

8-301.

(b) (2) "Administrator" does not include a person that:

(i) with respect to a particular plan:

2. is, or is an employee, [agent] INSURANCE PRODUCER, managing general agent of, an insurer or health maintenance organization that insures or administers the plan; or

3. is [a broker] AN INSURANCE PRODUCER that solicits, procures, or negotiates a plan for a plan sponsor and that has no authority over the adjustment, payment, or settlement of benefit claims under the plan or over the investment or handling of the plan's assets;

8-316.

(b) An administrator may not procure the bond required by this subtitle from a surety insurer or other company or through an [agent or broker] INSURANCE PRODUCER in whose business operations the administrator has direct or indirect control or significant financial interest.

8-401.

[(e) "Certificate of qualification" means a certificate of qualification issued by the Commissioner to act as a fraternal benefit agent.

(f) "Fraternal benefit agent" means an authorized or acknowledged agent of a society that acts as an agent in soliciting, negotiating, procuring, or making life insurance, health insurance, or annuity contracts.]

8-449.

(a) Except as otherwise provided in this section, a person must obtain a [certificate of qualification] LICENSE issued under [Part V of this subtitle], TITLE 10, SUBTITLE 1 OF THIS ARTICLE before the person acts as [a fraternal benefit agent in the State] AN INSURANCE PRODUCER FOR A FRATERNAL BENEFIT SOCIETY.

(b) Subsection (a) of this section does not apply to a regular salaried officer or employee of a licensed society who:

(1) devotes substantially all of the officer's or employee's services to activities other than soliciting insurance contracts; and

(2) does not receive, for soliciting insurance contracts, a commission or other compensation that is directly dependent on the amount of business obtained.

(c) (1) Subsection (a) of this section does not apply to a fraternal benefit [agent] INSURANCE PRODUCER or representative of a society that devotes, or intends to devote, less than 50% of the person's time to SELLING, soliciting and [procuring] NEGOTIATING insurance contracts for the society.

(2) For the purposes of paragraph (1) of this subsection, a person is presumed to be devoting, or intending to devote, 50% or more of the person's time to