

WA COMMENT 5.7.19

[Version 4.17.19](#)



NAIC CONTINUING EDUCATION RECIPROCITY (CER) AGREEMENT - 2019 VERSION

Whereas, the Commissioners find that it is in the best interest of each of their States and their insurance producers to simplify the continuing education (CE) reciprocity course approval process and reduce barriers to non-resident CE providers that reside in a State.

Whereas, the undersigned Insurance Commissioners of the National Association of Insurance Commissioners, hereafter the Commissioners, have determined that it is ~~redundant unnecessary~~ for each State to perform a substantive review of continuing education courses or individual instructors that have previously been approved by another State.

~~Whereas, the Commissioners find that it is in the best interest of each of their States and their insurance producers to simplify the continuing education (CE) reciprocity course approval process and reduce barriers to non-resident CE providers that reside in a State.~~

Definitions:

Home State: the state in which the CE provider organization maintains his, her, or its principal place of residence or principal place of business.

Home State Course Approval: approval of a course that has had a substantive review in a home state.

Reciprocal State: state other than the home state and ~~a party to part of~~ this continuing education reciprocity agreement.

Substantive Review: a thorough review of the course to confirm compliance with the home State's applicable laws and regulations for the approval of insurance continuing education. The review includes a determination whether the:

- i. Subject matter meets the criteria for insurance education, to include approvable and non-approvable topic guidelines;
- ii. Provider has procedures for reviewing course material in order to keep it up to date and timely;
- iii. Course design and instructional strategies are appropriate for the method of delivery;
- iv. Credit hours are properly calculated based on instruction method;
- v. Criteria for completing the course meets the standards applicable to the instruction method.

The Commissioners agree as follows:

1. Each state will conduct a substantive review of continuing education courses submitted for home state approval. When a CE provider has received a **home state course approval**, a **reciprocal State** will not conduct a **substantive review** of that same course as a condition of approval. A CE provider's **home state** means the state in which the CE provider organization maintains his, her, or its principal place of residence or principal place of business. If the laws or regulations of the **home state** restrict or limit the minimum or maximum number of credit hours for which a course may be approved for in that state, or restricts certain course topics, the CE provider may elect to recognize another **home state** in order to obtain a **home state course approval**.
4. Unless specifically limited by State law and regulations, a reciprocal State will award a course the same number of credits as approved by the CE provider's home State.
5. A reciprocal State agrees to approve a course submission within 30 days of receipt, provided that the course is filed using the NAIC Uniform CER Course Filing Form (Exhibit A) or an equivalent electronic submission method, and contains a **home state course approval**.

Commented [BJ(1): In addition to the home state approval, should this also state "and all NAIC reciprocity course approval guidelines have been met...."

Commented [BJ(2): Why would we allow a provider to "home state shop" where they can get more course hours than their actual home state? Additionally, if all states have adopted the Guidelines, why would there be a difference in hours approved? Finally how does this affect reciprocity in states that do not approve the course topic?

3. Each State will accept the NAIC Uniform CER Course Filing Form (Exhibit A), or a substantially similar form including an equivalent electronic submission method, and the required home state course approval document as the sole requirements for a [reciprocal course submission](#) ~~non-resident CE provider~~.

24. Each State [accepts and](#) will use the following standards for [substantive](#) course ~~reviews~~[approval](#):

- a. For classroom and webinar courses, one credit will be awarded for each 50 minutes of contact instruction.
- b. For self-study/online courses, credit will be awarded based on the NAIC's Recommended Guidelines for Online Courses (Appendix B).
- c. The minimum number of credits that will be awarded is one credit, no partial credits will be awarded and there is no maximum number of [credits](#).
- d. Credits will only be awarded for courses whose subject matter will increase technical knowledge of insurance principles, coverages, laws or [regulations](#) and will not be awarded for topics such as personal improvement, motivation, time management, supportive office skills or other matters not related to technical insurance knowledge. If any credits are awarded for sales and/or marketing those credits will be separately noted on the course approval document. Credits for sales and/or marketing will only be awarded in States that are permitted by law or regulation to accept credit for those topics. Additional guidance can be found in the NAIC's Recommended Approved/Not Approved Course Topics (APPENDIX C).
- e. Each State will use its own method to determine if an instructor is qualified and no instructor will be approved unless the CE provider has provided sufficient information to demonstrate that the instructor is qualified, according to that State's laws and regulations, to teach the topics covered in the outline.

~~f. A reciprocal State will not review an instructor's qualifications once that instructor's qualifications have been reviewed and approved by the CE provider's home State.~~

~~5. 6.~~ A State's course approval document or approved course application will include, at a minimum, the following information: course title, credit hours, credit [category](#), method of instruction, and clearly indicate if it is a **home state** approval.

76. Each State reserves the right to disapprove individual instructors or CE providers who have been the subject of disciplinary proceedings or who have otherwise failed to comply with a State's laws and [regulations](#).

~~7. 8.~~ Each State agrees that it will [notify](#) other States when a CE provider or instructor has been the subject of a formal administrative action or other disciplinary action by that State.

Commented [BJ(3): For online courses, there was a guideline for providers who use video clips as part of the instruction and receiving additional credit based on the run-time of the video. I did not see anything permitting the video here or on the referenced appendix.

Commented [BJ(4): I'm not understanding the purpose of allowing more than the required amount (24/3) credits since carryover is not allowed.

Commented [BJ(5): Ethics should be added to this list.

Commented [BJ(6): Add "including general and ethics" after category

Commented [BJ(7): How would a regulator know whether an individual instructor or provider has been the subject of a disciplinary proceeding since it does not appear in RIRS? Can this be done legally if there is not a provision in the statutes or regulations permitting this?

Commented [BJ(8): How will this notification take place? Do we know?