

CHAPTER 440

(Senate Bill 701)

AN ACT concerning

Insurance Producers – Life and Health Insurance Examinations – Annual ~~Reports~~ Report

FOR the purpose of requiring the Maryland Insurance Commissioner or a designee of the Commissioner on or before a certain date each year to prepare and publish a certain report that relates to life and health insurance producer examinations administered during a certain period of time; requiring the report to include certain information about certain examinees in a certain manner; ~~requiring the Commissioner or a designee of the Commissioner on or before a certain date each year to prepare and make available on request a certain report that relates to a certain test form used for certain examinations administered during a certain period of time; requiring the report to show certain information about certain test forms for certain examinees in a certain manner;~~ requiring the Commissioner or a designee of the Commissioner to submit the report to certain legislative committees; providing for the termination of this Act; providing for the termination of this Act; and generally relating to reports on examinations for insurance producers.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 10–109
Annotated Code of Maryland
(2003 Replacement Volume and 2007 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Insurance

10–109.

(a) An individual applicant who otherwise qualifies for a license for life insurance, health insurance, annuities, nonprofit health service plans, dental plan organizations, or health maintenance organizations is entitled to be examined as provided in this section.

(b) (1) Each individual applicant must pass a personal written examination to determine:

(i) the competence of the applicant as to life insurance, health insurance, or annuities or to any subdivision of them, including contracts for nonprofit health service plans, vision plans, dental plan organizations, and health maintenance organizations; and

(ii) the familiarity of the applicant with the applicable laws of the State.

(2) Each examination must be graded within 30 days after the date of the examination.

(c) An individual applicant who fails an examination may not take another examination until at least 14 days after the date of the last examination that the applicant failed.

(d) The Commissioner shall adopt reasonable regulations that specify:

(1) the scope, type, conduct, and grading of the written examinations;

(2) the frequency, times, and places in the State where the written examinations will be held; and

(3) subject to § 10–105(e) of this subtitle, the educational requirements for an individual applicant to be eligible to take a written examination.

(E) (1) ON OR BEFORE APRIL 1 OF EACH YEAR, THE COMMISSIONER OR A DESIGNEE OF THE COMMISSIONER SHALL PREPARE AND PUBLISH A REPORT THAT SUMMARIZES STATISTICAL INFORMATION THAT RELATES TO THE LIFE AND HEALTH INSURANCE PRODUCER EXAMINATIONS ADMINISTERED DURING THE PRECEDING CALENDAR YEAR.

(2) THE REPORT SHALL INCLUDE THE FOLLOWING INFORMATION FOR ALL EXAMINEES COMBINED AND SEPARATELY BY RACE OR ETHNICITY, GENDER, RACE OR ETHNICITY WITHIN GENDER, EDUCATIONAL LEVEL, AND NATIVE LANGUAGE:

(I) THE TOTAL NUMBER OF EXAMINEES;

(II) THE PERCENTAGE AND NUMBER OF EXAMINEES WHO PASSED THE EXAMINATION;

(III) THE MEAN SCALED SCORES ON THE EXAMINATION; ~~AND~~

(IV) THE STANDARD DEVIATION OF SCALED SCORES ON THE EXAMINATION; AND

(V) THE CORRECT ANSWER RATE AND CORRELATION FOR EACH TEST QUESTION AND EACH TEST FORM.

~~(F) (1) ON OR BEFORE APRIL 1 OF EACH YEAR, THE COMMISSIONER OR A DESIGNEE OF THE COMMISSIONER SHALL PREPARE AND MAKE AVAILABLE ON REQUEST A REPORT THAT SUMMARIZES STATISTICAL INFORMATION THAT RELATES TO EACH LIFE AND HEALTH INSURANCE PRODUCER TEST FORM USED FOR EXAMINATIONS ADMINISTERED DURING THE PRECEDING CALENDAR YEAR.~~

~~(2) THE REPORT SHALL SHOW, FOR EACH TEST FORM, FOR ALL EXAMINEES COMBINED AND SEPARATELY FOR AFRICAN AMERICAN EXAMINEES, WHITE EXAMINEES, AMERICAN INDIAN EXAMINEES, ASIAN EXAMINEES, HISPANIC EXAMINEES, AND OTHER EXAMINEES, THE CORRECT ANSWER RATES AND CORRELATIONS~~

~~(3) AS SOON AS PRACTICABLE AFTER ITS PUBLICATION, THE COMMISSIONER OR A DESIGNEE OF THE COMMISSIONER SHALL SUBMIT THE REPORT, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, TO THE SENATE FINANCE COMMITTEE AND THE HOUSE HEALTH AND GOVERNMENT OPERATIONS COMMITTEE.~~

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2008. It shall remain effective for a period of 3 years and, at the end of September 30, 2011, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.

Approved by the Governor, May 13, 2008.