

By: Nelson

S.B. No. 79

A BILL TO BE ENTITLED

AN ACT

relating to specialty certification for insurance agents serving certain employer groups.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 4054, Insurance Code, is amended by adding Subchapter H to read as follows:

SUBCHAPTER H. SPECIALTY CERTIFICATION FOR AGENTS SERVING CERTAIN EMPLOYER GROUPS

Sec. 4054.351. CERTIFICATION PROGRAM. The department shall establish a voluntary specialty certification program for individuals who market small employer health benefit plans in accordance with Chapter 1501.

Sec. 4054.352. QUALIFICATIONS. (a) To be eligible to receive a specialty certification under this subchapter, an individual must:

(1) hold a general life, accident, and health license under this chapter;

(2) satisfy the requirements of this subchapter; and

(3) submit evidence of completion of training to the department in the manner prescribed by the commissioner.

(b) To maintain a specialty certification under this subchapter, an individual must continue to hold a general life, accident, and health license under this chapter.

Sec. 4054.353. TRAINING. (a) To be certified under this

1 subchapter, an individual must first complete training in the law,
2 including department rules, applicable to small employer health
3 benefit plans offered under Chapter 1501.

4 (b) An individual seeking specialty certification under
5 this subchapter must complete a course applicable to small employer
6 health benefit plans under Chapter 1501, as prescribed and approved
7 by the commissioner. Except as provided by Subsection (c), an
8 individual is not eligible for the specialty certification unless,
9 on completion of the course, it is certified to the commissioner as
10 required by the department that the individual has:

11 (1) completed the course; and

12 (2) passed an examination testing the individual's
13 knowledge and qualification.

14 (c) An individual seeking specialty certification under
15 this chapter is not required to complete the course and examination
16 required by Subsection (b) if the individual demonstrates to the
17 department, in the manner prescribed by the department, that the
18 individual holds a designation as:

19 (1) a Registered Health Underwriter (RHU);

20 (2) a Certified Employee Benefit Specialist (CEBS); or

21 (3) a Registered Employee Benefits Consultant (REBC).

22 Sec. 4054.354. CONTINUING EDUCATION REQUIREMENTS. (a) To
23 renew a specialty certification under this subchapter, the
24 individual must complete five hours of continuing education
25 applicable to small employer health benefit plans during the
26 two-year certification period.

27 (b) Each hour of continuing education completed in

1 accordance with this section may be used to satisfy an hour of a
2 continuing education requirement otherwise applicable to the agent
3 under this title.

4 Sec. 4054.355. OFFER OF SERVICES TO ALL GROUP SIZES. To
5 hold a specialty certification under this subchapter, an individual
6 must agree to market small employer health benefit plans to small
7 employers that satisfy the requirements of Chapter 1501 without
8 regard to the number of employees to be covered under the plan.

9 Sec. 4054.356. ADVERTISING. An individual who holds a
10 specialty certification may advertise, in the manner specified by
11 department rule, that the individual is specially trained to serve
12 small employers.

13 Sec. 4054.357. LIST MAINTAINED BY DEPARTMENT; WEBSITE. The
14 department shall maintain a list of all individuals who hold a
15 specialty certification under this chapter, together with the
16 business address and phone number of each individual and a general
17 description of the individual's service area. The department shall
18 publish the list on the department website.

19 Sec. 4054.358. RULES. The commissioner, in accordance with
20 Section 36.001, may adopt rules as necessary to administer this
21 subchapter.

22 SECTION 2. Section 4001.002, Insurance Code, is amended by
23 adding Subsection (a-1) to read as follows:

24 (a-1) Except as otherwise provided by this code, this title
25 applies to each individual who holds a specialty certification
26 under Subchapter H, Chapter 4054.

27 SECTION 3. Not later than January 1, 2010, the Texas

1 Department of Insurance may begin issuing specialty certifications
2 under Subchapter H, Chapter 4054, Insurance Code, as added by this
3 Act.

4 SECTION 4. This Act takes effect September 1, 2009.