



Ohio Administrative Code

Rule 3901-5-07 Regulation of agent pre-licensing education.

Effective: January 1, 2024

(A) Purpose

The purpose of this rule is to establish the criteria for agent pre-licensing education and to establish certain examination requirements.

(B) Authority

This rule is promulgated pursuant to the authority vested in the superintendent under sections 3901.041 and 3905.486 of the Revised Code.

(C) Definitions

As used in this rule:

(1) "Authorized provider official" means a person designated by a provider and approved by the superintendent as the person who is responsible for a provider's compliance with the pre-licensing education regulations and who is responsible for a provider's integrity and operation. This includes the responsibility for obtaining pre-license education provider, course and instructor approvals.

(2) "Authorized provider personnel" means any person identified by a provider's authorized provider official as being authorized to certify a provider certification of course completion form, a certificate of pre-licensing course completion form, a schedule of courses form, attendance forms, and any other forms required by the superintendent.

(3) "Classroom" means course activities or information occurring in real time at a specific time, date, and place, and delivered in person, such as but not limited to, a seminar or workshop by an approved instructor. Student attendance is based on personally identifiable information (e.g., government-issued identification and signature) and student participation or interaction with course activities.



Classroom courses do not require an examination.

(4) "Course" means a classroom, distance learning, or self-study presentation of information on entry level insurance topics, delivered in person, in print or electronically, which may be interactive or not, with successful completion measured by either attendance (classroom), interaction (distance learning), or by examination/knowledge assessments (self-study). Pre-license instruction may be offered in one of the following subject matter categories:

(a) Property insurance;

(b) Casualty insurance;

(c) Life insurance;

(d) Accident and health insurance;

(e) Personal lines insurance; and

(f) Surety bail bond insurance.

(5) "Course completion date" means the date on which the student completes all of the required elements of the course, including passing any required provider examination.

(6) "Course hour" means the time spent providing instruction for preparation for a state insurance license examination. For purposes of this rule a course hour equals no less than sixty minutes of instruction. A course hour may include a reasonable amount of time testing, but not the time a student spends studying, preparing for a course, breaks, introductions, lunches, announcements, receiving marketing or sales technique instruction or other non-instruction time.

(7) "Course offering" mean an approved event with a specific start and end time.

(8) "Distance learning" means the method of instruction where the student and approved instructor are in different physical locations and interact with each other through various methods of



telecommunication, including, but not limited to, video teleconference, internet conference, virtual class, or webinar. Distance learning is delivered at a specific date and time. Student attendance is monitored and validated based on personally identifiable information (e.g., username, password, and/or email) and student participation in interactive exercises is required. Credit for the course is based on attendance and activity, not examination.

(9) "Program of insurance education" means a provider's overall curriculum.

(10) "Provider" means an organization or person approved by the superintendent to offer agent pre-licensing courses.

(11) "Registered student" means any person who has given an approved pre-license education provider a written intention and payment to take their program of insurance education.

(12) "Self-study" means the method of instruction which does not require a student to attend an organized class and is completed by passage of a final examination. Course activities or information is delivered outside of real time (recorded or otherwise similarly accessible) and at any time, such as but not limited to, correspondence, online, video, audio, compact disc (CD), or digital video disc (DVD). Student attendance is verified based on identity (e.g., username, password, email, and signature) and passage of a final examination.

(13) "Self-study with prep course" means any pre-licensing course method that is offered as self-study but includes some organized classroom or distance learning instruction time prior to the offering of a final examination.

(14) "Superintendent" means the superintendent of insurance.

(D) Pre-license education exemptions

(1) Any person with a bachelor's or associate's degree in insurance, or a related degree with a concentration of insurance courses from an accredited institution is exempt from agent pre-licensing education requirements for all major lines of authority.



(2) Any person with one or more of the following professional designations is exempt from agent pre-licensing education requirements for personal lines or for property and casualty lines of authority.

(a) "Chartered Property and Casualty Underwriter" (CPCU);

(b) "Accredited Advisor in Insurance" (AAI);

(c) "Associate in Risk Management" (ARM); or

(d) "Certified Insurance Counselor" (CIC).

(3) Any person with one or more of the following professional designations is exempt from agent pre-licensing education requirements for life lines of authority:

(a) "Chartered Life Underwriter" (CLU);

(b) "Certified Employee Benefit Specialist" (CEBS);

(c) "Chartered Financial Consultant" (ChFC);

(d) "Certified Insurance Counselor" (CIC);

(e) "Certified Financial Planner" (CFP);

(f) "Fellow of the Life Management Institute" (FLMI); or

(g) "Life Underwriter Training Council Fellow" (LUTCF).

(4) Any person with one or more of the following professional designations is exempt from agent pre-licensing education requirements for accident and health line of authority:

(a) "Registered Health Underwriter" (RHU);



(b) "Certified Employee Benefit Specialist" (CEBS);

(c) "Registered Employee Benefits Consultant" (REBC); or

(d) "Health Insurance Associate" (HIA).

(5) Any person requesting exemption of the pre-licensing education requirement under the exemptions in paragraph (D)(1), (D)(2), (D)(3) or (D)(4) of this rule shall provide verification of the degree in insurance or professional designation prior to registering for the examination in order to receive a pre-licensing education waiver from the superintendent. When approved, education waivers are issued individually by approved subject matter category.

(6) An active military service member or veteran may submit any documentation, evidence, statement or endorsement that may be available or produced for the superintendent's consideration to demonstrate substantial equivalence of education and experience while serving in the armed forces to meet the requirements of licensure. When approved, education waivers are issued individually by approved subject matter category.

(7) A pre-licensing education waiver issued using the exemptions in paragraph (D)(1), (D)(2), (D)(3), (D)(4), or (D)(6) of this rule are valid for one hundred eighty days from the date the waiver was issued by the superintendent. An extension will be granted if the applicant is actively deployed for military service.

(8) No person who has been issued a pre-licensing education waiver from the superintendent under the exemptions in paragraph (D)(1), (D)(2), (D)(3), (D)(4), or (D)(6) of this rule may be issued more than one exemption for each major line of authority.

(9) Any person who has received an education waiver under the exemptions in paragraph (D)(1), (D)(2), (D)(3), (D)(4), or (D)(6) of this rule and has not passed the corresponding examination prior to the expiration of the waiver shall complete any required education according to section 3905.04 of the Revised Code before the agent is eligible to sit for such examination. If an applicant is actively deployed for military service, an extension will be granted and this will not apply.



(10) No person who has surrendered an insurance license or who has had an insurance license suspended, inactivated, cancelled for non-renewal or revoked may use the exemptions in paragraph (D)(1), (D)(2), (D)(3), (D)(4), or (D)(6) of this rule.

(E) Program of insurance education application requirements

(1) An application for pre-licensing provider, course, and instructor approval shall be on forms prescribed by the superintendent and completed by the authorized provider official. An application for provider approval must include an application for at least one course approval and, if offering classroom, self-study with prep, or distance learning instruction, at least one instructor application.

(a) To be eligible to be the designated authorized provider official, a person shall be of good character and business repute and agree to be responsible for the provider's compliance with the laws and regulations relating to pre-licensing insurance education programs. A person who has had an insurance license suspended, revoked or surrendered for cause in any state is not eligible to serve as an authorized provider official.

(b) For the purposes of this rule, a course method type is defined as classroom, distance learning, self-study or self-study with prep course. An application for pre-licensing course approval can only include one course method type and at least one subject matter category as referenced in paragraph (C)(4) of this rule. Multiple course applications will be required if more than one course method type is requested. Appropriate fees are to be included with each application.

(c) For the purposes of this rule, an instructor application is to be submitted for each subject matter category as referenced in paragraph (C)(4) of this rule when a provider is requesting approval for any self-study with prep course, classroom, or distance learning method type.

The approval of an instructor qualifies that instructor to provide classroom, self-study with prep, or distance learning instruction under the authority of that provider for any subject matter category in which the instructor was approved.

(2) Applicants will be notified if an application is incomplete and will be provided an explanation of



the incomplete information. If the superintendent does not receive the requested information by the requested response date, the filing will be considered abandoned. Initial and renewal application fees are non-refundable and non-transferable.

(a) If a provider, course or instructor application(s) are approved or renewed, the provider will be notified in writing of this approval. The superintendent will assign provider and course identification numbers for initial approvals.

(b) The initial approval of a provider, course or instructor will be valid from the date of approval through the thirty-first day of December of the same year in which the approval was granted.

(c) No person or organization may offer any agent pre-licensing education until the superintendent issues a written approval for the program of insurance education.

(3) A provider shall submit any provider, course or instructor renewal applications annually no later than November thirtieth on forms prescribed by the superintendent. The superintendent has thirty days to review initial and renewal applications.

(a) Any provider whose renewal has not been processed and approved before the expiration date will automatically expire as of December thirty-first of that renewal year. All active courses and registered instructors connected with a provider that is not renewed will automatically expire as of December thirty-first of the same year.

(b) Any course or instructor renewal that has not been processed and approved before the expiration date will automatically expire as of December thirty-first of that renewal year.

(c) No provider or provider whose authority has expired shall conduct pre-licensing education courses until the provider's renewal application, course applications and any necessary instructor applications have been approved by the superintendent and the provider has received a renewal approval letter from the superintendent.

(d) The non-renewal of a provider, course(s) or instructor(s) does not affect the validity of certificates of completion of pre-licensing course that the provider issued prior to the non-renewal.



(F) Course requirements

(1) Classroom

(a) Courses must be held for a minimum of twenty course hours and begin and end as scheduled.

(b) Providers must monitor attendance and maintain an attendance record for each course that contains the full name of the provider, subject matter category of the course, beginning and ending date of the course, each student's name and verification of each student's attendance.

(c) A course schedule shall be filed with the superintendent no later than ten days before a course is scheduled to begin. Multiple courses may be included on a schedule as long as the schedule is filed at least ten days before the earliest course listed is scheduled to begin. Written notice must be given to the superintendent immediately upon cancellation or any change to a scheduled course.

(d) A student's completion of a course is satisfied when the student has attended the minimum number of hours required pursuant to section 3905.04 of the Revised Code and has received instruction on the content outlines for the topics and subtopics listed in the most recent edition of the Ohio superintendent of insurance licensing information bulletin at the time the course was taken.

(e) Within fifteen calendar days of the conclusion of a classroom course, the authorized provider official shall submit to the superintendent, a course completion roster identifying the name of each student, the number of hours attended by each student, and whether a course completion certificate was issued to the student, on a form prescribed by the superintendent.

(2) Self-study

(a) A student's completion of a self-study course is satisfied when the student has completed an equivalent to twenty course hours through self-study course instruction and has received a grade of seventy per cent or greater on a final examination given by the approved pre-licensing provider.

(b) A provider's self-study examination will be administered only upon completion of a self-study



course.

(c) Each student will sign an affidavit provided by the approved provider stating that the student completed the examination without assistance.

(d) The following are minimum requirements for final examinations:

(i) Multiple choice items have a minimum of four options;

(ii) Multiple choice items have only one correct response;

(iii) Multiple choice answers are grammatically consistent and parallel in form to eliminate obviously wrong answers;

(iv) No correct answer to one question provides a clue to the correct answer to any other questions in the chapter/section or examination;

(v) Questions are clearly written;

(vi) Questions adequately cover the course material; and

(vii) Answers to the questions are not in a discernable pattern.

(e) Within fifteen calendar days of the conclusion of a self-study course, the authorized provider official shall submit to the superintendent, a course completion roster with the names of each student who satisfactorily completed the course on a form prescribed by the superintendent.

(3) Self-study with prep course.

(a) A course schedule shall be filed with the superintendent not later than ten days before a prep course is scheduled to begin. Multiple prep courses may be included on a schedule as long as the schedule is filed at least ten days before the earliest prep course listed is schedule to begin. Written notice must be given to the superintendent immediately upon cancellation or any change to a



scheduled prep course.

(b) An attendance record shall be kept for each prep course. The attendance record must contain the full name of the provider, subject matter category of the course, beginning and ending date of the prep course, each student's name, and verification of each student's attendance.

(c) A provider's self-study examination shall be administered only upon completion of a self-study prep course.

(d) Each student shall sign an affidavit provided by the approved provider stating that the student competed the examination without assistance.

(e) The following are minimum requirements for final examinations:

(i) Multiple choice items have a minimum of four options;

(ii) Multiple choice items have only one correct response;

(iii) Multiple choice answers are grammatically consistent and parallel in form to eliminate obviously wrong answers;

(iv) No correct answer to one question provides a clue to the correct answer to any other questions in the chapter/section or examination;

(v) Questions are clearly written;

(vi) Questions adequately cover the course material; and

(vii) Answers to the questions are not in a discernable pattern.

(f) A student's completion of a self-study with prep course is satisfied when the student has completed an equivalent to a twenty course hours through a combination of self-study and classroom instruction and has received a grade of seventy per cent or greater on a final examination given by



the approved pre-licensing provider.

(g) Within fifteen calendar days of the conclusion of a self-study with prep course, the authorized provider official shall submit to the superintendent, a course completion roster with the names of each student who satisfactorily completed the course on a form prescribed by the superintendent.

(4) Distance learning

(a) Courses must be held for a minimum of twenty course hours and be conducted at a specific date and time. Each student needs to log into the course using a distinct username, password, and/or email. Providers must utilize procedures that provide reasonable assurance of student identity.

(b) Courses must be designed such that all students participate in the instructional process, by utilizing techniques that require student interaction with the instructor, other students, or a computer program, including no less than two methods of interactive activities asked at unannounced intervals during each one-hour course session to determine student attentiveness. For successful completion of distance learning instruction, students must appropriately respond to a minimum of ninety per cent of interactive activities presented during the course.

The course design cannot permit students to sit passively and observe instruction or read instructional material. The provider needs to have a process to determine when a student is interactive or not fully participating, such as when the screen is minimized, or the participant does not answer the polling questions and/or verification codes.

(c) Providers must only utilize instructors who are approved according to Ohio's instructor guidelines pursuant to paragraph (E) of this rule. Students must be able to interact with approved instructor(s). Student should be able to submit questions or comments at any point during the course. The course pace is to be set by the instructor and not allow for independent completion.

(d) The provider should provide the students with an orientation or information package which contains all necessary information about the course subject matter and learning objective, procedures, and requirements for satisfactory course completion, special requirements with regard to computer hardware and software or other equipment, and the availability of instructor or technical



support.

(e) Providers should have appropriate instructor and technical support to enable students to satisfactorily complete the course.

(f) A course schedule shall be filed with the superintendent no later than ten days before a course is scheduled to begin. Multiple courses may be included on a schedule as long as the schedule is filed at least ten days before the earliest course listed is scheduled to begin. Written notice must be given to the superintendent immediately upon cancellation or any change to a scheduled course.

(g) A student's completion of a course is satisfied when the student has attended the minimum number of hours required pursuant to section 3905.04 of the Revised Code, has received instruction on the content outlines for the topics and subtopics listed in the most recent edition of the Ohio superintendent of insurance licensing information bulletin at the time the course was taken, and has met the interactive participation requirements identified in paragraph (F)(4)(b) and (F)(4)(c) of this rule.

(h) A provider representation must monitor attendance throughout the course and that the student receiving the pre-licensing education credit actually performed all the work required to satisfactorily complete the course. When a student is deemed inactive, or not fully participating in the course, the provider shall deny issuing a completion certificate to that student. Prior to the start of the course offering, the provider must inform each student in advance of the course participation requirements and the consequences for failing to participate in the course.

(i) An attendance record shall be kept for each course that contains the full name of the provider, subject matter category of the course, beginning and ending date of the course, each student's name and verification of each student's attendance. The provider shall maintain an electronic roster to include records for each student's log-in/log-out times. Chat history and interactive responses should be captures as part of the electronic records.

(j) Within fifteen calendar days of the conclusion of a distance learning course, the authorized provider official shall submit to the superintendent a course completion roster identifying the student's name, the number of hours attended by each student, and whether a course completion



certificate was issued to the student, on a form prescribed by the superintendent.

(G) Instructor qualifications

(1) No person may teach or hold oneself out as qualified to teach pre-licensing education courses except as an approved instructor for an approved provider. All instructors for agent pre-licensing insurance education programs must be of good character and business repute and never had a professional license or registration revoked, suspended, or surrendered for cause in any state:

(2) The provider must demonstrate that an individual applying to instruct property and casualty insurance courses or personal lines insurance courses has met at least one of the following criteria:

(a) Received a bachelor's or associate's degree in insurance from an accredited institution;

(b) Holds a current and valid designation of "Chartered Property and Casualty Underwriter" (CPCU);

(c) Has worked regularly in the property and casualty insurance industry for the preceding one year and currently has one of the following professional designations:

(i) "Accredited Advisor in Insurance" (AAI);

(ii) "Associate in Risk Management" (ARM);

(iii) "Certified Insurance Counselor" (CIC); or

(d) Has worked regularly in the property and casualty insurance industry for the preceding three years.

(3) The provider must demonstrate that an individual applying to instruct life insurance courses has met at least one of the following criteria:

(a) Received a bachelor's or associate's degree in insurance from an accredited institution;



- (b) Holds a current and valid designation of "Chartered Life Underwriter" (CLU);

- (c) Has worked regularly in the life insurance industry for the preceding one year and currently holds one of the following designations;
 - (i) "Chartered Financial Consultant" (ChFC);

 - (ii) "Fellow of the Life Management Institute" (FLMI);

 - (iii) "Life Underwriter Training Council Fellow" (LUTCF);

 - (iv) "Certified Insurance Counselor" (CIC);

 - (v) "Certified Financial Planner" (CFP); or

- (d) Has worked regularly in the life insurance industry for the preceding three years.

- (4) The provider must demonstrate that an individual applying to instruct accident and health insurance courses has met at least one of the following criteria:
 - (a) Received a bachelor's or associate's degree in insurance from an accredited institution;

 - (b) Has worked regularly in the accident and health insurance industry for the preceding one year and holds one of the following designations:
 - (i) "Registered Health Underwriter" (RHC);

 - (ii) "Certified Employee Benefit Specialist" (CEBS);

 - (iii) "Registered Employee Benefits Consultant" (REBC);

 - (iv) "Health Insurance Associate" (HIA); or



(c) Has worked regularly in the accident and health insurance industry for the preceding three years.

(5) The provider must demonstrate that an individual applying to instruct surety bail bond insurance courses has met at least one of the following criteria:

(a) Received a bachelor's or associate's degree in insurance from an accredited institution;

(b) Has been licensed as a surety bail bond agent regularly for the preceding two years; or

(c) Has worked in the surety bail bond industry regularly for the preceding three years.

(H) Provider operations

(1) Course instruction shall be based on the content outlines for the topics and subtopics listed in the most recent edition of the Ohio superintendent of insurance licensing information bulletin or any supplements at the time the course was held.

(2) Providers may utilize the pre-license education student registration form prescribed by the superintendent. If a provider uses their own registration form, the registration form must include, all of the information found on the superintendent's prescribed form. Providers must ensure each registration form is completed, for each student registered for a course.

(3) A provider shall provide each registered student with the following information and documentation prior to course attendance:

(a) The most recent edition of the Ohio superintendent of insurance licensing information bulletin, and any supplements;

(b) Course method and subject matter category the student is registered to take;

(c) Location of the course or examination and any relevant information pertaining to the date and time of the course or examination as well as the name of any scheduled instructors;



(d) For courses that have a classroom component, the name, author, and edition of all textbooks used;

(e) For self-study courses, information as to what date the study material was purchased and the provider's exam delivery method;

(f) Any fees charged by the provider and an explanation of what those fees cover;

(g) The provider's refund policy; and

(h) Written receipt of payment for the course.

(4) A provider must obtain written verification from each registered student that they have received and understand the information required pursuant to paragraph (H)(2) of this rule. Student signature may be electronic or wet signature.

(5) A provider cannot advertise, offer, or conduct courses in a method or subject matter category for which the provider has not received written approval from the superintendent.

(6) The authorized provider official shall notify the superintendent, in writing, of any change to the provider application or renewal application, including but not limited to, the identity of the authorized provider official or authorized provider personnel, provider address, provider telephone number, provider name, or changes in the ownership or control of the provider. The notification shall be made within fifteen days of the effective date of the change. Any change to instructor qualifications, the types of course subject matter categories or course methods to be offered and require approval in accordance with paragraph (E)(2) of this rule.

(7) Instructors must be qualified in accordance with paragraph (F) of this rule and may instruct only those subject matter categories of insurance for which they are approved and for which the provider is approved.

(8) A course must be in session on the date(s) scheduled, during the specified hours and at the designated location unless cancelled or notification of any change is provided to the superintendent.



(9) If a course is cancelled, or if a student cancels in advance of the date of the course, the provider must refund all fees in full within forty-five days of the cancellation unless a different refund policy has been provided to the student.

(10) A provider must issue written notification to all individuals who are scheduled to attend a course of any change in the course location, date, time, or refund policy prior to the course offering or examination. If a course is postponed to a later date or moved to a location that is different and is more than ten miles from the original course location, the provider must offer each student who is scheduled to attend the class or take the provider's self-study examination the option of a full refund in lieu of attending the class or taking the examination.

(11) A provider must comply with the Equal Employment Opportunity Act and the Americans with Disabilities Act.

(12) Facilities must be large enough to comfortably accommodate all attendees and instructors and be conducive to the education process.

(13) The authorized provider official must supply and maintain an accurate email address which will be used as the primary source of communication with the provider.

(14) Providers shall submit all applications, schedules and rosters electronically, using a system prescribed by the superintendent, unless the superintendent has authorized other submission methods. Each individual accessing the department's electronic reporting system must have his or her own user name and password.

(15) A provider shall not offer any guarantee or represent that there is any guarantee that a student will pass any required examination offered by the provider.

(16) A provider shall not offer any guarantee to a student that the completion of their program of insurance education guarantees the student will pass the state insurance license examination.

(17) Providers shall not permit any of their instructors to take a state insurance license examination



for any license type or line of authority if the instructor holds an active license for that license type or line of authority.

(18) In advertising or promoting itself or any of its courses, a provider shall not make any representation or statement, or cause or permit another to make any representation or statement which is false, deceptive or misleading.

(I) Certificates of course completion

(1) A provider shall issue a certificate of course completion only after a student has met the minimum completion requirements pursuant to paragraph (F)(1)(d), (F)(2)(a), (F)(3)(f), or (F)(4)(g) of this rule.

(2) Within three calendar days after a course is completed, the provider shall provide a completed certificate of pre-licensing course completion form to each student that certifies that the student completed the course. Certificates may be sent to each student electronically, but must be formatted in a manner that prevents changes to the course and student information.

(3) The certificate shall be on a form prescribed by the superintendent or an exact replica of the superintendent's form, minus the state seal. The certificate is not valid unless it contains the signatures of the instructor or authorized provider personnel and the student.

(4) The certificate of pre-licensing course completion is valid for one hundred eighty calendar days from the completion of the course or passing of provider's self-study examination. If the one hundred eighty calendar day period expires before the student passes the licensing examination, the student will not be eligible to sit for another licensing examination for that type of license until the student completes another approved pre-licensing insurance education course for that license type.

(5) At the time a student registers with the testing service designated by the superintendent, the student must provide the provider's identification number as it appears on the certificate of pre-licensing course completion.

(6) A student shall not be permitted to sit for a licensing examination unless the student has a valid



certificate of pre-licensing course completion form or a notice of pre-license education waiver from the superintendent.

(7) The student shall submit two forms of identification, to the examination monitor, one of which is a photo identification.

(J) Audit and records retention

(1) A provider shall keep copies of all records required by this rule, including, but not limited to, documents referenced in paragraph (H)(3) of this rule, certificates of course completion, self-study examinations, self-study affidavits, copies of rosters, and attendance records and/or participation in course activities, for a minimum of four years.

(2) A provider's records are subject to inspection and audit by the superintendent at any time without prior notice.

(3) A provider may maintain the required documents in an electronic format.

(4) The superintendent, or the superintendent's representative, may enter and observe a course at any time without prior notice.

(5) Providers will grant the superintendent, or the superintendent's representative, access to self-study or distance learning materials and/or examination content, upon request.

(K) Severability

If any portion of this rule or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the rule or related rules which can be given effect without the invalid portion or application, and to this end the provisions of this rule are severable.