ALABAMA DEPARTMENT OF INSURANCE
ADMINISTRATIVE CODE

CHAPTER 482-1-091
LONG TERM CARE INSURANCE

482-1-091-.32 Producer Licensing And Training Requirements.

(1) A producer is not authorized to sell, solicit or negotiate with respect to long-term care insurance except as authorized by Section 27-19-100 et seq., Code of Ala. 1975.

(2)(a) An individual who is newly licensed as a producer on or after March 1, 2009, may not sell, solicit or negotiate long-term care insurance unless the individual is licensed as an insurance producer for accident and health or sickness or life and has completed a one-time eight (8) hour training course. The training shall meet the requirements set forth in paragraph (3).

(3)(b) An individual already licensed and selling, soliciting or negotiating long-term care insurance on the effective date of this Rule may not continue to sell, solicit or negotiate long-term care insurance unless the individual has completed a one-time eight (8) hour training course as set forth in paragraph (3) by December 31, 2009.

(c) In addition to the one-time eight (8) hour training course required in subparagraphs (a) and (b), an individual who sells, solicits or negotiates long-term care insurance shall complete ongoing training of four (4) hours every 24 months during the biennial producer license renewal cycle as set forth in paragraph (3).

(d) The training requirements of paragraph (3) may be approved as continuing education courses under Section 27-8A-1, et seq., Code of Ala. 1975.

(3)(a) The one-time training required by this Rule shall be no less than eight (8) hours and the ongoing training required by this Rule shall be no less than four (4) hours every 24 months during the biennial producer license renewal cycle.

(b) The training required under subparagraph (a) shall consist of topics related to long-term care insurance, long-term care services and qualified state long-term care insurance Partnership programs, including, but not limited to:

1. State and federal regulations and requirements and the relationship between qualified state long-term care insurance Partnership programs and other public and

private coverage of long-term care services, including Medicaid.

2. Available long-term services and providers.

3. Changes or improvements in long-term care services or providers.

4. Alternatives to the purchase of private long-term care insurance.

5. The effect of inflation on benefits and the importance of inflation protection.

6. Consumer suitability standards and guidelines.

(c) The training required by this Rule shall not include training that is insurer or company product specific or that includes any sales or marketing information, materials, or training, other than those required by state or federal law.

(4)(a) Insurers subject to this Chapter shall obtain verification that a producer receives training required by paragraph (2) before the producer is permitted to sell, solicit or negotiate the insurer's long-term care insurance products. These records shall be maintained for a period of not less than three years and shall be made available to the commissioner upon request.

(b) Insurers subject to this Chapter shall maintain records with respect to the training of its producers concerning the distribution of its Partnership policies that will allow the state insurance department to provide assurance to the state Medicaid agency that producers have received the training contained in subparagraph (3)(b)1 as required by paragraph (2) and that producers have demonstrated an understanding of the Partnership policies and their relationship to public and private coverage of long-term care, including Medicaid, in this state. These records shall be maintained for a period of not less than three years and shall be made available to the commissioner upon request.

(5) The satisfaction of these training requirements in any state shall be deemed to satisfy the training requirements in this state.

Author: Commissioner of Insurance
Statutory Authority: Code of Ala. 1975, §§27-2-17, 27-19-100, et seq.
History: New Rule: Filed December 14, 2007; effective January 1, 2008. Filed with LRS December 19, 2007 **Revised:** Filed February 11, 2009; effective March 1, 2009. Filed with LRS February 11, 2009. Rule is not subject to the Alabama Administrative Procedure Act.