

AGENCY REPORT TO THE JOINT COMMITTEE ON ADMINISTRATIVE RULES (JCAR)

Under the Administrative Procedures Act (APA), 1969 PA 306, the agency that has the statutory authority to promulgate the rules must complete and submit this form electronically to the Michigan Office of Administrative Hearings and Rules (MOAHR) at MOAHR-Rules@michigan.gov.

1. Agency Information:

Agency name:	Department of Insurance and Financial Services		
Division/Bureau/Office:	Office of General Counsel		
Name, title, phone number, and e-mail of person completing this form:	Sarah Wohlford, Deputy General Counsel, 517-284-8743, wohlfords@michigan.gov		
Name of Departmental Regulatory Affairs Officer reviewing this form:	Sarah Wohlford		

2. Rule Set Information:

MOAHR assigned rule set number:	2019-038 IF
Title of proposed rule set:	Pre-Licensure Education

3. Purpose for the proposed rules and background:

These rules set forth requirements related to pre-licensure education for insurance producers (i.e., agents). The rules are mandatory under MCL 500.1204a(1)(d), which requires the Director of the Department of Insurance and Financial Services to promulgate rules prescribing the criteria that must be met by a person to render instruction in a registered insurance producer program of study; and MCL 500.1204a(3), which requires the Director to promulgate rules prescribing the subject matter that a program of study must possess to qualify for registration for an insurance producer program of study. MCL 500.1204a was amended in Public Act 575 of 2008 to substantially adopt the National Association of Insurance Commissioners (NAIC) Uniform Producer Licensing Model Act, which was itself amended to comply with the 1999 federal Gramm-Leach-Bliley Act, which required that states enact uniform provisions for licensing insurance agents (producers) and businesses.

4. Summary of proposed rules:

The proposed amendments are necessary to reflect statutory amendments, primarily the elimination of the Agent Education Advisory Council by PA 67 of 2017. The other amendments are: updating the number of hours required for certain programs of study, as necessitated by 2009 amendments to Section 1204a of the Insurance Code, MCL 500.1204a; providing for online courses; and establishing reporting requirements for education providers.

5. List names of newspapers in which the notice of public hearing was published and publication dates (attach copies of affidavits from each newspaper as proof of publication).

The Daily Press (Escanaba): August 2, 2019
Lansing State Journal: August 2, 2019
Oakland Press: August 7, 2019

6. Date of publication of rules and notice of public hearing in *Michigan Register*:

August 15, 2019 (No. 14)

Agency Report to JCAR

7. Time, date, location, and duration of public hearing:

9:00 a.m., August 23, 2019, Ottawa Building UL Conference Room #6, Lansing, MI
Duration: 13 minutes.

8. Provide the link the agency used to post the regulatory impact statement and cost-benefit analysis on its website:

https://www.michigan.gov/documents/difs/2019-038_IF_661919_7.pdf

9. List of the name and title of agency representative(s) attending public hearing:

Sarah Wohlford, Deputy General Counsel
Tracy Lord-Bishop, Departmental Analyst

10. Persons submitting comments of support:

No comments were submitted.

11. Persons submitting comments of opposition:

No comments were submitted.

Michigan Office of Administrative Hearings and Rules

611 West Ottawa Street; 2nd Floor, Ottawa Building

Lansing, MI 48933

Phone: (517) 335-8658 FAX: (517) 335-9512

12. Identify any changes made to the proposed rules based on comments received during the public comment period:

	Name & Organization	Comments Made at Public Hearing	Written Comments	Agency Rationale for Change	Rule Number & Citation Changed
1.					
2.					
3.					
4.					

13. Date report completed:

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DAILY PRESS
600 Ludington Street
Escanaba, Michigan 49829
906-789-9122
Federal ID# 38-3365439

I CORKY DEROECK being an authorized representative of THE DAILY PRESS

Escanaba Michigan, do hereby affirm that PUBLIC HEARING AUGUST 23RD ad(s) for

MICHIGAN DEPARTMENT OF INSURANCE AND FINANCIAL SERVICES of LANSING MI

were inserted first on the following dates:

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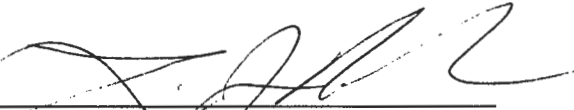
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on

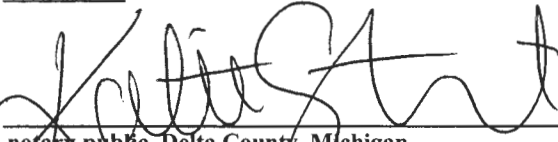
THE DAILY PRESS WEBSITE

that the attached is a true copy thereof.


signature of authorized representative

Subscribed and sworn to before me this SECOND of AUGUST

2019


notary public, Delta County, Michigan

My commission expires

10/15/2024

KATIE STEWART
NOTARY PUBLIC
DELTA COUNTY, STATE OF MICHIGAN
MY COMMISSION EXPIRES 10/15/2024

**AFFIDAVIT OF PUBLICATION
LANSING STATE JOURNAL
300 S. WASHINGTON SQ., STE. 300
LANSING, MICHIGAN
State of Michigan, County of Macomb} ss**

DEPARTMENT OF INSURANCE AND FINANCIAL SERVICES
PRE-LICENSURE EDUCATION RULES
Rule Set 2019-035 IF
NOTICE OF PUBLIC HEARING
August 23, 2019
9:00 a.m.
611 W. Ottawa St., Lansing, Michigan
Ottawa Building, Upper Level, Conference Room #6

The Department of Insurance and Financial Services (DIFS) will hold a public hearing on August 23, 2019 at 9:00 a.m., at the Ottawa Building, Upper Level, Conference Room #6, 611 W. Ottawa St., Lansing, Michigan. This hearing will be held to receive public comments on proposed rule set 2019-035 IF, Pre-Licensure Education Rules.

PA 575 of 2008 amended Section 1204a of the Insurance Code, MCL 500.1204a, to substantially adopt the National Association of Insurance Commissioners Uniform Producer Licensing Model Act. Amendments to these rules are necessary to update the criteria that must be met by a person to render instruction in a registered insurance producer program of study, and to update the qualifications for registration for a program of study.

This notice of public hearing is given in accordance with Sections 41 and 42 of the Administrative Procedures Act, MCL 24.241 and 24.242. These rules are promulgated pursuant to authority conferred on the Director of DIFS by Sections 210 and 1204a of the Insurance Code, MCL 500.210 and 500.1204a. The rules are proposed to take effect immediately upon filing with the Secretary of State.

The proposed rule set, Rule Set 2019-035 IF, is available on the Michigan Office of Administrative Hearings and Rules web site at <http://www.michigan.gov/ohar> and will be published in the Michigan Register prior to the public hearing.

Written comments may be submitted to the following address and must be received by 5:00 p.m. on August 30, 2019. Copies of the draft rules may also be obtained by mail or email at the following address:

Department of Insurance and Financial Services
Michelle Estrada, Office of General Counsel
PO Box 30320
Lansing, MI 48909-7720
Phone: 517-254-0715
E-Mail: EstradaMI@nichigan.gov

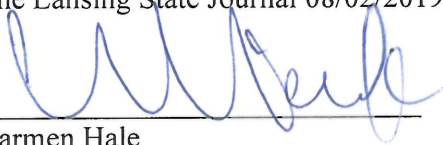
The hearing site is accessible, including handicapped parking. People with disabilities requiring additional accommodations in order to participate in the hearing (such as interpretation in alternative format) should contact the Department of Insurance and Financial Services at 517-254-6717 at least 14 days prior to the hearing date. Individuals attending the meeting are requested to refrain from using handily screened personal care products in order to enhance accessibility for everyone. Information at this meeting will be processed by speakers and printed handouts.

**DEPT OF INSURANCE & FINANCIAL
611 W OTTAWA ST FL 3
LANSING MI 48933-1070**

Being duly sworn, says that he/she is authorized by the publisher of The Lansing State Journal to swear that a certain notice, a copy of which is annexed here to, was published in the following publication:
The Lansing State Journal.

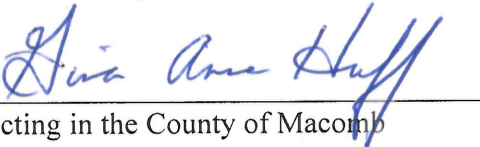
1. Published in the English language for the dissemination of general and/or legal news, and
2. Has a bonfide list of paying customers or has been published at least once a week in the same community without interruption for at least 2 years, and
3. Has been established, published and circulated at least once a week without Interruption for at least one (1) year in the community where the publication is to occur.

The Lansing State Journal 08/02/2019


Carmen Hale

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DAY OF August 2019.


Acting in the County of Macomb

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DIFS/OGC

DEPT OF INSURANCE & FINANCIAL SRVCS
530 W. ALLEGAN ST, 8TH FLOOR

LANSING, MI 48933
Attention: MICHELE D. ESTRADA

STATE OF MICHIGAN,
COUNTY OF OAKLAND

The undersigned Cindy Slater, being duly sworn the he/she is the principal clerk of Oakland Press, theoaklandpress.com, published in the English language for the dissemination of local or transmitted news and intelligence of a general character, which are duly qualified newspapers, and the annexed hereto is a copy of certain order, notice, publication or advertisement of:

DEPT OF INSURANCE & FINANCIAL SRVCS

Published in the following edition(s):

Oakland Press	08/07/19
theoaklandpress.com	08/07/19

See back



Sworn to the subscribed before me this 7th August 2019

Tina M. Crown

Notary Public, State of Michigan
Acting in Oakland County

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**DEPARTMENT OF INSURANCE AND
FINANCIAL SERVICES**

**PRE-LICENSURE EDUCATION RULES
Rule Set 2019-038 IF**

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Department of Insurance and Financial Services
Michele Estrada, Office of General Counsel
P.O. Box 30220
Lansing, MI 48909-7720
Phone: 517-284-8735
E-Mail: EstradaM1@michigan.gov

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