

PROVIDER AND COURSE REQUIREMENTS:

A. Provider qualifications. Prior to submitting proposed courses to the committee for approval, the provider must submit the following information to the superintendent and be approved as a provider:

- (1) the name and contact information for the provider's primary contact person,
- (2) the provider's physical and mailing address,
- (3) the provider's website address,
- (4) a link that will be provided for licensees to review course dates, location, and content,
- (5) procedures that will be used to process online enrollment in courses, including payment via credit card, and
- (6) experience and qualifications of course instructors.

B. Course content. To obtain approval of a course, a provider shall assure that:

(1) the curriculum offered relates to insurance subjects, or subjects which relate to the individual licensee's transaction of insurance business;

(2) the course has significant intellectual or practical content and that its primary objective is to increase the participant's professional competence as a licensee; and

(3) pursuant to NMSA 1978, Section 59A-12-26(B), instruction shall be designed to refresh the licensee's understanding of:

- (a) basic principles and coverages involved,
- (b) applicable insurance laws and regulations,
- (c) proper conduct of the licensee's business,
- (d) duties and responsibilities of the licensee, and
- (e) to address recent and prospective changes.

C. Course approval.

(1) The provider's course application to the superintendent shall include, at a minimum, the following information:

- (a) A statement identifying the knowledge, skills, or abilities the licensee is expected to obtain through completion of the course;
- (b) A detailed course content outline showing the approximate times for major topics;
- (c) The method of evaluation by which the provider measures how effectively the course meets its objectives and provides for student input;
- (d) The total number of course hours requested for approval, including the method the applicant is using to determine the number of course hours and the number of hours included in the total number of course hours requested for approval that are ethics topics;
- (e) the course application fee as specified in NMSA 1978, Section 59A-6-1; and
- (e) for applicants determining classroom equivalent or self-study course hours by using the average of approval times in other states, a list of all course approval times and states in which the course is approved.

(2) **Prior approval.** A provider must submit each course for review and receive approval of the course prior to making that course available for enrollment by licensees. If the committee determines that the course content is incomplete or inadequate, the provider will be notified and required to supplement or modify the course before receiving approval.

(3) **Renewals.** The original course application fee covers the period until the initial expiration of the course. Courses must be resubmitted for renewal, along with the renewal fee specified in NMSA 1978, Section 59A-6-1. Courses will not automatically be re-approved by the committee.

(4) **Electronic course submission.** Beginning July 1, 2017, any provider wishing to have a course approved by the committee, must submit each course for approval electronically. Instructions for electronic submission of courses may be found on the OSI website.

(5) **Course expiration.** All continuing education courses already approved by the committee at the time of the adoption of the final version of this regulation by the superintendent, will have an expiration date of December 31, 2017. All courses approved by the committee will expire biennially on the last day of the initial date the course was approved.

(6) **Voluntary cancellation.** Providers shall notify the superintendent when a course is discontinued or no longer active, and when there is a change to the provider's information of record.

(7) **Non-voluntary course cancellation.** Approved courses shall be cancelled and the content updated, as necessary, to reflect changes in the law or regulations.

D. Statement of approved courses. Providers of approved courses shall include the following written statement in the course materials for each approved course: "This course has been approved by the Insurance Continuing Education Committee as New Mexico Insurance Continuing Education Course Number [insert number] for [insert number] hours of credit."

E. Instructors. A provider of an approved course shall assure that instructors for all courses are qualified by practical or academic experience to teach the subject to be covered. For purposes of this rule, practical or academic experience shall include, but is not be limited to, actual experience related to the kind of insurance which is the subject of the course, undergraduate or graduate educational training, or professional insurance industry designations such as the Chartered Property Casualty Underwriter (CPCU), Chartered Life Underwriter (CLU), and Fellow of the Life Management Institute (FLMI) designations.

F. Enrollment. Providers shall make available a current list of scheduled courses including course content, applicable credits, course dates, instructor information, and course location, as appropriate. Providers shall collect course fees at the time of registration.

G. Classroom course format. Classroom courses may include lectures, seminars, audio, video, computer-based instruction, and teleconferences that meet the following requirements:

(1) A disinterested third party attendant, an instructor, or a disinterested third party using visual observation technology must visually monitor attendance either inside or at all exits to the course presentation area at all times during the course presentation.

(2) At least three students and an instructor must be involved in each presentation of the course; however, in circumstances involving remote presentations, all students and the instructor do not need to be in the same location. In the case of presenting recorded or text materials, the instructor making the live course presentation does not have to be the same instructor included on the recorded presentation or who prepared the text materials.

(3) Question and answer and discussion periods must be provided by either an instructor making a live presentation of the course to licensees in the same room or via real-time live audio or audio-visual connection which shall allow for immediate student inquiries and responses with the presenting instructor; or an instructor who is present for the entire remote, recorded, or computer-based course presentation to students in the same room which shall allow for immediate inquiries and responses of students to the instructor.

(4) The course pace shall be set by the instructor and does not allow for independent completion of the course by students.

(5) Providers may not include time spent by students on the final examination and pre-tests in determining course credit hours.

H. Course completion. A provider shall assure that **each** licensee completes the course either by:

(1) monitoring the course to witness attendance and participation; or

(2) requiring submission of a test or other written work evidencing understanding of the course material.

I. Reciprocal courses. In order for a licensee to receive credit for a reciprocal course, the reciprocal course must have been approved in the provider's resident state.

J. Submission of roster. Within 10 business days after the completion of the course of instruction by a licensee, the provider must electronically submit an attendance roster to the superintendent. Instructions for electronic submittal may be found on the OSI website.

K. Records. A provider shall maintain records of attendance and course completion for a minimum of three years and make such records available to the superintendent or the committee at any time upon request.

L. Audits. The OSI staff may conduct audits of any course or provider without prior notice to the provider. OSI staff or a designee may attend courses without identifying themselves as employees or representatives of OSI. If continuing education records are audited or reviewed and the validity or completeness of the records are questioned, the provider shall have 30 days from the date of notice to correct discrepancies or submit new documentation.

[13.4.7.11 NMAC - Rp, 13 NMAC 4.7.11, 5-1-02]

13.4.7.12 REPORTING REQUIREMENTS:

A. Reporting by providers. Continuing education providers are required to report completion of continuing education courses to the superintendent. However, it is the responsibility of the individual resident licensee to ensure that the superintendent's records reflect the completion of the required number of continuing education courses on or before the continuing education due date. The licensee must correct any discrepancies in the record through the continuing education provider.

B. Transition and reporting after July 1, 2017.

(1) All continuing education courses must be completed and reported prior to renewal of the license. Licensees who fail to complete the required continuing education courses will not be permitted to renew the license, which will result in immediate termination of the license, pursuant to §59A-11-10 NMSA 1978.

(2) For individual licensees who were issued or who renewed a one-year agent, broker, or solicitor license prior to July 1, 2017, the licensee must renew for a biennial insurance producer license by April 30, 2018. Prior to that renewal, the individual licensee must have completed 15 hours of continuing education courses, including 1 hour of ethics course, as was required at the time the license was issued or renewed.

(3) For all biennial insurance producer licenses issued after July 1, 2017, the insurance producer license shall renew on the last day of the second birth month following issue of the license, such that the initial compliance period shall be no less than thirteen months and no more than twenty-four months in length. Prior to renewal, licensee shall complete the required number of continuing education courses, as set forth in subsection A of 13.4.7.9 NMCA. The compliance period for completion of continuing education courses is the period between issue of the license and renewal on or before the last day of the licensee's second birth month following issue.

(4) Thereafter, insurance producer licenses must be renewed biennially on or before the last day of the licensee's birth month. Required continuing education courses must be completed and reported during the compliance period, which is the twenty-four-month period immediately preceding renewal of the license.

C. Fees. A licensee shall electronically submit all continuing education fees prescribed by subsection E of NMSA 1978 Section 59A-12-26 to the provider. The provider will then submit the hourly course fee to the superintendent on behalf of the licensee. Registration fees are nonrefundable for licensees who fail to attend or fail to successfully complete a course. Instructions for electronic submittal of fees may be found on each provider's website and on the OSI website.

D. Records.

(1) The licensee is responsible for confirming that all continuing education credits have been correctly recorded by the provider. The licensee may print a copy of the entire educational transcript for reference purposes. Instructions for reviewing and printing the transcript may be found on the OSI website.

(2) It is recommended that all licensees maintain copies of certificates of completion of approved courses and verified statements for a period of three (3) years.

(3) Individual continuing education credit information can be reviewed by the licensee, by the public or by the superintendent. Instructions for viewing continuing education information may be found on the OSI website.

(4) The superintendent shall be notified by the online system of any noncompliance with the continuing education requirements by licensees.

(5) Nonresident licensees who are seeking a waiver of this state's continuing education requirement based on satisfactory completion of reciprocal courses shall provide the superintendent with evidence of compliance from the home state, as requested by the superintendent.

[13.4.7.12 NMAC - Rp, 13 NMAC 4.7.15, 5-1-02]

13.4.7.13 AUDITING PROCEDURES:

A. All continuing education records submitted or maintained pursuant to this rule are subject to audit by the superintendent.

B. If the superintendent finds a licensee or provider has failed to timely report continuing education credits through the online system, the superintendent will impose a penalty as prescribed below.

[13.4.7.13 NMAC - Rp, 13 NMAC 4.7.14, 5-1-02]

13.4.7.14 PENALTIES:

A. The superintendent may, in accordance with NMSA 1978 Section 59A-11-15, revoke, suspend or refuse to continue the license of a licensee who fails to comply with this rule and may impose other applicable administrative penalties authorized by the Insurance Code.

B. The superintendent will, in accordance with subsection D of NMSA 1978 section 59A-12-26 impose a penalty of fifty dollars (\$50.00) for a licensee's failure to timely report continuing education credits and the licensee will be required to pay this penalty, in addition to any other reinstatement fees, in order to reinstate the license to active status.

C. A provider who fails to submit the roster to the superintendent within 10 business days may be subject to removal from the list of approved continuing education providers in the state.

[[13.4.7.14 NMAC - Rp, 13 NMAC 4.7.16, 5-1-02]

NMSA 59A-6-1 Fees and Taxes

CC.	continuing education providers	
(1)	filing an application for a course of instruction	\$80.00
(2)	biennial continuation of course of instruction	\$40.00.

Education Providers

Sign up for SBS for Organizations

- Submit course rosters
- Submit course applications
- Submit provider applications

Step 1: Go to www.statebasedsystems.com

Step 2: Select your jurisdiction and click "Sign up for SBS for Organizations"

Step 3: Create your User Account allowing you to access all jurisdictions

Step 4: Login to SBS

Step 5: Add your education provider licenses to your account (using your jurisdiction Provider ID and PIN*) as each applicable jurisdiction transitions to SBS.

Step 6: Simplify your Education Provider processes using SBS.

NEW: SBS allows the user to submit course applications for multiple jurisdictions.

*All active education providers will be sent their PIN via US Mail using their current business address. If you have any questions, contact the SBS Help Desk at the number listed below.

Also, please note that course rosters submitted through SBS will incur a **\$2.00 fee per credit hour per student.**

SBS Help Desk

For errors or help with SBS Online Tools
contact:

SBS Help Desk

sbshelp@naic.org

816-783-8990

Monday - Friday: 8 a.m. - 5 p.m. CST