

**ADOPTED REGULATION OF THE
COMMISSIONER OF INSURANCE**

LCB File No. R164-08

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 continuing education requirements for producers of insurance to include instruction in ethics; and providing other matters properly relating thereto.

Section 1. NAC 683A.330 is hereby amended to read as follows:

683A.330 1. Except as otherwise provided in this section, to renew a license as a producer of insurance or an insurance consultant, each licensee must certify that he has successfully completed 30 hours of approved continuing education within the 3-year period before the date of renewal. *Three of the 30 hours of continuing education must be in the subject of ethics.* The hours of continuing education must be related to the line or lines of insurance for which the licensee holds such a license.

2. The Commissioner will exempt a licensee from the requirements for continuing education if the licensee certifies that:

(a) He has earned and continues to maintain his designation as a chartered property casualty underwriter (CPCU), chartered life underwriter (CLU), certified insurance counselor (CIC), certified financial planner (CFP) or chartered financial consultant (ChFC); or

(b) He has 20 years of continuous experience and has earned his primary source of income in the business of insurance by selling, marketing, underwriting, adjusting, practicing law, managing or regulating, or engaging in any combination of these fields of insurance.

3. The certification required by subsection 1 or 2 must be submitted to the Commissioner in an affidavit approved by the Commissioner.

**NOTICE OF ADOPTION OF PROPOSED REGULATION
LCB File No. R164-08**

The Commissioner of Insurance adopted regulations assigned LCB File No. R164-08 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, 2nd Floor, Las Vegas, Nevada 89104, regarding the adoption of the regulation concerning continuing education requirements for license renewal.

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 and no interested parties in Las Vegas. There were no written comments received from the public. Elizabeth Saenz, Division representative, provided testimony regarding the purpose of the proposed regulation.

Ms. Saenz testified that by adding the requirement that three (3) of the thirty (30) continuing education hours concern the subject of ethics, Nevada’s regulations will more closely conform to the Uniform Resident Licensing Standards adopted by the National Association of Insurance Commissioners in December, 2002.

Kay Lockhart of Nevada Independent Insurance Agents testified in support of the proposed regulation and asked whether the Division would grant reciprocity for courses taken in fulfillment of the ethics requirement of other professions, such as CPAs. Division representative

Joy Miller, Producer Licensing Chief, responded that the Division will review and consider Ms. Lockhart's request.

After considering the comments by those attending the hearing, the Commissioner has issued an order adopting the proposed regulation, LCB File No. R164-08, as a permanent regulation of the Division.

The economic impact of the regulation is as follows:

- (a) On the business it is to regulate: The proposed regulation should not have any impact on the business it is to regulate.
- (b) On Small Business: The proposed regulation should not have any impact upon small business.
- (c) On the public: The proposed regulation will not affect the public.

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.