

OHIO REGULATIONS
CE Reg (Rule) 3901-5-01 through 3901-5-06

OHIO ADMINISTRATIVE CODE
TITLE 3901. -- DEPARTMENT OF INSURANCE
Chapter 3901-5.-- Continuing Education Requirements

3901-5-01 Licensees

(A) Purpose

The purpose of this rule is to establish continuing education (CE) requirements, standards and procedures for insurance agents.

(B) Authority

This rule is promulgated pursuant to the authority vested in the superintendent under sections 3901.041, 3901.20, 3905.16, 3905.486, and 3905.95 of the Revised Code.

(C) Compliance period

(1) The first twenty-four month compliance period for a person who is first issued a license as an agent on or after June 30, 1998 shall commence on January first of the year following the year of the issuance of the license and shall end on December thirty-first of the second year following the year of the issuance of the license. Every subsequent twenty-four month period shall constitute a compliance period. Each compliance period shall commence on January first immediately following the preceding compliance period and shall end on December thirty-first of the second year after the preceding compliance period.

(2) A person who holds a license that was issued prior to June 30, 1998, shall retain his or her current compliance period.

(3) The first twenty-four month compliance period for a person who returned to active status pursuant to 3901-5-09(L) shall commence on January first of the year following the year of the reactivation of the license and shall end on December thirty-first of the second year following the year of the issuance of the license. Every subsequent twenty-four month period shall constitute a compliance period. Each compliance period shall commence on January first immediately following the preceding compliance period and shall end on December thirty-first of the second year after the preceding compliance period.

(4) The first twenty-four month compliance period for a licensee from another state who has made Ohio his state of residence shall commence on January first of the year following the year of the issuance of the resident license and shall end on December thirty-first of the second year following the year of the issuance

of the license. Every subsequent twenty-four month period shall constitute a compliance period. Each compliance period shall commence on January first immediately following the preceding compliance period and shall end on December thirty-first of the second year after the preceding compliance period.

(D) CE Transcripts

(1) Following the completion of a licensee's twenty-four month compliance period, the department shall issue a CE reporting form transcript to each resident licensee.

(2) If the CE transcript indicates that a resident licensee has completed the required number of CE hours for that compliance period, and is reported as being in compliance with the CE requirements of this state, no additional documentation or reporting is necessary for that compliance period unless instructed by the Department.

(3) If the CE transcript indicates that a resident licensee has not completed the required number of CE hours for that compliance period and is reported as being in non-compliance with the CE requirement of this state, it is the individual licensee's responsibility to prove that the licensee actually completed the required CE hours and to prove compliance with this rule.

(4) If the licensee is seeking an extension or the inactivation or surrender of licenses, the licensee must complete the necessary form as required by the department.

(5) A licensee's failure to receive the department's CE transcripts does not relieve the licensee of the responsibility to timely complete the CE requirements.

(E) Extensions

(1) The superintendent may grant a licensee a reasonable extension of time in which to complete the minimum number of hours of continuing education if the superintendent finds that the licensee is or was unable to do so as a result of a disability or special circumstances.

(2) It is the licensee's responsibility to request an extension. Requests must be made in writing prior to the end of the compliance period for which the extension is requested or as soon as practicable thereafter. Requests should include supporting documentation and the required fee.

(3) When an extension is granted, it applies only to that compliance period. If the disability or special circumstances extends to a subsequent compliance period, another extension must be requested. Permanent conditions are not eligible for an indefinite extension.

(F) Exemptions

(1) The CE requirements contained in division (A) of section 3905.481 of the Revised Code do not apply to the following persons:

(a) Persons who have been granted inactive status pursuant to section 3905.16 of the Revised Code.

(b) Business entities which hold licenses are exempt from the CE requirements of this state. Licensees who are natural persons and who are affiliated with a business entity are not exempt from the CE requirements of this state.

(c) Persons who hold only title insurance licenses and do not hold any other license as an insurance agent other than a limited authority license provided they complete at least ten hours of approved CE that is directly related to the title insurance business during each compliance period.

(d) Persons who hold one or more limited authority licenses but who do not hold any other type of agent license.

(e) Persons who hold surety bail bond licenses.

(G) Surety Bail Bond Licenses

(1) Persons who hold only a surety bail bond license must complete at least fourteen hours of approved surety bail bond CE during each compliance period.

(2) Persons who hold a surety bail bond license in addition to any other agent license other than a limited lines license must complete twenty hours of CE, of which fourteen hours must be approved surety bail bond CE.

(H) Credits

(1) A person who moves to Ohio from another state and becomes a resident licensee may not carry over any CE credits from the other state.

(2) At the discretion of the superintendent, credit may be given for a course that is held prior to the issuance of a written approval of such course by the superintendent.

(3) If a course is taken more than once in a compliance period by the same person, credit may be given only for the first time that person took and completed the course.

(4) Partial credit, rounded down in one hour increments, may be given for classroom courses only at the provider's option.

(a) The provider may, but is not required to, give refunds for the portion of the course unattended. The provider's refund policy on partial attendance must be disclosed pursuant to the requirements of rule 3901-5-04(E)(6).

(b) If partial credit is given, the course participation fee must be paid to the department or its designee in the amount required as if the agent had attended the entire class.

(5) To qualify for CE credit, both the course and the provider must be approved by the superintendent.

(6) Credit hours awarded in one compliance period cannot be carried over or applied in any other compliance period.

(I) Credit for publication and instruction

(1) A person may receive up to ten hours CE credit per reporting period for the publication of articles or books authored by such person. Articles and books must deal with matters directly related to the business of insurance. An article must be published in a generally known and recognized state or national publication. The extent to which such credit may be given shall be at the discretion of the superintendent. A request for such credit must be made in writing and must be accompanied by proof of authorship and publication. Credit will be given only once for each approved article or book.

(2) CE credit may be allowed for the authors of written materials used in approved CE courses on a one-time per course basis. The author will be allowed the number of CE credit hours for which the course was approved. If there are multiple authors of the written course materials, no author will receive more than his or her pro rata share as determined by the provider. The total number of hours received by all authors for a course cannot exceed the total number of hours for which the course is approved. A request for such credit must be made in writing and must be accompanied by proof of authorship.

(3) Instructors for approved CE courses may receive CE credit for instructing courses. Credit may be given in an amount equal to two times the number of hours actually spent instructing a course. Credit will be given only once per course per compliance period.

(4) A person who authors materials for an approved course and teaches the same course in a compliance period may receive credit for authoring the written materials or instructing the course, but not for both activities in any one compliance period, subject to paragraph (H)(3) of this rule.

(J) Unfair and deceptive act or practice

The making of any misrepresentation, or any untrue, misleading or deceptive statement or assertion in support of or in connection with a request for an exemption, extension or for inactive status is an unfair and deceptive act or practice in the business of insurance.

(K) Severability

If any paragraph, term or provision of this rule is adjudged invalid for any reason, the judgment shall not affect, impair or invalidate any other paragraph, term or provision of this rule, and the remaining paragraphs, terms and provisions shall be and shall continue in full force and effect.

3901-5-02 Provider Approval

(A) Purpose

The purpose of this rule is to establish the procedure employed by the Ohio department of insurance in reviewing the application of entities described in division (C)(1) to (C)(5) of section [3905.484](#) of the Revised Code to be a provider of insurance continuing education courses.

(B) Authority

This rule is issued pursuant to the authority vested in the superintendent under section [3901.041](#), [3905.481](#), [3905.484](#) and [3905.486](#) of the Revised Code.

(C) Definitions

(1) "Authorized Provider Official" is the person designated by a provider as the individual responsible for the conduct of a continuing education course and that course's instructors, monitors, and the employees of the provider.

(2) "Provider" is any person permitted pursuant to division (C)(1) to (C)(5) of section [3905.484](#) of the Revised Code to offer continuing education courses.

(D) Application

(1) An application shall be made on a form prescribed by the superintendent and shall include the following:

(a) The name and address of the applicant.

(b) The type of provider.

(c) The name of the applicant's designated authorized provider official.

(d) An application for the approval of at least one course in the form established in rule [3901-5-03](#) of the Administrative Code.

(e) A statement that the applicant is in compliance with the Americans with Disabilities Act and all applicable state or federal EEO requirements.

(f) Any additional information requested by the superintendent.

(2) The department shall review all provider applications within sixty days of receipt.

(a) If the applicant submits an application that is incomplete or if the application lacks information deemed necessary by the department, the department will return the application with a letter indicating areas which must be addressed in order for the department to continue the approval process. The provider application fee will be returned to the provider for first time filing rejections. The filing fee will be retained by the department for any subsequent provider filings which are rejected. If the department does not receive a reply within thirty days of return of the application the filing will be terminated.

(b) If a provider's application is approved the provider will be notified in writing of this approval as a CE provider at the time the provider's first course is approved and will be assigned a provider number.

(3) A provider must apply for renewal of its provider status annually no later than November 15. At the time the provider applies for renewal it must submit at least one new or renewal course application.

(E) Authorized provider official

(1) An Authorized provider official is the individual responsible for obtaining continuing education provider approval, course approvals, verifying the qualifications of instructors, submitting instructor registration forms, providing course schedules, monitoring classroom attendance, administering examinations (where applicable), and submitting course completion rosters and fees to the department or its designee, and providing any other documents required by the department.

(2) An Authorized provider official may cause a facsimile signature stamp to be created and used for the purpose of providing signatures on provider rosters and completion certificates. An original signature and an example of the facsimile stamp must be provided to the department where it will be maintained on file. A

facsimile stamp will only be accepted by the department when it is in an ink other than black.

(F) Severability

If any section, term, or provision of this rule is adjudged invalid for any reason, the judgment shall not affect, impair or invalidate any other section, term or provision of this rule, but the remaining sections, terms and provisions, shall be and continue in full force and effect.

3901-5-03 Continuing Education Course Approval

(A) Purpose

The purpose of this rule is to establish a procedure for the review and approval of continuing education courses which licensed agents must complete for the purpose of maintaining their licenses.

(B) Authority

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

(C) Application

All requests for approval of a course must be made on a form in the manner prescribed by the superintendent and shall contain the following information.

(1) A description of: (a) The number of requested credit hours and length of the course. For purposes of this rule a credit hour must provide for no less than fifty minutes of instruction. Breaks, introductions, lunches, announcements, or other non- instruction time is to be excluded in calculating the credit hours requested. Each course shall be a minimum of one credit hour, and shall be in increments of whole or one-half credit hours.

(b) The lines of insurance to which the course relates.

(c) The purpose or objective of the course and how the material offered will increase the knowledge of insurance and related subjects for the participants.

(d) The names of the authorized provider officials as defined in rule 3901-5-02 of the Administrative Code.

(e) The course tuition and the provider's fee refund policy, which must conform to the requirements of rule 3901-5-04 of the Administrative Code.

(f) The method of presentation.

(g) The time, date, and location of the course, if known. If the course will be offered more than once, the date, time and location for each offering shall be provided, if known.

(2) A detailed content outline which contains a description of each topic to be covered by the course. This outline must specify the time components spent on each topic and the description must be sufficiently detailed to justify the request for each credit hour. The outline shall contain:

(a) The proposed time component.

(b) The specific material to be covered in each time component.

(c) The method of presentation employed for each component.

(d) The justification for the time allotted to each component to teach or instruct that component.

(3) A description of materials to be employed by the instructor in teaching the course including a copy of the promotional brochures currently in use or proposed to be used for the course once approved by the Department. All promotional material must include:

(a) The level of the course (i.e. introductory, intermediate, advanced).

(b) Information about the experience and qualifications of each instructor. In lieu of including this information in the materials, a provider may make it available upon request to any person.

(4) A description of how the course is to be administered including:

(a) The criteria used by the provider in selecting instructors.

(b) The method of verification of attendance or completion of the course.

(c) For self study (correspondence) courses, the time restrictions imposed by the provider upon the participants for the completion of the course.

(d) For self study courses, identification of the course and examination format as:

(i) On-line course with interactive chapter or section questions,

(ii) On-line course with on-line examination, or

(iii) On-line or paper course with mail-in examination.

(iv) Self study (any method) with proctored examination.

(v) Other formats as approved by the Superintendent.

(5) If course approval is being requested through the use of an approved multi-state form, the provider must submit the completed form and any required attachments as noted on the form.

(6) Any other information the superintendent may request.

(D) Standards for review of course application

(1) In order for a course to be approved by the Ohio Department of Insurance as an acceptable continuing education course, at a minimum, the course must:

(a) Be offered by an approved provider.

(b) Use the most recent policy forms filed in Ohio, editions, and laws to the extent possible.

(c) Have significant intellectual or practical content that enhances and improves the agent's insurance knowledge or professional competence. A course should be an organized program of learning dealing with matters directly related to insurance, the insurance industry, professional competence, ethical obligations, insurance office operations or management or similar subjects that will promote the purposes of this rule.

(d) Meet all other criteria set forth in this rule.

(E) Instructor qualification

(1) The authorized provider official is responsible for verifying that instructors meet the required minimum qualifications. Instructors must meet one of the following qualification categories:

(a) Qualification one: the instructor or speaker holds a post graduate degree in insurance or a related field, or has one of the following professional designations:

"Chartered Life Underwriter" ("CLU");

"Chartered Financial Consultant" ("ChFC");

"Fellow Life Management Institute" ("FLMI");

"Life Underwriting Training Council Fellow" ("LUTCF");

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

"Certified Insurance Counselor" ("CIC");

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

"Registered Employee Benefit Consultant" ("REBC").

(b) Qualification two: the instructor or speaker has four years experience as a full-time employee or licensed agent interpreting or explaining insurance policy contracts and in addition holds as one or more of the following designations:

"Certified Employee Benefits Specialist" ("CEBS");

"Certified in Long Term Care" ("CLTC")

"Certified Senior Advisor" ("CSA")

"Life Underwriting Training Council Graduate" ("LUTC Graduate");

"Fraternal Insurance Counselor" ("FIC");

"Associate in Underwriting" ("AU");

"Program General Insurance" ("INS");

"Accredited Advisor Insurance" ("AAI");

"Associate in Claims" ("AIC");

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

"Associate in Premium Auditing" ("AIPA");

"Associate in Management" ("AIM");

"Associate in Loss Control Management" ("ALCM");

"Associate in Premium Auditing" ("APA");

"Associate in Research and Planning" ("ARP");

"Associate in Insurance Accounting and Finance" ("AIAF");

"Associate in Marine Insurance Management" ("AMIM");

"Associate in Automation Management" ("AAM");

"Associate in Reinsurance" ("ARE");

"Associate in Fidelity and Surety Bonding" ("AFSB"); or

Associate or bachelor degree with a specialization in insurance.

(c) Qualification three: the instructor has seven years of relevant experience.

(2) A provider shall verify each instructor's relevant qualifications and shall be prepared to provide evidence of such qualifications to the department upon request.

(3) Instructors must be knowledgeable in the subject that they teach in a course.

(4) Instructors may receive CE credits for a course which they teach. A course shall be eligible for instructor's CE credits only once during a compliance period and the instructor may receive double the number of credit hours which they teach.

(5) Insurance company trainers as instructors must be full-time salaried employees of the insurance company sponsoring the course and must have as part of their full-time responsibilities the duty to provide insurance company training.

(6) College and university instructors may be full-time or adjunct faculty of the accredited college or university, must be teaching a curriculum course in his or her field of expertise, and must meet the requirements of the association that accredits the college or university.

(F) Review of application

(1) The department shall review each application within thirty days of the date of receipt of a complete application and appropriate fees. The effective date of a course approval shall be within the superintendent's discretion.

(2) If the provider submits a course application which is incomplete or if the application lacks information deemed necessary, the department may return the application with a letter indicating the areas which must be addressed in order for the department to continue the approval process. The course filing fee is non-refundable and non-transferable, and the department will retain the course filing fee. If the department does not receive a reply to this rejection letter within thirty days of the date of the letter, the filing may be terminated, and fee forfeited.

(3) Providers will be notified in writing of the approval of each course and of the course number assigned to it by the department. A course is approved from the date of approval until December thirty-first of the same year in which the course is approved. The course must be renewed on an annual basis in order for the provider to continue offering the course. An application for renewal shall be made by November fifteenth.

(4) Based upon a review of the application the Department of Insurance may approve a course for fewer credits than requested, and a provider shall only offer and award the number of credit hours as approved.

(G) Self-study courses

(1) A self-study course is defined for purposes of this section as any continuing education course which is completed by self study and which does not require a licensee to attend organized classes. A self-study course may be:

(a) An interactive on-line course which has at the end of each chapter or section a series of questions designed to test the student's subject matter knowledge of that chapter or section. The student shall not advance to the next chapter or section until the student has successfully answered all the questions for the previous chapter or section. The student may review the material in order to answer a question. An interactive on-line self-study course is not required to have a final examination.

(i) Interactive on-line courses must be designed so as to prevent the student from completing the course in a time unreasonably short when compared to the credit hour total approved for the course.

(b) A non-interactive on-line course which has a scored on-line final examination, or

(c) A non-interactive on-line or paper-based course which has a mail-in final examination.

(d) Any type of self study program with a proctored final examination.

(e) Other types of self study courses as the Superintendent may approve.

(2) In addition to providing all other information required pursuant to this rule, a provider shall include:

(a) for an on-line interactive course, the number of questions that appear at the end of each chapter or section, a sample of the questions, references from the questions back to the text if requested by the department, and a copy of the answer key for the sample questions; or

(b) for a course which requires a final examination, the number of examination questions which will appear on the student's examination, references from the examination back to the text if requested by the department, and a copy of the examination answer key with the application. The answer key shall indicate the total amount of credit possible for answering each question correctly. If essay questions are employed in the examination there must be an explanation as to how essay questions will be graded.

(3) The following are minimum requirements for on-line interactive chapter/section questions or final examinations:

(a) Multiple choice items must have a minimum of four options.

(b) Multiple choice items must have only one correct response.

(c) Multiple choice answers must be grammatically consistent and parallel in form to eliminate obviously wrong answers.

(d) No correct answer to one question shall provide a clue to the correct answer to any other questions in the chapter/section or examination.

(e) Questions shall be clearly written.

(f) Questions shall adequately cover the course material set out in the course outline.

(4) In order to obtain credit for a self-study course the licensee must either:

(a) Complete an interactive on-line course having answered one hundred percent of each chapter's/section's questions correctly; or

(b) Receive a grade of seventy percent or greater on the final examination.

(5) A final examination shall be administered only upon completion of the self-study course.

(6) Each student shall certify that he or she completed the course and, if applicable, the examination without assistance. If the examination is monitored, the provider or proctor may check ID to identify students.

(7) Details on how the examination materials are to be secured and returned to the provider shall be included in the instructions.

(H) Organization or association meeting credit

A state insurance professional association or organization that is an approved provider pursuant to rule 3901-5-02 and that is affiliated with a national association or organization may file a course application and roster for annual association meetings conducted by the national association or organization.

(1) The course application must be filed prior to the meeting.

(2) The method of attendance verification shall be determined by the provider.

(3) Fees

(a) No course fee shall be charged.

(b) The roster fee must be paid.

(l) Severability

If any paragraph, term, or provision of this rule is adjudged invalid for any reason, the judgment shall not affect, impair or invalidate any other paragraph, term or provision of this rule, but the remaining paragraphs, terms and provisions shall be

and continue in full force and effect.

3901-5-04 Market Practices/Audit

(A) Purpose

The purpose of this rule is to establish criteria, standards and procedures for providers of continuing education programs.

(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) Provider practices

(1) A course must be offered and presented as approved. The failure to do so may result in a denial of CE credit for the course.

(2) A provider must inform the department, in writing, of any change in a course's location, date or time no later than fifteen days prior to the course. Written notice of any other changes to a provider or course application must be given to the department no later than fifteen days subsequent to the effective date of the change. Notice of such changes must contain the activity number for each course.

(3) Providers may not change a course's content or outline without prior written approval of the department. Failure to obtain such written approval in advance of the course may result in a denial of CE credit for the course.

(4) An approved course must be in session on the date(s) scheduled, during the specified hours and at the designated location unless cancelled in accordance with paragraph (C)(5) of this rule or unless notification of any change is given to the department in accordance with paragraph (C)(2) of this rule.

(5) If an approved course is cancelled, or if a licensee 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 is conspicuously printed on the provider's materials.

(6) If a course is postponed to a later date or moved to a different location, the provider must offer each licensee who is scheduled to attend the option of a full refund in lieu of attending the class.

(7) A provider will comply with the EEO and the Americans with Disabilities Act.

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

(9) Facsimile or electronic transmission of filings required under this rule will not be accepted without prior authorization.

(D) Attendance rosters

(1) Each provider shall maintain accurate attendance records for each course.

Providers must obtain the licensees' signatures and appropriate verification of the time of arrival and departure.

(2) Within fifteen days after completion of a course, the provider shall file an attendance roster, or other documentation acceptable to the superintendent, which identifies each licensee who completed the course. The roster must include the name, address, and license identification number of each licensee. If partial credit is being given, the provider must note on the attendance roster the actual number of credits to be given to that licensee. The participation fee amount must be equal to the number of credits approved for the course.

(3) Instructors may receive double the number of credit hours which they taught. Any instructor for whom CE credit is sought shall also be identified on the attendance roster with a notation of the total number of credits that are to be given for the instruction. Providers must include a participation fee equal to the number of credits given to the instructor.

(4) The provider's failure to timely file an attendance roster, or other acceptable documentation, may result in a denial of CE credit for those licensees who attended the course.

(E) Advertising

(1) All CE advertising or promotion of any kind must contain all of the following:

(a) The complete name of the provider as it appears on the application for provider approval;

(b) The complete title of the course as it appears on the application for course approval;

(c) The number of Ohio CE credit hours for which the course is approved; and

(d) Whether an exam is required in order to receive CE credit.

(e) Level of course instruction (i.e. introductory, intermediate, advanced).

(2) A provider may not represent that a course has been approved for CE credit in Ohio until the superintendent issues written approval of course. A provider may represent that an application for CE approval is pending, but if a provider does so and approval is not granted, the provider must make a full refund of all fees. If a provider represents that approval is pending, the provider must also state, in substance, that the superintendent could approve the course for fewer hours than requested.

(3) A provider shall not offer any guarantee or represent that there is any guarantee that a licensee will pass a required examination.

(4) If several approved courses are offered together, all advertising and promotional materials must separately identify each approved course and the respective number of CE credit hours for which each course is approved.

(5) 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.

(6) A provider's refund policy must be clearly and conspicuously disclosed in all advertising and on all printed promotional materials.

(F) Audit

(1) The superintendent may audit a provider's records and courses at any time without prior notice.

(2) The instructors at an approved course may be required to provide proof of identity upon request during an audit of a course.

(G) Records retention

(1) Each provider shall retain all records which pertain to its Ohio CE activities for a minimum of four years.

(2) A provider must be able to verify who attended and completed each course for a minimum of four years following the completion of such course.

(H) Forms

(1) All forms required by this rule may be obtained from the Ohio Department of Insurance. The forms may be copied.

(2) Providers will receive a complete set of blank forms upon approval. Additional blank forms are available from the department on a limited basis. Providers who

make repeated requests for blank forms or requests for large quantities of blank forms may be charged a fee.

(I) Certificate of completion

A provider shall provide a certificate of completion to each licensee within seven days of the conclusion of a course. The certificate of completion shall contain the name and license number of the licensee, the name and identification number of the course, the date(s) the course was held, the number of credit hours completed by the licensee and the name and identification number of the provider. A representative of the provider shall sign each certificate.

(J) Severability

If any paragraph, term or provision of this rule is adjudged invalid for any reason, such judgment shall not affect, impair or invalidate any other paragraph, term or provision of this rule, and the remaining paragraphs, terms and provisions shall be and shall continue in full force and effect.

3901-5-05 Violations

(A) Purpose

The purpose of this rule is to establish what conduct may be a violation of Ohio statutes and rules that would subject the person to administrative actions.

(B) Authority

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

(C) Providers

The following are violations of the pre-licensing education and continuing education statutes and rules:

(1) Making any false, misleading or deceptive statement or representation about the status of a course approval, the number of hours for which a course is approved or any other statement about a course or provider. The penalty for a single violation is a forfeiture of five hundred dollars.

(2) The use of an unqualified instructor. The penalty for a single violation is a forfeiture of five hundred dollars.

(3) Failure to maintain all necessary records for the required time periods. The penalty for a single violation is a forfeiture of one hundred dollars.

(4) The use, submission or filing of any document for the purpose of complying with the agent education statutes and rules, or in responding to any inquiry from the department concerning agent education, when the provider knows or should know that the document, or any part of it, is false or deceptive. The penalty for a single violation is a forfeiture of one thousand dollars.

(5) Failure to use the approved course outline. The penalty for a single violation is a forfeiture of one hundred dollars.

(6) Failure to notify the department of allowable changes to any course, previously approved, within the fifteen day period for such changes. The penalty for a single violation is a forfeiture of fifty dollars.

(7) Failure to conduct the approved course for the full time, as specified in the course application. The penalty for a single violation is a forfeiture of one hundred dollars.

(8) Failure to monitor course attendance. The penalty for a single violation is a forfeiture of five hundred dollars.

(9) Failure to comply with applicable Americans with Disabilities Act and equal employment opportunity regulations. The penalty for a single violation is a forfeiture of one hundred dollars.

(10) Failure to provide timely refunds to participants when required. The penalty for a single violation is a forfeiture of one hundred dollars.

(11) Failure to file or the late filing of any form or other required information. The penalty for a single violation is a forfeiture of one hundred dollars.

(12) The failure to appropriately monitor an examination. The penalty for a single violation is a forfeiture of five hundred dollars.

(13) Obtaining the attendance or enrollment of licensees or students by actual or implied coercion. The penalty for a single violation is a forfeiture of five hundred dollars.

(14) The failure of a provider to timely provide a certificate of completion to an attendee or the failure of a provider to provide an attendee with an accurate certificate of completion. The penalty for a single violation is a forfeiture of two hundred dollars.

(15) Failure to accurately report the actual number of course hours attended for each individual. The penalty for a single violation is a forfeiture of five hundred dollars.

(16) The violation of any provision of rule 3901-5-01, 3901-5-02, 3901-5-03, 3901-5-04, 3901-5-06 or 3901-5-07 of the Administrative Code.

(D) Licensee

The following are violations of the pre-licensing education and continuing education statutes and rules:

(1) The use, submission or filing of any document or record for the purpose of complying with the agent education statutes and rules, or in responding to any inquiry from the department concerning agent education, when the person or licensee knows or should know that the document or record, or any part of the document or record, is false or deceptive shall be grounds for the superintendent to suspend, revoke, or refuse to issue any licenses as insurance agent.

(2) Obtaining, accepting or using any certificate of completion or certificate of attendance from a provider when the licensee has not attended the course or the number of hours identified on the certificate shall be grounds for the superintendent to suspend, revoke, or refuse to issue any licenses as insurance agent.

(3) Cheating or using unauthorized materials or receiving unauthorized assistance during an examination shall be grounds for the superintendent to suspend, revoke, or refuse to issue any licenses as insurance agent.

(E) Application of penalties

(1) The superintendent may suspend, revoke, non-renew or deny authority to any pre-licensing education or continuing education provider who has committed multiple violations of paragraph (C) of this rule. This penalty may be in addition to the forfeitures levied pursuant to paragraph (C) of this rule.

(2) The superintendent may, once a violation of paragraph (C) or (D) of this rule requiring a forfeiture has been found, suspend all or part of such forfeiture, upon a showing of mitigating circumstances.

(F) Severability

If any paragraph, term, or provision of this rule is adjudged invalid for any reason, the judgment shall not affect, impair or invalidate any other paragraph, term or provision of this rule, but the remaining paragraphs, terms and provisions, shall be and continue in full force and effect.

3901-5-06 Fees

(A) Purpose - The purpose of this rule is to establish the fees to be charged for certain services and transactions for the prelicensing and continuing education programs.

(B) Authority - This rule is issued pursuant to authority vested in the superintendent under section 3901.041, 3901.043 and 3905.481 to .486 of the Revised Code.

(C) Continuing education providers and course approval - schedule of fees

(1) Every continuing education provider shall pay the non-refundable fee established in paragraph (C)(2) of this rule. The fee is due with the submission of the provider application. Per course fees, where applicable, shall be submitted with the request for course approval. Every potential continuing education provider shall submit at least one program for approval with the application to be an authorized continuing education provider.

(2) The applicant shall select one of the fees listed below. If the status of the provider changes during the year and a different fee is due, the new fee will be in addition to the previous payments with no credit for the prior payments.

(a) Flat fee provider. The fee is one thousand dollars per year, which covers the application fee and the course approval fees for all courses approved during the year.

(b) Individual fee provider. The fee is one hundred dollars for approval of the provider application, plus forty dollars for each course approval.

(c) Limited fee provider. The fee is twenty-five dollars for approval of the provider application, plus twenty-five dollars for each course approved. A provider electing this status is limited to offering no more than three courses of no more than three hours each, during the year.

(D) Continuing education licensee participation - fee

(1) Filing of course roster, listing of all licensees enrolled for continuing education credit

\$1.00 per person/per course approved credit hour

(E) Continuing education licensee - schedule of fees

(1) Request for extension within allowable extension period \$100

(2) Reactivation of license suspended for CE \$300

(F) Pre-licensing education - schedule of annual, non-refundable fees

(1) Provider application	\$300.00
(2) Registration of each instructor	\$ 25.00
(3) Provider renewal fee	\$300.00
(4) Provider renewal fee for renewals received by the Department after December 31 of the year in which the previous approval expires.	\$500.00

(G) Miscellaneous fees

(1) Processing fee as a result of submitting any check, money order or other instrument which is returned to the department for insufficient funds, account closed or for any other reason.	\$ 30.00
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The superintendent may require a certified check from any licensee or provider whose check has been dishonored.

(H) Severability

If any section, term, or provision of this rule is adjudged invalid for any reason, the judgment shall not affect, impair or invalidate any other section, term or provision of this rule, but the remaining sections, terms and provisions, shall be and continue in full force and effect.