

3901-5-02

~~Provider approval~~Continuing education provider.**(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 divisions (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~~ promulgated pursuant to the authority vested in the superintendent under sections 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 or business entity permitted to offer continuing education courses pursuant to divisions (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:~~ and shall include the appropriate fee based on the fee option selected on the application.
 - ~~(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~~ thirty 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~~ will be returned with a letter indicating the areas which must be addressed ~~in order for the department to continue before the approval review process will continue.~~ 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 requested information by the requested response date, the filing will be terminated considered abandoned. The provider application fee is non-refundable and non-transferable.
- (b) If a provider's application is approved, ~~the~~ a provider identification number will be assigned and the provider will be notified in writing of this the approval as a CE provider at the time the provider's first course is approved and will be assigned a provider number.
- (c) The initial approval of a provider shall be from the date of approval through the thirty-first day of December of the same year in which the approval was granted.
- (3) A provider ~~must~~ shall apply for renewal of its provider status ~~annually~~ no later than November ~~fifteenth~~ thirtieth each year. The department shall have thirty days to review any renewal application. At the time the provider applies for renewal it must submit at least one new or renewal course application.
- (a) If the applicant submits a renewal application that is incomplete or if the application lacks information deemed necessary by the department, the application will be returned with a letter indicating the areas which must be addressed before the review process will continue. If the department does not receive the requested information by the requested response date, the filing will be considered abandoned. The provider renewal fee is non-refundable and non-transferable.
- (b) The status of 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. The status of any active course connected with that provider will also automatically expire as of December thirty-first of the same year.

(c) Any provider whose authority has expired must reapply as a new provider before offering or holding any courses.

(E) Authorized provider official

(1) An authorized provider official is the individual responsible for the provider's compliance with the continuing education regulations. The authorized provider official is responsible for the provider's integrity and operation including the responsibility for obtaining continuing education provider approval, course approvals, verifying the qualifications of instructors, ~~submitting instructor registration forms,~~ providing course schedules (where applicable), 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) 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.

~~(2)~~(3) 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 paragraph, term, or provision of this rule is adjudged invalid for any reason, ~~the judgement~~ judgment shall not affect, impair or invalidate any other ~~section paragraph,~~ term or provision of this rule, but the remaining paragraphs, terms and provisions; shall be and continue in full force and effect.

Effective: 01/01/2011

R.C. 119.032 review dates: 08/31/2014

CERTIFIED ELECTRONICALLY

Certification

12/06/2010

Date

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| Promulgated Under: | 119.03 |
| Statutory Authority: | 3901.041, 3905.481, 3905.484, 3905.486 |
| Rule Amplifies: | 3905.481, 3905.484 |
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