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HOUSE BILL NO. 1238

Offered January 14, 2004

Prefiled January 14, 2004

A BILL to amend and reenact § 38.2-1867 of the Code of Virginia, relating to the Virginia Insurance Continuing Education Board; Virginia Association of Health Underwriters.

Patron—Griffith

Referred to Committee on Commerce and Labor

Be it enacted by the General Assembly of Virginia:**1. That § 38.2-1867 of the Code of Virginia is amended and reenacted as follows:**

§ 38.2-1867. Insurance continuing education board; approval of credits.

A. An insurance continuing education board, hereinafter called the Board, appointed by the Commission, shall approve all continuing education instructors, continuing education courses and programs of instruction, to include technical courses or agency management and operations courses. The Board shall establish and monitor standards for the education of insurance agents, approve courses including evaluating credit hours for all courses or programs offered, and set minimum requirements for course instructors. The Board shall have the authority to disapprove or withdraw approval of course sponsors, courses or course instructors when the established standards are not satisfied, or where such standards have been violated.

B. The number of credits for each self-study course, correspondence course, or program of classroom instruction shall be determined in a manner prescribed by the Board. However, for an approved classroom course, a credit hour shall be equivalent to a classroom hour providing at least ~~fifty~~ 50 minutes of continuous instruction or participation. No credits shall be granted for approved classroom courses unless notice to the Board is accompanied by proof of attendance by the course provider. No credits shall be granted for any correspondence or self-study course that does not include a test of the subject matter which shall be successfully completed by each agent requesting credit. The Board shall have the right to review and approve or disapprove the proposed test as part of the course approval process.

C. An instructor of an approved continuing education course shall be eligible to receive the same number of credits as a person enrolled in the course for the purpose of meeting the requirements. However, agents and instructors may apply credits for attending or teaching the same course only once during any biennium.

D. Excess credit hours accumulated during any biennium may be carried forward to the next biennium only.

E. Members of the Board shall be appointed as follows:

1. One representative from the Independent Insurance Agents of Virginia;

2. One representative from the Professional Insurance Agents of Virginia and the District of Columbia;

3. ~~Two representatives~~ One representative from the Virginia Association of Life Underwriters Insurance and Financial Advisors;

4. One representative of a licensed property and casualty insurance company writing business in ~~this~~ the Commonwealth that operates through an exclusive agency force;

5. One representative of a licensed life and health insurance company writing business in the Commonwealth that operates through an exclusive agency force;

6. One representative of a licensed property and casualty insurance company domiciled and writing business in ~~this~~ the Commonwealth;

7. One representative of a licensed life and health insurance company domiciled and writing business in ~~this~~ the Commonwealth;

8. One representative of a licensed life and health insurance company writing business in ~~this~~ the Commonwealth;

9. One representative of a licensed property and casualty insurance company writing business in ~~this~~ the Commonwealth;

10. One representative from the Virginia Land Title Association; ~~and~~

11. One representative from the adult education or higher education field; ~~and~~

12. One representative from the Virginia Association of Health Underwriters.

F. On and after July 1, 1996, no person shall be appointed to serve as a member of the Board if, in the opinion of the Commission, other than as an incidental part of or unrelated to such person's

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59 employment, such person prepares, submits for approval, or teaches insurance continuing education
60 courses in Virginia or in any other jurisdiction.

61 G. No meeting of the Board or any subcommittee of the Board shall be held unless timely notice of
62 such meeting has been provided to the Commission's Bureau of Insurance. At any such meeting of the
63 Board or any subcommittee of the Board, one or more representatives from the Bureau of Insurance
64 shall be permitted to attend and to participate in such meeting, except that such Bureau of Insurance
65 representative or representatives shall not have the right to vote on any matters before the Board.

66 H. Actions of the Board shall be exempt from the application of the Administrative Process Act
67 (§ 2.2-4000 et seq.).