide recommendations on continuing education compliance and advise the director on continuing education matters.

3 AAC 23.145 is amended by adding a new subsection to read:

(c) A person seeking specific action from the director concerning continuing education may request the director to schedule a meeting of the continuing education advisory committee to consider the specific action. The request must describe the proposed action and explain why the proposed action is necessary. Upon receipt of the request, the director will either make an independent decision regarding the request or schedule a meeting of the continuing education advisory committee to consider the request and submit a recommendation to the director about the requested action. (Eff. 9/26/96, Register 139; am \_\_\_\_/\_\_\_\_/\_\_\_\_, Register \_\_\_\_)

**Authority:**    AS 21.06.090            AS 21.27.020

3 AAC 23 is amended by adding a new section to read:

**3 AAC 23.157. Exemption from 3 AAC 23.150 and 3 AAC 23.155.** The provisions of 3 AAC 23.150 and 3 AAC 23.155 will not apply to a licensee once the licensee's current continuing education records become available on the licensee's online transcript on file with the director. (Eff. \_\_\_\_/\_\_\_\_/\_\_\_\_, Register \_\_\_\_)

**Authority:**    AS 21.06.090            AS 21.27.020

3 AAC 23.160 is amended to read:

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**3 AAC 23.160. Noncompliance.** If **a** [THE] licensee fails to comply with **3 AAC 23.100 – 3 AAC 23.208** [3 AAC 23.100 – 3 AAC 23.170], **the license will lapse or expire** [AND THE LICENSEE IS SUBJECT TO ADMINISTRATIVE ACTION UNDER AS 21.27.410 AND AS 21.27.440]. (Eff. 9/26/96, Register 139; am \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_, Register \_\_\_\_\_)

**Authority:** AS 21.06.090 [AS 21.27.410] [AS 21.27.440]  
AS 21.27.020

3 AAC 23 is amended by adding new sections to read:

**3 AAC 23.164. Continuing education provider qualifications.** (a) In order to offer, sponsor, or advertise a continuing education course to a licensee in this state, a person must

- (1) submit an application on a form prescribed by the director;
- (2) pay an application fee under 3 AAC 31.060;
- (3) be approved and assigned an identifying number as a continuing education

provider by the director; and

(4) agree to participate in the division's online continuing education system provided by the National Association of Insurance Commissioners, known as *State Based Systems*. (Eff. \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_, Register \_\_\_\_\_)

**Authority:** AS 21.06.090 AS 21.27.020

**3 AAC 23.168. Continuing education provider requirements.** (a) In addition to meeting the qualifications under 3 AAC 23.164, an approved continuing education provider shall:

(1) ensure that each contact class course is conducted or facilitated by an instructor qualified under 3 AAC 23.184;

(2) obtain approval of the director for each course the continuing education provider offers in this state;

(3) ensure that each course offered follows the course outline and criteria approved by the director;

(4) obtain approval of the director for a course when there has been a substantial change to a previously approved course before the course is offered in this state;

(5) notify the director in writing within 30 days after a change in the provider's primary or alternate contact person, electronic address, mailing address, phone number, or facsimile transmission number;

(6) notify the director in writing of any administrative action taken against the continuing education provider by a governmental agency of another state, or by a governmental agency of another jurisdiction and submit to the director the final order or other relevant legal documents in the action within 30 days after the final disposition of the action;

(7) if the capability to monitor attendance exists, prepare and issue a certificate of completion to each licensee who successfully completes the course within 30 days after the course completion date if the licensee arrives by the time the course begins and stays until the conclusion of the course; the certificate of completion must include the

- (A) licensee's name;
- (B) licensee's national producer number;
- (C) provider's name;
- (D) provider's number;
- (E) course number;
- (F) date of completion of the course;
- (G) number of credit hours earned by the licensee; and
- (H) date and signature of authorized designee of the provider;

(8) if the capability to monitor attendance does not exist, prepare and issue a certificate of completion to each licensee who successfully completes the course within 30 days after the course completion date and include in the certificate the same information required in (7) of this subsection;

(9) file on the division's online system within 10 days after the course completion date a course roster containing the

- (A) names of the licensees who have successfully completed the course;
- (B) national producer numbers of the licensees;
- (C) provider's number;
- (D) course number;
- (E) number of credit hours earned by each licensee; and
- (F) for a contact class course, the
  - (i) date of the course;
  - (ii) location of the course; and

(iii) name of the instructor;

(10) for a contact class course,

(A) monitor and record the amount of time each licensee spent on the course through attendance registers, use of the Internet, or other verifiable means;

(B) designate an instructor who is responsible for verification of class attendance and course content completion; and

(C) use an attendance register that includes the

(i) provider's name;

(ii) provider's number;

(iii) course number;

(iv) licensees' names;

(v) licensees' national producer numbers;

(vi) licensees' signatures; and

(vii) initials of a licensee indicating each time the licensee arrived at or left the course site;

(11) for a self-study course, if the capability exists, monitor and record the amount of time each licensee spends on the course through use of the Internet, or other verifiable means;

(12) upon completion of a course, provide each licensee with an opportunity to complete a confidential evaluation of the course and the course instructor, if applicable;

(13) supervise the continuing education provider's instructors, disinterested third parties, other employees, contractors, or any other person having contact with or access to a licensee or the records, equipment, or facilities of the continuing education provider;

(14) assist the director and cooperate in any audit the director may conduct to determine compliance with AS 21.27.020 and 3 AAC 23.100 – 3 AAC 23.208, with the cost of the audit borne by the continuing education provider; and

(15) maintain records and documents according to the following retention schedule:

(A) records relating to a continuing education instructor - four years from the date of termination of the continuing education instructor's employment or contract with the continuing education provider;

(B) records relating to a course - four years from the date the course was offered;

(C) all other records - four years

(b) A continuing education provider shall make available to the director within 10 working days of the director's request, continuing education records in sufficient detail to enable the director to determine whether the continuing education provider has met the requirements of AS 21.27.020 and 3 AAC 23.100 – 3 AAC 23.208. In addition to the records prepared under this section, the records a continuing education provider must maintain according to the retention schedule under (a)(15) of this section are the documents prepared, developed, or required under 3 AAC 23.164, 3 AAC 23.172, 3 AAC 23.184, 3 AAC 23.188, 3 AAC 23.192, and 3 AAC 23.196.

(c) The continuing education provider may request the director to accept an exam score, grade report, or other evidence of the successful completion of a course instead of a certificate of completion.

(d) The provider shall pay a late fee under 3 AAC 31.060 if

(1) the course roster is received by the director more than 10 days after the course completion date; or

(2) the certificate of completion is not issued to the licensee within 30 days after the completion date of the course.

(e) Failure to meet any of the requirements of this section is cause for the suspension or revocation of a continuing education provider's authority in this state. (Eff.

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_, Register \_\_\_\_\_)

**Authority:** AS 21.06.090 AS 21.27.020

3 AAC 23.170 is repealed:

**3 AAC 23.170. Definitions.** Repealed. (Eff. 9/26/96, Register, 139; repealed

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_, Register \_\_\_\_\_)

**Editor's note:** Material formerly located in 3 AAC 23.170 is now located in to 3 AAC 23.208.

3 AAC 23 is amended by adding new sections to read:

**3 AAC 23.172. Continuing education provider renewal.** (a) A person seeking renewal as a continuing education provider for a four-year period shall submit to the director,

within 60 days of the continuing education provider's expiration date, an application for renewal on a form prescribed by the director and pay a renewal application fee under 3 AAC 31.060.

(b) The director's approval of a continuing education provider expires on the 31st day of December of the fourth year after the date of the last approval.

(c) If the continuing education provider's renewal application and fee payment are not received by the director by the continuing education provider renewal date, the continuing education provider's authority will become inactive. A continuing education provider may not advertise, sponsor, or provide a continuing education course to a licensee unless the continuing education provider is approved by the director as a continuing education provider under 3 AAC 23.164.

(d) An inactive continuing education provider may apply for reinstatement within 60 days of the expiration by completing the requirements under (a) of this section and remitting a late reinstatement fee under 3 AAC 31.060. (Eff. \_\_\_\_/\_\_\_\_/\_\_\_\_, Register \_\_\_\_)

**Authority:** AS 21.06.090 AS 21.27.020

**3 AAC 23.176. Suspension or revocation of a continuing education provider.** The director may suspend or revoke the director's approval of a continuing education provider if the director determines the continuing education provider has violated the requirements of 3 AAC 23.100 – 3 AAC 23.208. The period of suspension under this section may not exceed 12 months. A suspension or revocation under this section must indicate the length of time during which the continuing education provider may not reapply for approval under 3 AAC 23.164. (Eff. \_\_\_\_/\_\_\_\_/\_\_\_\_, Register \_\_\_\_)



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**Authority:** AS 21.06.090 AS 21.27.020

**3 AAC 23.180. Referrals to a continuing education provider.** A person may not accept a rebate, refund, fee, commission, or discount for the referral of a licensee to a continuing education provider without making full disclosure of the acceptance of the rebate, refund, fee, commission, or discount to the licensee and the director. (Eff. \_\_\_\_/\_\_\_\_/\_\_\_\_, Register \_\_\_\_)

**Authority:** AS 21.06.090 AS 21.27.020

3 AAC 23 is amended by adding new sections to read:

**3 AAC 23.184. Continuing education instructor qualifications.** (a) A continuing education provider shall ensure that each of the continuing education provider's contact class courses is taught or presented by a continuing education instructor who is trustworthy and meets at least one of the following qualifications:

(1) three years experience teaching or presenting the course or related subject matter within the five years before teaching or presenting the course;

(2) is currently licensed for the subject matter being taught or presented and has been licensed in good standing under AS 21.27 for three of the last five years;

(3) possesses a college degree in the subject matter being taught or presented;

(4) possesses a recognized professional designation in the subject matter being taught or presented.

(b) A continuing education instructor must be in good standing in any state or jurisdiction in which the individual currently holds an insurance license. If the individual had an insurance license suspended or revoked, the continuing education provider must document the reason for the suspension or revocation and include proof that the individual is now considered in good standing in that particular state or jurisdiction.

(c) A continuing education provider shall collect and maintain documentation sufficient to demonstrate that each continuing education instructor meets the minimum qualifications under this section.

(d) The director may review existing records of continuing education instructors and may direct the continuing education provider to cease using a continuing education instructor who does not meet the qualifications of this section or fails to comply with all applicable requirements under 3 AAC 23.100 – 3 AAC 23.208. (Eff. \_\_\_\_/\_\_\_\_/\_\_\_\_, Register \_\_\_\_)

**Authority:** AS 21.06.090 AS 21.27.020

**3 AAC 23.188. Continuing education course requirements.** (a) A continuing education provider seeking approval of a continuing education course shall submit to the director, at least 30 days before the first date the course is to be offered for credit, an application for course approval on a form prescribed by the director and pay an application fee under 3 AAC 31.060. A course may not be advertised before the course has been approved by the director.

(b) An application for course approval for a contact class course must include

(1) a course content outline or summary of the course, including a list of topics to be covered and an estimate of the time to be spent on each topic;

(2) the name and contact information of each instructor;

(3) the grading, evaluation, and course completion criteria; and

(4) the course instruction method.

(c) An application for course approval for a self-study course must include

(1) a course content outline or summary of the course;

(2) any study guide, document, or material to be provided to the course participants;

(3) the grading, evaluation, and course completion criteria;

(4) sample examinations; and

(5) the course instruction method.

(d) In addition to the appropriate requirements under (b) or (c) of this section, an application for course approval for a contact class course or a self-study course that is offered online must include documentation that the course has

(1) reference materials, graphics, and interactivity;

(2) specific instructions on how to register for, navigate, and complete the course;

(3) technical support available during business hours;

(4) a process to authenticate the participant's identity; and

(5) a method that prevents access to the examination until the course has been completed.

(e) In accordance with the *NAIC Uniform Declaration Regarding Continuing Education Reciprocity Course Approval Guidelines*, the director will approve a continuing education course on terms that are reciprocal with those of the continuing education provider's home state if the general content meets the requirements of this section and 3 AAC 23.105.

(f) A continuing education provider may cancel and remove a course from the director's list of approved courses as long as the cancellation of the course is not backdated.

(g) The director may conduct unannounced audits of any approved course to monitor the continuing education provider's compliance with 3 AAC 23.100 – 3 AAC 23.208.

(h) A continuing education provider shall submit a new application for course approval and pay an application fee under 3 AAC 31.060 whenever there has been a substantial change to a previously approved course. (Eff. \_\_\_\_/\_\_\_\_/\_\_\_\_, Register \_\_\_\_)

**Authority:** AS 21.06.090 AS 21.27.020

**Editor's note:** The *NAIC Uniform Declaration Regarding Continuing Education Reciprocity Course Approval Guidelines* referenced in 3 AAC 23.188 may be obtained from the National Association of Insurance Commissioners' website at [http://www.naic.org/committees\\_ex\\_pltf\\_plwg\\_cer.htm](http://www.naic.org/committees_ex_pltf_plwg_cer.htm).

**3 AAC 23.192. Continuing education course advertising requirements.** A course may not be advertised, sponsored, or offered in this state unless the course has been approved by the director and the advertisement includes

- (1) the continuing education provider's name as approved by the director;
- (2) the course title as approved by the director;

- (3) the course number assigned by the director;
- (4) a brief description of the content of the course;
- (5) the number of credit hours approved by the director;
- (6) the total cost of the course; and
- (7) for a contact class course,
  - (A) the time and date the course will be offered; and
  - (B) the location where the course will be offered. (Eff.

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_, Register \_\_\_\_\_)

**Authority:** AS 21.06.090 AS 21.27.020

**3 AAC 23.196. Continuing education course renewal.** (a) A continuing education provider seeking renewal of a course for a two-year period shall submit an application for course renewal on a form prescribed by the director and pay a renewal fee under 3 AAC 31.060.

(b) The director's approval of a continuing education course expires on the first day of September of the second year after the date of the last approval.

(c) If the course renewal application and fee payment are not received by the director before the close of business on the course expiration date, the course will become inactive.

(d) A provider may reinstate an inactive course within 60 days of the expiration date by completing the renewal requirements under (a) of this section and remitting a late reinstatement fee under 3 AAC 31.060. (Eff. \_\_\_\_/\_\_\_\_/\_\_\_\_\_, Register \_\_\_\_\_)

**Authority:** AS 21.06.090 AS 21.27.020

**3 AAC 23.200. Revocation of a continuing education course.** (a) The director may revoke the director’s approval of a continuing education course if the director determines that the continuing education course violates the requirements of 3 AAC 23.100 – 3 AAC 23.208.

(b) The director may reinstate approval of a course that has been revoked if the director receives satisfactory proof that the conditions responsible for the revocation have been corrected and the possibility of reoccurrence of the violation has been eliminated. (Eff.

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_, Register \_\_\_\_\_)

**Authority:** AS 21.06.090 AS 21.27.020

**3 AAC 23.204. Request for credit for non-approved course from a non-approved provider.** (a) A licensee may request credit for completion of an insurance related course organized and conducted by an entity that is not approved by the director as a continuing education provider. The director will consider the educational value of the course.

(b) A request to the director to consider and manually process a continuing education course for credit under this section must include

(1) documentation signed by an instructor or other person in charge verifying the licensee’s successful completion of the course;

(2) documentation of the course content in sufficient detail to enable the director to determine the amount of credit, if any, the licensee merits for successfully completing the course; and

(3) proof that the licensee has paid the processing fee under 3 AAC 31.060. (Eff.

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_, Register \_\_\_\_\_)

**Authority:** AS 21.06.090 AS 21.27.020

**3 AAC 23.208. Definitions.** In 3 AAC 23.100 - 3 AAC 23.208, unless the context requires otherwise,

(1) “certificate of completion” means a document signed by an authorized designee of a continuing education provider attesting to the successful completion of a continuing education course by a licensee and confirming the number of credits earned for the continuing education course;

(2) “challenged course” means a course for which academic credit is granted by examination only, before and without completion of the actual course;

(3) “contact class course” means a classroom presentation, webinar, workshop, seminar, lecture, teleconference, or virtual class that has monitored attendance and an instructor available either in person or via a technological medium, such as the Internet, that enables a licensee and the instructor to communicate and exchange information during the course;

(4) “contact person” means an individual designated by a continuing education provider to be responsible for the continuing education provider’s compliance with 3 AAC 23.100 -3 AAC 23.208; the continuing education provider may designate a primary and an alternate contact person;

(5) “course number” means the identifying number assigned by the director to an approved continuing education course;

(6) “course outline” means a list of topics to describe the content of a continuing education course and includes the amount of time allotted to each topic;

(7) “credit hour” means an amount of work represented in intended learning outcomes and verified by evidence of student achievement that is established by the director and for each credit hour is at least 50 minutes of instruction for contact class courses or at least 50 minutes of self-study for a self-study course;

(8) “disinterested third party” means a person who is

(A) not related to the examinee;

(B) not an immediate supervisor or employee of the examinee; and

(C) not concerned, with respect to possible gain or loss, about the result of a pending course final examination;

(9) “home state” means:

(A) the state where the continuing education provider maintains the continuing education provider’s principal place of residence or principal place of business; or

(B) the state that the continuing education provider elects to recognize as the home state for the purpose of filing courses in order for the continuing education provider to obtain the maximum credit hours allowed for a course;

(10) “online course” means a self-study course taken on the Internet with an internal testing program that ensures that a licensee cannot take the final exam without completing the course;

(11) “self-study course” means a course that

(A) does not have an instructor available to communicate and exchange information during the course; and



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(B) provides study materials in text, video, audio, or electronic form.

(Eff. \_\_\_\_/\_\_\_\_/\_\_\_\_, Register \_\_\_\_\_)

**Authority:** AS 21.06.090 AS 21.27.020

**Editor's note:** Before Register \_\_\_\_\_, \_\_\_\_\_ 2013, the substance of 3 AAC 23.208 appeared as 3 AAC 23.170. The history note for 3 AAC 23.208 does not reflect the history of the earlier provision.

## **Chapter 26 Trade Practices.**

### **Article 6. Annuity Contract Disclosures.**

The lead in language of 3 AAC 26.778(b) is amended to read:

(b) An insurance producer who engages in the sale of an annuity product shall complete a one-time minimum four credit-hour annuity training course approved by the director and provided in accordance with AS 21.27.020 and **3 AAC 23.100 - 3 AAC 23.208** [3 AAC 23.100 - 3 AAC 23.170] covering the course material listed in (c) of this section. An insurance producer who desires to sell an annuity meets the requirements of this section if

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3 AAC 26.778(e) is amended to read:

(e) The annuity training required under (b) of this section must comply with the applicable requirements under AS 21.27.020 and **3 AAC 23.100 - 3 AAC 23.208** [3 AAC 23.100

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- 3 AAC 23.170] and include a certificate of completion to an insurance producer who successfully completes the annuity training.

3 AAC 26.778(f) is amended to read:

(f) The annuity training required under (b) of this section may be conducted and completed by classroom or self-study that meets the applicable requirements under AS 21.27.020 and **3 AAC 23.100 - 3 AAC 23.208** [3 AAC 23.100 - 3 AAC 23.170].

3 AAC 26.778(h) is amended to read:

(h) The annuity training required under (b) of this section may be used to fulfill the [CONTINUING EDUCATION] credit hour requirements under AS 21.27.020 and **3 AAC 23.100 - 3 AAC 23.208** [3 AAC 23.100 - 3 AAC 23.170].

(Eff. 10/16/2011, Register 200; am \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_, Register \_\_\_\_\_)

**Authority:** AS 21.06.090 AS 21.36.030 AS 21.36.050  
AS 21.36.020 AS 21.36.040 AS 21.36.900

3 AAC 26.789(3) is amended to read:

(3) “[CONTINUING EDUCATION] credit hour” has the meaning given in **3 AAC 23.208** [3 AAC 23.170];

(Eff. 7/25/2008, Register 187; am 10/16/2011, Register 200; am \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_, Register \_\_\_\_\_)

**Authority:** AS 21.06.090 AS 21.36.030 AS 21.36.050

AS 21.27.350

AS 21.36.040

AS 21.36.900

AS 21.36.020

## **Chapter 31. Miscellaneous.**

### **Article 1. Fees.**

3 AAC 31.060(a) is amended by adding new paragraphs to read:

(23) initial application of a continuing education provider, \$200;

(24) continuing education provider renewal fee, \$100;

(25) late fee for reinstatement of a continuing education provider, \$50;

(26) initial application for and biennial renewal of a continuing education course, \$50;

(27) late fee for reinstatement of a continuing education course, \$50;

(28) late filing fee for a continuing education course roster, \$250;

(29) late fee for issuance of a continuing education course certificate of completion, \$20;

(30) licensee request for manually updating licensee's transcript, including adding successfully completed courses, \$50;

(31) licensee request for course credit under 3 AAC 23.204, \$50;

(Eff. 6/2/88, Register 106; am 7/1/89, Register 110; am 7/1/92, Register 123; am 3/30/94, Register 129; am 3/15/97, Register 141; am 8/23/2001, Register 159; am 12/30/2006, Register 180; am 10/13/2011, Register 200; am \_\_\_\_/\_\_\_\_/\_\_\_\_, Register \_\_\_\_)

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<b>Authority:</b>	AS 21.06.090	AS 21.27.025	AS 21.66.210
	AS 21.06.250	AS 21.34.040	AS 21.75.045
	<b><u>AS 21.27.020</u></b>	AS 21.36.355	