



September 3, 2021

Via email at tmullen@naic.org to Tim Mullen, Director, Market Regulation

Director Larry Deiter, South Dakota Insurance Department
Co-Chair, Producer Licensing Task Force

Superintendent Elizabeth Dwyer, Rhode Island Division of Insurance Regulation
Co-Chair, Producer Licensing Task Force

National Association of Insurance Commissioners
444 N. Capitol Street, NW, Suite 700
Washington, DC 20001

Re: June 10 Revisions to *Guidelines for Amending Uniform Licensing Applications*

Dear Director Deiter and Superintendent Dwyer:

On behalf of the National Association of Professional Insurance Agents (PIA)¹, thank you for the opportunity to comment on the June 10 revisions to the *Guidelines for Amending Uniform Licensing Applications* (referred to herein as *Guidelines*). We are pleased to have this chance to examine and improve the *Guidelines* and appreciate the continued attention of the Producer Licensing Task Force (PLTF) of the National Association of Insurance Commissioners (NAIC) to this issue.

PIA generally supports the *Guidelines*. We appreciate the creation of a consistent, recurring schedule of consideration of substantive changes to uniform licensing applications. The thoughtful timetable set forth in the *Guidelines* recognizes the vital roles played by various stakeholder groups, including the affected groups within NAIC's layered committee structure, the National Insurance Producer Registry (NIPR), and interested parties. We also recognize that revising uniform licensing applications could be an endless undertaking; the PLTF's *Guidelines* provide a predictable schedule for considering revisions and thus avoid the potential for perpetual examination of, and revisions to, uniform applications.

¹ PIA is a national trade association founded in 1931. We represent member insurance agents in all 50 states, Puerto Rico, Guam, and the District of Columbia. PIA members are small business owners and insurance professionals who can be found across America.

We appreciate the PLTF's incorporation of our earlier recommendation to change the Producer Licensing (D) Uniformity Working Group's charge 2.D. and provide the attached redline in hopes that you find our feedback helpful in identifying potential improvements to the *Guidelines*.

PIA recognizes and appreciates the Task Force's continued attention to the *Guidelines*. As always, we are grateful for the opportunity to provide the independent agent perspective. Please contact me at laurenpa@pianet.org or (202) 431-1414 with any questions or concerns. Thank you for your time and consideration.

Sincerely,

A handwritten signature in cursive script that reads "Lauren G. Pachman".

Lauren G. Pachman
Counsel and Director of Regulatory Affairs
National Association of Professional Insurance Agents

Enclosure

Edits requested by National Association of Professional Insurance Agents appear in red.

Draft: 6/10/21

Revision marks reflect changes from draft of Nov. 4, 2020.

DRAFT FOR DISCUSSION
PROCEDURES GUIDELINES FOR AMENDING THE UNIFORM LICENSING APPLICATIONS

The mission of the Producer Licensing (D) Task Force includes the development and implementation of uniform standards with a primary emphasis on encouraging the use of electronic technology. As part of this mission, the Task Force has appointed a Producer Licensing Uniformity (D) Working Group to “review and update, as needed, the NAIC’s uniform producer licensing applications and uniform appointment form.” In support of this mission and charge, the Producer Licensing (D) Task Force recognizes the importance of having stable, streamlined, and consistent NAIC’s Uniform Producer Licensing Applications, which comply with the statutes and regulations of the NAIC Membership and encourage the use of electronic technology in the most efficient manner.

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In support of this mission and the importance of maintaining stable and consistent NAIC Uniform Licensing Applications, the Producer Licensing (D) Task Force will adhere to the following process-use the following guidelines for considering substantive changes to the NAIC’s Uniform Licensing Applications.

1. On a biennial¹ basis, the Producer Licensing (D) Task Force will receive—send an email notification communication by Dec. 1st to members of the Producer Licensing (D) Task Force, interested regulators, and interested parties, asking for proposed changes to the NAIC Uniform Licensing Applications, through ~~the submission of requested changes are to be submitted as a Word document using~~ the NAIC Uniform Licensing Application Change Request form as a Word document. The form should be completed in its entirety, attached to an ~~thean email message, and directed and submitted to the NAIC staff providing primary support for the Producer Licensing (D) Task Force~~ e-mail notification as a Word Document, and submitted to NAIC staff providing primary support for the Producer Licensing (D) Task Force. All requests ~~must~~should be submitted by Feb. ~~ruary~~ 1.

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2. NAIC staff will coordinate with NAIC and NIPR technology staff on a preliminary analysis of the time and cost estimate to implement each proposed change. NAIC and NIPR staff will spend no more than two hours for each request in this preliminary analysis phase. By March 15, NAIC staff support for the Producer Licensing (D) Task Force will provide the change requests and preliminary analysis to the Chair of the Producer Licensing (D) Task Force for further review and discussion by the Task Force, at the discretion of the Chair.

3.2. If the Producer Licensing (D) Task Force recommends further analysis of the request, the Task Force will assign the request to the Producer Licensing Uniformity (D) Working Group for review by the close of the NAIC Spring National Meeting. The Working Group will review the request pursuant to using the following guiding questions:

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- a. Does the proposed change maintain the NAIC Membership’s mission of uniform licensing standards with a primary emphasis on encouraging the use of electronic technology?
- b. Does the proposed change serve ~~thea~~ regulatory purpose of ~~stronger-strengthening~~ consumer protection while maintaining an efficient licensing process for producer applicants? This should include documentation on why the existing Uniform Applications do not meet these objectives.
- c. Does the proposed change comply with the statutes and regulations of the NAIC Membership and encourage the use of the NAIC’s Uniform Applications in all jurisdictions?

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4.3. The initial comment period on exposure drafts ~~for-issued by~~ the Producer Licensing Uniformity (D) Working Group ~~is~~should be 30 calendar days. The Working Group may consider additional exposure periods of less than 30 days for revisions to the same draft.

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5.4. Revisions to the NAIC’s Uniform Applications ~~must~~should be adopted by the Producer Licensing Uniformity (D) Working Group by ~~August 1 and~~ the Producer Licensing (D) Task Force by ~~Sept. 1, the close of the NAIC Summer National~~

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¹The dates and meetings set forth herein pertain only to the year in which the Producer Licensing (D) Task Force solicits proposed changes to the Uniform Licensing Applications as described in item 1.

Edits requested by National Association of Professional Insurance Agents appear in red.

~~Meeting,² the Market Regulation and Consumer Affairs (D) Committee by Oct. 1, and the Executive (EX) Committee and Plenary by Dec. 31.~~

5. ~~If the Producer Licensing Uniformity (D) Working Group recommends a requested change not to proceed with a request be pursued, the request will be updated with that decision and filed for future reference. A, and a copy of that recommendation and decision will be provided to the requestor.~~

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6. ~~The implementation timeline for the revised Uniform Licensing Applications will be coordinated with NAIC and NIPR staff and communicated to the Producer Licensing (D) Task Force. If the Producer Licensing Uniformity (D) Working Group recommends proceeding with a requested change, NAIC and NIPR staff will, perform analysis during the next 30 days, conduct an analysis culminating in and the provision of a time and cost estimate for the Producer Licensing (D) Task Force's review and prioritization. Using the staff analysis, the Producer Licensing (D) Task Force will -with an identify an appropriate implementation date.~~

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7. ~~Revisions to the NAIC's Uniform Applications should be adopted by the Market Regulation and Consumer Affairs (D) Committee by Oct. 1, and the Executive Committee and Plenary by the conclusion of the NAIC Fall National Meeting.~~

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² This timeline will require the charges assigned to the Producer Licensing Uniformity (D) Working Group's assigned charge 2.D, to be revised to reflect that the Working Group should provide recommended changes to the Producer Licensing (D) Task Force by no later than one week before the Opening Session of the NAIC Summer National Meeting, instead of by June 1.

Edits requested by National Association of Professional Insurance Agents appear in red.

NAIC Uniform Application Change Request

Date Submitted: _____

Name: _____

State: _____

E-Mail: _____

Phone: _____

Change Request to Following NAIC Uniform Application (Check all that apply)

- Uniform Application for Individual License/Registration
- Uniform Application for Individual License Renewal/Continuation
- Uniform Application for Business Entity Licensing Registration
- Uniform Application for Business Entity License Renewal/Continuation

Provide Concise Description of Proposed Change

Provide Reason for the Proposed Change

Provide Supporting Information Related to the Proposed Change

To Be Completed by NAIC/NIPR Staff

Change Request ID #	Date Received	Estimated Hours	Recommendation