

(I) PROOF THAT THE AGENT OR BROKER HAS COMPLETED AT LEAST 16 HOURS OF CONTINUING EDUCATION FOR THE APPLICABLE RENEWAL PERIOD; OR

(II) PROOF THAT THE AGENT OR BROKER HAS COMPLETED AT LEAST 8 HOURS OF CONTINUING EDUCATION FOR THE APPLICABLE RENEWAL PERIOD AND AN AFFIDAVIT THAT, OVER THE PREVIOUS 25 CONSECUTIVE YEARS, THE AGENT OR BROKER CONTINUALLY:

1. HAS HELD AN AGENT'S CERTIFICATE OF QUALIFICATION OR A BROKER'S CERTIFICATE OF QUALIFICATION IN THE STATE; AND

2. HAS BEEN EMPLOYED IN THE SELLING OF INSURANCE IN THE STATE.

(4) (I) TO INCREASE THE LEVEL OF EDUCATION OF AGENTS AND BROKERS, AN AGENT OR BROKER SHALL OBTAIN CONTINUING EDUCATION IN THE KIND OR SUBDIVISION OF INSURANCE FOR WHICH THE AGENT OR BROKER HAS RECEIVED A CERTIFICATE OF QUALIFICATION.

(II) EACH AGENT OR BROKER WHO POSSESSES A CERTIFICATE OF QUALIFICATION TO SELL HEALTH INSURANCE AND WHO SELLS LONG-TERM CARE INSURANCE SHALL RECEIVE CONTINUING EDUCATION THAT DIRECTLY RELATES TO LONG-TERM CARE INSURANCE.

~~(5) IN EACH RENEWAL PERIOD, THE COMMISSIONER SHALL ALLOW AN AGENT OR BROKER TO RECEIVE UP TO 75% OF THE AGENT'S OR BROKER'S CONTINUING EDUCATION REQUIREMENT FROM COURSES SPONSORED BY AN INSURER.~~

~~(6) (5) IF CONTINUING EDUCATION IS REQUIRED, THE COMMISSIONER MAY GRANT A WAIVER TO AN AGENT OR BROKER WHO:~~

~~(#) IS AT LEAST 70 YEARS OLD; OR~~

~~(##) HAS REQUESTED A WAIVER FOR OTHER REASONS THAT THE COMMISSIONER DETERMINES WARRANT THE WAIVER.~~

(6) AN INSURER MAY NOT PROHIBIT ONE OF ITS AGENTS FROM OBTAINING CONTINUING EDUCATION CREDITS FROM ANY COURSE APPROVED BY THE COMMISSIONER.

(B) THE FOLLOWING INDIVIDUALS ARE EXEMPT FROM THE CONTINUING EDUCATION REQUIREMENTS UNDER THIS SECTION:

(1) EMPLOYEES OF A HEALTH MAINTENANCE ORGANIZATION WHO ARE EMPLOYED SOLELY TO SOLICIT MEMBERSHIP IN THE HEALTH MAINTENANCE ORGANIZATION UNDER A CONTRACT BETWEEN THE HEALTH MAINTENANCE ORGANIZATION AND THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE;

(2) ATTORNEYS AT LAW OF THE STATE WHO ARE QUALIFIED AS TITLE INSURANCE AGENTS OR BROKERS AND WHO DO NOT HOLD A CERTIFICATE OF QUALIFICATION IN ANY OTHER KIND OR SUBDIVISION OF INSURANCE; AND