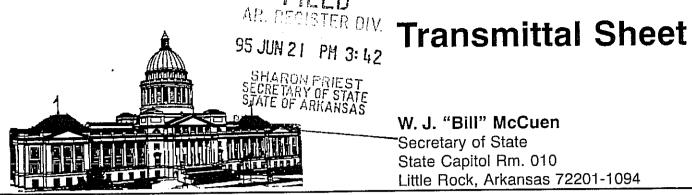
ARKANS REGISTER



W. J. "Bill" McCuen Secretary of State State Capitol Rm. 010 Little Rock, Arkansas 72201-1094

For Office Use Only: Effective Date <u>6</u> /	21/95 Code Number 054.00.95 602	
Name of Agency Arkansas Insurance Department		
Department Legal Division		
Contact Person <u>Jean Langford</u> , 686-2999 et 509.		
Statutory Authority for Promulgating Rules ACA 88 33-61-108, 25-15-201, 33-76-120		
Intended Effective Date Emergency	Legal Notice Published	
20 Days After Filing	Final Date for Public Comment 7-20-95	
Other	Filed With Legislative Council of animantin 6-26-95	
on after 6-21-95 upon statutory	Reviewed by Legislative Council	
upon statutory	Adopted by State Agency . P. Mergency (1-21-95	
CERTIFICATION OF AUTHORIZED OFFICER		
I Hereby Certify That The Attached Rules Were Adopted In Compliance with Act 434 of 1967 As Amended.		
<u> Ve</u>	Signature Signature	
<u>Ch</u>	iet Counsel	
	6-21-95 Date	

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2 3	EMERGENCY CONTRACTOR OF THE PROPERTY OF THE PR
<i>-</i> 4	RULE AND REGULATION 35 95. MALE
5	AGENT LICENSE FOR HEALTH MAINTENANCE
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10 11	SECTION
12	1. Purpose
13	2. Authority
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15	4. Applicability and Scope
16	5. Definitions
17	6. License Qualifications
18	7. Fees
19	8. Term of License
20	9. Revocation and Suspension of License
21 22	10. Severability
	SECTION 1. PURPOSE
24	DECTION I. TOLE OFF
25	The purpose of this Emergency Rule is to set the standards and
26	guidelines under which agents for Health Maintenance Organizations
21	("HMO") can be licensed by the State of Arkansas.
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	SECTION 2. AUTHORITY: EMERGENCY ADOPTION
30	The sutherity for this Toronto.
32	The authority for this Emergency Rule is the power given to the
33	Insurance Commissioner for the State of Arkansas by Ark. Code Ann. §§23-61-108, 23-76-120, and the emergency adoption provisions of the
34	Administrative Procedure Act, §25-15-204 (b), et seq.
35	204 (b), et seq.
36	SECTION 3. EFFECTIVE DATE: EMERGENCY
37	
38	It is hereby declared that the immediate adoption of this Rule is
29	necessary to implement and clarify the provisions of Ark. Code Ann.
40 41	§23-76-120, as to nonresident HMO agent licensure. Immediate adoption
42	is necessary to prevent imminent peril to the public health, safety or
43	welfare to the citizens of this State. Therefore the provisions of this Emergency Rule shall become effective immediately upon signature by the
44	Commissioner and filing. The Emergency Rule shall expire one hundred
45	and twenty (120) days from its effective date, unless sooner replaced
46	with a permanent Rule adopted by the Commissioner after public notice
47	and a hearing.

49 SECTION 4. APPLICABILITY AND SCOPE

51 This Emergency Rule shall apply to all persons engaged in the business 52 of marketing contracts, soliciting enrollments, or offering memberships 53 with a Health Maintenance Organization.

1 SECTION 5. DEFINITIONS 2 3 "Agent" means any person who engages in solicitation and a) 4 enrollment for any Health Maintenance Organization, but shall 5 · exclude any salaried officer or employee who has duties that are primarily administrative and who receives no commission 6 7 for applications taken or enrollments made. 8 9 b) "Applicant" means any person, firm or corporation who has 10 applied for a certificate of authority as Maintenance Organization. 11 12 13 SECTION 6. LICENSE QUALIFICATIONS Every person applying for an agent license shall be qualified as 15 a) 16 follows: 17 18 (1)Must be of legal age. 19 Must be a resident of this state or a licensed non-resident. 20 (2) 21 22 (3) Must be appointed by a licensed Health Maintenance Organization or an applicant for said license. 23 24 25 (4) Must be deemed by the Commissioner to be competent, trustworthy, financially responsible and of good personal and 26 27 business reputation. 28 29 (5) Must pass such written examination as required by the 30 Commissioner. 31 32 SECTION 7. FEES 33 There shall be a Thirty Dollar (\$30.00) examination fee paid to the 34 a) 35 Commissioner prior to the examination, and a \$30.00 retake fee. 36 There shall be a Twenty-Five Dollar (\$25.00) licensing fee paid to 37 b) the Commissioner for the issuance of an agent's license. 38 39 40 c) There shall be a Twenty-Five Dollar (\$25.00) renewal fee paid to the Commissioner for the renewal of an agent's license. 41 42 There shall be a Thirty-five Dollar (\$35.00) regulatory fee (ALF fee) due annually from each licensee per Commissioner's Rule 57. 44 45 46 SECTION 8. TERM OF LICENSE 47 48 Every license issued under this Emergency Rule shall be valid for the 49 calendar year when issued and must be renewed annually. Licenses will 50 be renewed when the Department receives written notice and agent 51 appointments from the HMO of its intent to have its agents' licenses 52 continued. 53 54 55 56 57

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