

Rule Summary and Fiscal Analysis (Part A)**Department of Insurance**

Agency Name

Division

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3901-5-13

Rule Number

NEW

TYPE of rule filing

Rule Title/Tag Line

Insurance navigator certification and agent exchange requirements.**RULE SUMMARY**

1. Is the rule being filed consistent with the requirements of the RC 119.032 review? **No**

2. Are you proposing this rule as a result of recent legislation? **Yes**

Bill Number: **HB3**General Assembly: **130**Sponsor: **Rep. Sears**

3. Statute prescribing the procedure in accordance with the agency is required to adopt the rule: **119.03**

4. Statute(s) authorizing agency to adopt the rule: **3901.041, 3905.12, 3905.47, 3905.471**

5. Statute(s) the rule, as filed, amplifies or implements: **3905.471**

6. State the reason(s) for proposing (i.e., why are you filing,) this rule:

To set forth procedures and requirements for the certification of insurance navigators as recognized by the Department of Insurance as both individual and business entity.

7. If the rule is an AMENDMENT, then summarize the changes and the content of the proposed rule; If the rule type is RESCISSION, NEW or NO CHANGE, then summarize the content of the rule:

Sets out requirements for certification of insurance navigators, education requirements and renewal.

8. If the rule incorporates a text or other material by reference and the agency claims the incorporation by reference is exempt from compliance with sections 121.71 to 121.74 of the Revised Code because the text or other material is **generally available** to persons who reasonably can be expected to be affected by the rule, provide an explanation of how the text or other material is generally available to those persons:

Easily accessible via the internet and/or public library.

9. If the rule incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material electronically, provide an explanation of why filing the text or other material electronically was infeasible:

Not applicable.

10. If the rule is being **rescinded** and incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material, provide an explanation of why filing the text or other material was infeasible:

Not Applicable.

11. If **revising** or **refiling** this rule, identify changes made from the previously filed version of this rule; if none, please state so. If applicable, indicate each specific paragraph of the rule that has been modified:

Per JCARR#s request, application information is referenced in the rule and will be easily accessible on the Departments website. Added paragraphs (C)(5) and (C)(12) to this rule.

12. 119.032 Rule Review Date:

(If the rule is not exempt and you answered NO to question No. 1, provide the scheduled review date. If you answered YES to No. 1, the review date for this rule is the filing date.)

NOTE: If the rule is not exempt at the time of final filing, two dates are required: the current review date plus a date not to exceed 5 years from the effective date for Amended rules or a date not to exceed 5 years from the review date for No Change rules.

FISCAL ANALYSIS

13. Estimate the total amount by which *this proposed rule* would **increase / decrease** either **revenues / expenditures** for the agency during the current biennium (in dollars): Explain the net impact of the proposed changes to the budget of your agency/department.

This will have no impact on revenues or expenditures.

0.00

Not applicable.

14. Identify the appropriation (by line item etc.) that authorizes each expenditure necessitated by the proposed rule:

Not applicable.

15. Provide a summary of the estimated cost of compliance with the rule to all directly affected persons. When appropriate, please include the source for your information/estimated costs, e.g. industry, CFR, internal/agency:

A business entity applicant must comply with applicable disclosures and pay an application fee of no more than \$250 for an entity with less than 100 employed insurance navigators, a \$500 fee for an entity with 100 or more employed insurance navigators and applicable renewal fee not to exceed \$100 for an entity with less than 100 employed insurance navigators and a renewal fee not to exceed \$250 for an entity with 100 or more employed insurance navigators. Insurance navigator entity employees will also need to obtain a background check that depending on which vendor is used, will start at a total of \$71. Details can be found on the Department's web site.

16. Does this rule have a fiscal effect on school districts, counties, townships, or municipal corporations? **No**

17. Does this rule deal with environmental protection or contain a component dealing with environmental protection as defined in R. C. 121.39? **No**

S.B. 2 (129th General Assembly) Questions

18. Has this rule been filed with the Common Sense Initiative Office pursuant to R.C. 121.82? **Yes**

19. Specific to this rule, answer the following:

A.) Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? **Yes**

Certification is required in order to become an insurance navigator.

B.) Does this rule impose a criminal penalty, a civil penalty, or another sanction, or create a cause of action, for failure to comply with its terms? **No**

C.) Does this rule require specific expenditures or the report of information as a condition of compliance? **Yes**

An applicant must submit a disclosure form indicating any potential conflicts of interest. The applicant must submit to a criminal background check. The applicant must notify the Department of a criminal conviction within 30 days of the conviction. A business entity applicant must also comply with applicable disclosures and pay an application fee of no more than \$250 for an entity with less than 100 employed insurance navigators, a \$500 fee for an entity with 100 or more employed insurance navigators and applicable renewal fees not to exceed \$100 for an entity with less than 100 employed insurance navigators and a renewal fee not to exceed \$250 for an entity with 100 or more employed insurance navigators.