

APA-1

TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control: 482
Department or Agency: Alabama Department of Insurance
Rule No.: 482-1-081-.05
Rule Title: Examination And Licensing Of Producers
Intended Action: Amend

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? No

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? Yes

Is there another, less restrictive method of regulation available that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved? No

To what degree?: N/A

Is the increase in cost more harmful to the public than the harm that might result from the absence of the proposed rule? NA

Are all facets of the rule-making process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? Yes

Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? No

Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Services Agency.

Signature of certifying officer

Reyn Norman
Reyn Norman

Date

Thursday, April 18, 2024 APR 18. 2024

REC'D & FILED

LEGISLATIVE SVC AGENCY

ALABAMA DEPARTMENT OF INSURANCE

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Department of Insurance

RULE NO. & TITLE: 482-1-081-.05 Examination And Licensing Of Producers

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

The Alabama Department of Insurance is exempt from the Alabama Administrative Procedures Act pursuant to Section 41-22-2(e), Code of Alabama 1975. The Commissioner proposes removing references to prelicensing education which are no longer required by law.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Interested persons may submit data, views, or arguments in writing at any time prior to 3:00 PM on June 6, 2024, to the Alabama Department of Insurance, Attention: Legal Division, Post Office Box 303351, Montgomery, Alabama 36130-3351, or orally by appearing at the public hearing, Suite 502, RSA Tower, 201 Monroe Street, Montgomery, Alabama, beginning at 10:00 AM, on June 11, 2024.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Tuesday, June 11, 2024

CONTACT PERSON AT AGENCY:

Erin Dunagan
Associate Counsel

Reyn Norman

Reyn Norman

(Signature of officer authorized
to promulgate and adopt
rules or his or her deputy)

482-1-081-.05

Examination And Licensing Of Producers.

(1) Any producer who acts as, holds himself out as representing an HMO, or claims to be a producer of the HMO must comply with all the requirements of a disability producer as set forth in Sections 27-7-1 et seq., Code of Ala. 1975, and have a current appointment to represent the HMO.

(2) The HMO must comply with the provisions of Chapter 7 of Title 27 with regard to the obtaining a license for each producer of the HMO, paying the appropriate fees for licensing the producers and paying commissions only to licensed producers.

(3) If the applicant is a partnership or corporation, the examination shall be taken and ~~initial-educational~~licensing requirements met by each individual who is to be designated in the appointment as having authority to act for the applicant under the license.

Author: Commissioner of Insurance

Statutory Authority: Code of Ala. 1975, §§27-2-17, 27-21A-19.

History: New Rule: Filed April 22, 1987; effective May 8, 1987. **Revised:** Filed August 13, 2004; effective August 27, 2004. Filed with LRS August 17, 2004. Rule is not subject to the Alabama Administrative Procedure Act. Amended: Published
; effective .