

**ADOPTED REGULATION OF THE  
COMMISSIONER OF INSURANCE**

**LCB File No. R165-08**

Effective September 18, 2008

EXPLANATION – Matter in *italics* is new; matter in brackets ~~[omitted material]~~ is material to be omitted.

AUTHORITY: §1, NRS 679B.130.

A REGULATION relating to insurance; revising the provisions for the advertising of courses of continuing education; and providing other matters properly relating thereto.

**Section 1.** NAC 683A.337 is hereby amended to read as follows:

683A.337 1. A course of continuing education must not be advertised ~~[as an approved course]~~ unless the Commissioner or his designated representative has approved the course in writing.

2. ~~[If a course of continuing education is advertised:~~

~~—(a) After an application for approval of the course has been submitted to the Commissioner or his designated representative; and~~

~~—(b) Before the Commissioner or his designated representative has approved the course in writing;~~

~~→ the advertisement must contain a statement indicating that an application has been submitted for approval of the course, and that submission of the application does not guarantee that the course will be approved for credit.~~

~~—3.]~~ Any advertisement of an approved course of continuing education must contain:

(a) The title of the course;

- (b) The name and address of the person approved to provide the course;
- (c) The lines of insurance for which the course has been approved;
- (d) The number of hours of credit for continuing education for which the course has been approved; and
- (e) A brief summary or outline of the contents of the course.

**NOTICE OF ADOPTION OF PROPOSED REGULATION**  
**LCB File No. R165-08**

The Commissioner of Insurance adopted regulations assigned LCB File No. R165-08 which pertain to chapter 683A of the Nevada Administrative Code.

**INFORMATIONAL STATEMENT**

A workshop was held on August 12, 2008, and a hearing was held on August 18, 2008, at the offices of the Department of Business and Industry, Division of Insurance ("Division"), 788 Fairview Drive, Suite 300, Carson City, Nevada 89701, with a simultaneous video-conference conducted at the Bradley Building, 2501 E. Sahara Avenue, Real Estate Division Conference Room, 2<sup>nd</sup> Floor, Las Vegas, Nevada 89104, regarding the adoption of the regulation concerning advertising of unapproved courses.

Public comment was solicited by posting notice of the hearing in the following public locations: the Division's Carson City and Las Vegas offices, Carson City Courthouse, Office of the Attorney General, the Donald W. Reynolds Press Center, Capitol Building Lobby, Capitol Building Press Room, Blasdel Building, Legislative Counsel Bureau, Nevada State Library, Carson City Library, Churchill County Library, Clark County District Library, Douglas County Library, Elko County Library, Esmeralda County Library, Eureka Branch Library, Humboldt County Library, Lander County Library, Lincoln County Library, Lyon County Library, Mineral County Library, Pershing County Library, Storey County Library, Tonopah Public Library, Washoe County Library, and White Pine County Library.

Additionally, the Division maintains a general list of interested parties, comprised mainly of insurance companies, agencies and other persons regulated by the Division. These persons were notified of the hearing and that copies of the regulation could be obtained from or examined at the offices of the Division in Carson City.

The workshop was attended by one interested party in Las Vegas. The hearing was attended by one interested party in Carson City, Kay Lockhart of Nevada Independent Insurance Agents. Division representative Elizabeth Saenz, Compliance Investigator, provided testimony regarding the purpose of the proposed regulation. Ms. Lockhart testified in support of the regulation amendment. There were no written comments received from the public.

Ms. Saenz testified that, currently, NAC 683A.337 allows advertising of a course which has been submitted to the Commissioner for approval, but for which approval has not been given; provided, however, that the course be advertised as pending approval with no guarantee of credit. The proposed amendment to NAC 683A.337 would no longer allow the advertising of such a course while pending the Commissioner's approval. This proposed amendment reflects provisions set forth in the Uniform Resident Licensing Standards adopted by the National Association of Insurance Commissioners in December, 2002.

After considering the comments by those attending the hearing, the Commissioner has issued an order adopting the proposed regulation, LCB File No. R165-08, as a permanent regulation of the Division.

The economic impact of the regulation is as follows:

- (a) On the business it is to regulate: none
- (b) On Small Business: none
- (c) On the public: none

The Division anticipates a nominal expense to enforce the proposed regulation. The Division is not aware of any overlap or duplication of the regulation with any state, local or federal regulation.