

11 NCAC 06A .0802 LICENSEE REQUIREMENTS

- (a) Each person holding a life, accident and health or sickness, property, casualty, personal lines, or adjuster license shall obtain 24 ICECs during each biennial compliance period. Each person holding one or more life, accident and health or sickness, property, casualty, personal lines, variable life and variable annuity products, or adjuster license shall complete an ethics course or courses within two years after January 1, 2008, and every biennial compliance period thereafter as defined in this Section. The course or courses shall comprise three ICECs.
- (b) Each person holding one or more property, personal lines, or adjuster license shall complete a continuing education course or courses on flood insurance and the National Flood Insurance Program, or any successor programs, within the first biennial compliance period after January 1, 2008, and every other biennial compliance period thereafter. The course or courses shall comprise three ICECs.
- (c) Each licensee shall, before the end of that licensee's biennial compliance year, furnish evidence as set forth in this Section that the continuing education requirements have been satisfied.
- (d) An instructor shall receive the maximum ICECs awarded to a student for the course.
- (e) Licensees shall not receive ICECs for the same course more often than one time in any biennial compliance period.
- (f) Licensees shall receive ICECs for a course only for the biennial compliance period in which the course is completed. Any course requiring an examination shall not be considered completed until the licensee passes the examination.
- (g) Licensees shall maintain records of all ICECs for five years after obtaining those ICECs, which records shall be available for inspection by the Commissioner.
- (h) Nonresident licensees who meet continuing education requirements in their home states shall be deemed to meet the continuing education requirements of this Section. Nonresident adjusters who qualify for licensure by passing the North Carolina adjuster examination pursuant to G.S. 58-33-30(h)(2)a. shall meet the same continuing education requirements as a resident adjuster, including mandatory flood and ethics courses. Nonresident adjusters who qualify for licensure by 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 shall be credited with having met the same continuing education requirements as resident adjusters, including mandatory flood and ethics courses.
- (i) Only a licensed insurance producer who is unable to comply with continuing education requirements due to military service or long-term medical disability may request a waiver for continuing education requirements. A long-term medical disability shall be certified on an annual basis by the producer's attending physician. The Commissioner shall grant an exemption from Continuing Education requirements for up to one year if the producer submits the following:
- (1) deployment orders from the United States Department of Defense; or
 - (2) a notarized statement from a licensed physician stating the producer is unable to do the work he or she is licensed to do.
- (j) A producer who was granted an exemption from the requirements of this Section prior to October 1, 2010 continues to be exempt from continuing education requirements for as long as the producer certifies to the Commissioner that he or she:
- (1) is age 65 or older;
 - (2) has been continuously licensed in the line of insurance for at least 25 years; and
 - (3) either:
 - (A) holds a professional designation specified in 11 NCAC 06A .0803; or
 - (B) certifies to the Commissioner annually that the producer is an inactive agent who neither solicits applications for insurance nor takes part in the day to day operation of an insurance agency.
- (k) Courses completed before the issue date of a new license shall not meet the requirements of this Section for that new license.
- (l) No credit shall be given for courses taken before they have been approved by the Commissioner.
- (m) Each person with an even numbered birth year shall meet continuing education requirements in an even numbered compliance year. Each person with an odd numbered birth year shall meet continuing education requirements in an odd numbered compliance year. Each licensee shall complete 24 hours of continuing education by the last day of the licensee's birth month in the compliance year.
- (n) An existing licensee requiring continuing education means an individual who holds any of the following licenses on or before December 31, 2007: life and health, property and liability, personal lines, or adjuster. The licensee's birth year shall determine whether 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.)

(p) A member of a professional insurance association shall receive no more than four ICECs during the biennial compliance period based solely on membership in the association, if the professional insurance association:

- (1) is approved as a continuing education provider;
- (2) has been in existence for at least five years;
- (3) was formed for purposes other than providing continuing education;
- (4) has provided the Commissioner or the Administrator with the association's Articles of Incorporation on file with the N.C. Secretary of State;
- (5) certifies to the Commissioner or Administrator that the licensee's membership is active during the biennial compliance period;
- (6) certifies to the Commissioner or Administrator that the licensee attended 50 percent of the regular meetings;
- (7) certifies 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;
- (8) certifies to the Commissioner or Administrator that the licensee attended a national meeting on an annual basis (i.e., National Convention, Legislative "Day on the Hill" in Washington, DC); and
- (9) pays 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;
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Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. June 25, 2016;
Amended Eff. November 1, 2017.