

Amendment Summary

AXXXX (Eichelberger)

<u>COMMITTEE:</u>	Banking and Insurance	<u>DATE:</u>	6/24/14
<u>PRIME SPONSOR:</u>	Eichelberger	<u>BILL NO:</u>	SB 1268
<u>PREPARED BY:</u>	Carlton Logue	<u>PRINTER'S NO:</u>	1955

Makes several technical changes to assure consistency with existing insurance laws.

Expands the scope of the bill to include all “Exchange Assistors,” including navigators, certified application counselors, or any other entity who provides public education or assists consumers for or on behalf of an exchange.

Clarifies applicants are required to complete an FBI criminal history check.

Requires the Insurance Department to maintain and make available to the public a searchable list of all registrants on its publicly accessible website.

Completely removes Section 4 (b) which states what a navigator may do.

Amends language in Section 4 (c) which states what a navigator may not do. The amendment removes most of the existing language in this section and replaces it with the following which was largely taken from the Insurance Department’s Notice 2013-009 pertaining to the sale, solicitation, and negotiation of insurance.

1. Sell, Solicit or Negotiate Insurance
2. Discuss the effect of age, health or other risk-related conditions of the prospective policyholder.
3. Urge or advise a prospective purchaser to buy a particular policy or to insure with a particular company.
4. Initiate sales over the telephone or otherwise.
5. Collect premiums
6. Make or propose to make an insurance contract.
7. Other than as necessary to inform a prospective purchaser of the availability of health insurance off the exchange, provide information or services related to health benefit plans or other products not other than those offered in the health insurance marketplace, shop exchange, the children’s health insurance program or product available through the social security act (49 stat. 620, 42 U.S.C. §301 et seq.).
8. Initiate an inquiry as to the terms of existing coverage
9. Discuss or describe the specific coverages or terms of a proposed contract of insurance with a prospective policyholder, including counseling as to which coverages to buy.

10. Recommend or initiate additions or deletions to an insured's policy.
11. Sign binders, endorsements and insurance policies.
12. Authorize the issuance or delivery of certificates of insurance, endorsements, binders or insurance policies on insurance identification cards.
13. Respond to a policyholder's request for advice or counsel regarding policy provisions or coverage.

Changes the title of Section 5 from "Powers of the Commissioner" to "Enforcement by Department." Furthermore, this section is altered to be consistent with the approach in Act 147, which includes due process. Also, penalty provisions are increased to be consistent with other laws (producer, public adjuster, UIPA)

Changes effective date to February 15, 2015 or the close of the 2015 open enrollment period.