

**Policies and Procedures
For Compliance With
South Dakota's Insurance Producer's
Continuing Education Program**

PROVIDER MANUAL

**Continuing Education Program
Department of Labor and Regulation
South Dakota Division of Insurance
124 South Euclid Avenue, 2nd Floor
Pierre, SD 57501-2000
605.773.3946**

<http://dlr.sd.gov/insurance/>

Revised 1-22-2020

NEW PROVIDER

To become a provider in South Dakota you will need a provider number to submit course applications online through Sircon. Please e-mail the pertinent information listed below to jo.mikkelsen@state.sd.us.

Provider Name:

FEIN#:

Address:

City, State, ZIP:

Contact Person:

E-mail address:

Phone:

Fax:

Website:

You will then be given a provider number which you will use to file applications electronically.

ELECTRONIC SUBMISSIONS

The South Dakota Division of Insurance processes continuing education courses electronically at www.sircon.com. Sircon enables you the ability to:

- Submit course applications and attach Microsoft Word or Adobe PDF supporting documents.
- Pay course application and renewal fees on-line
- Update subsequent course offering locations and dates
- Create course completion certificates for producers (not required unless requested by a student)
- Process course attendance rosters by encoding or uploading course attendance information
- Renew CE courses every two years.

To use Sircon Corporation services, you will need to register (annual subscription required). Upon registering, you will be asked to provide your Federal Employer Identification Number (FEIN). If you do not have an FEIN; you may obtain one from the Internal Revenue Service.

Information on electronic submissions through Sircon, see www.sircon.com

COURSE INFORMATION

REQUIREMENTS FOR CONTINUING EDUCATION COURSE APPROVAL

REQUIREMENT:

Only courses which impart substantive and procedural knowledge relating to the insurance field will be approved for credit.

Each application must be accompanied by a course or seminar topic and timed outline; and a \$25 application fee (non-refundable).

WHEN:

Providers must submit their courses electronically for approval to Sircon at least thirty (30) days in advance of the scheduled date of the course (unless filed under the Midwest Zone Agreement – see Page 3). The thirty (30) days will be calculated from the electronic post on Sircon.

COURSE APPROVALS:

Courses shall be approved electronically. Course Completions must be processed through Sircon within 14 days of completion of the entire course.

No course may be offered for less than the approved number of continuing education credits.

No credit may be issued to a participant who does not attend the entire continuing education course unless a written appeal is made to the director showing good cause as to why the course could not be attended in its entirety.

Approved courses remain active for two years and must be renewed every two years.

Self-study courses shall contain an exam which shall be graded by the provider or a third party. No credit shall be given for a failing grade.

No course shall be approved for more than the Producer's continuing education credit (CEC) requirement in a two-year period, in each qualification.

One CEC shall consist of 50 minutes of qualifying classroom instruction.

TOPIC OUTLINE:

A topic outline shall list and summarize each topic covered in the course. A list of topics covered, with no other details, is not an acceptable topic outline. If substantial changes have been made in a course that has received prior approval, the content of the course shall be refiled with the Continuing Education Coordinator.

The provider shall file the course offering electronically through Sircon providing the location and date of a prior approved course fourteen (14) days in advance of the course. Failure to do so may cause approval for that offering to be withdrawn.

ARSD 20:06:18:07. Unapproved course subject matter. The director will not approve the following course subject matter for continuing education credit:

- (1) Automation;
- (2) Clerical functions;
- (3) Computer science;
- (4) Courses or presentations on computer skills or software;

- (5) Compliance courses from the Financial Industry Regulatory Authority, U.S. Securities and Exchange Commission, or National Association of Securities Dealers on investments including stocks, bonds, and mutual funds;
- (6) Courses that are primarily intended to impart knowledge of specific products of specific insurers;
- (7) Customer service;
- (8) General management training;
- (9) Goal-setting;
- (10) Health, stress, or exercise management;
- (11) Marketing or telemarketing;
- (12) Motivational training;
- (13) Company and vendor-specific product launches;
- (14) Office skills or equipment or procedures;
- (15) Organizational procedures and internal policies of an individual insurer;
- (16) Personal improvement;
- (17) Prospecting;
- (18) Psychology;
- (19) Relationship building;
- (20) Restoration courses promoting products or services;
- (21) Sales training;
- (22) Service standards or service vendors;
- (23) Time management; and
- (24) Other topics or courses not related to insurance knowledge or the competence of the licensee.

This list does not limit the director's authority to disapprove any application which fails to meet the standards in this chapter for course approval.

ARSD 20:06:18:08. Approved course subject matter.

(1) The director may approve the following insurance-related course subject matter for continuing education credit:

- (a) Actuarial mathematics, statistics, and probability;
- (b) Assigned risk;
- (c) Claims adjusting;
- (d) Courses leading to and maintaining insurance designations;

- (e) Employee benefit plans;
- (f) Errors and omissions;
- (g) Estate planning or taxation;
- (h) Ethics;
- (i) Fundamentals or principles of annuity contracts, crop and hail, life, accident and health, or property and casualty insurance;
- (j) Insurance accounting or actuarial considerations;
- (k) Insurance contract or policy comparison and analysis;
- (l) Insurance fraud;
- (m) Insurance laws, rules, regulations, and regulatory updates;
- (n) Insurance policy provisions;
- (o) Insurance product-specific knowledge;
- (p) Insurance rating, underwriting, or claims;
- (q) Insurance tax laws;
- (r) Legal principles;
- (s) Long-term care/partnership;
- (t) Loss prevention, control, and mitigation;
- (u) Managed care;
- (v) Principles of risk management;
- (w) Proper uses of insurance products;
- (x) Real Estate Settlement Procedures Act;
- (y) Restoration courses regarding claims, loss control issues, and mitigation;
- (z) Retirement planning;
- (aa) Securities;
- (bb) Suitability in insurance products;
- (cc) Surety bail bond;
- (dd) Underwriting principles; and
- (ee) Viatical or life settlements.

(2) The director may approve other topics that contribute substantive knowledge relating to the field of insurance and expands the competence of the licensee. Courses that meet the subject matter criteria as required by this section include the following:

- (a) Any registered program of the Certified Financial Planner Board of Standards, Inc. that fulfills the educational requirement leading to the CERTIFIED FINANCIAL PLANNERTM certification awarded by the Certified Financial Planner Board of Standards, Inc.;

- (b) The Certified Insurance Counselor (CIC) program;
- (c) The Chartered Financial Consultant (ChFC) program;
- (d) The Chartered Life Underwriters (CLU) program;
- (e) The Chartered Property Casualty Underwriters (CPCU) program;
- (f) The Fellow Life Management Institute (FLMI) program;
- (g) The Fraternal Insurance Counselors (FIC) program;
- (h) The Insurance Institute of American (IIA) program;
- (i) The Life Underwriters Training Course (LUTC) program;
- (j) The National Association of Security Dealers (NASD) Series 6, 7, 24, 26, 63,65 and 66 Program;
- (k) The Registered Health Underwriters (RHU) program;
- (l) Insurance related courses offered by an accredited college or university whether taken by correspondence or class attendance, for the number of CEC hours assigned by the director;
- (m) Any graduate courses of the programs listed in this section.

A licensee who studies independently for any part of the courses listed in this section shall receive credit whether or not a passing grade is received. If the licensee fails the course, credits for that part of the course may not again be awarded until the licensee receives a passing score.

Source: 12 SDR 106, effective December 30, 1985; 12 SDR 151, 12 SDR 155, effective July 1, 1986; 15 SDR 143, effective March 29, 1989; 19 SDR 160, effective April 27, 1993; 25 SDR 13, effective August 9, 1998; 31 SDR 67, effective November 14, 2004; 32 SDR 128, effective January 29, 2006; 46 SDR 65, effective November 25, 2019.

General Authority: SDCL [58-30-117](#).

Law Implemented: SDCL [58-30-117](#), [58-30-118](#).

ADVERTISING:

Continuing education courses shall not be advertised in any manner or form as approved unless approval has been granted in writing. All advertising related to an approved course shall contain the following information:

- Course Title
- Approved provider of the course
- Qualification for which the course is approved (life/health, property/casualty, crop/hail, or general)
- Number of approved continuing education credits
- A brief summary or outline of the course content. A more detailed outline must be made available at no charge upon written request to anyone requesting a copy.

Courses which are advertised prior to formal approval, but after application has been made, shall contain the following statement or a substantially similar statement: "Application has been made for continuing education credit; however, this does not guarantee approval."

The provider shall maintain for two years a roster of all class participants who completed each approved continuing education offering. The roster shall be the original sign-in sheets for each course offering. The sign-in sheets will consist of the original signature and producer number of each class participant.

COURSE APPLICATIONS - MIDWEST ZONE AGREEMENT:

All Applications for Course Approval must be filed through Sircon at least 14 days in advance of the first scheduled course date.

Each application shall contain:

- Midwest Zone Standard Continuing Education Filing Form
- Copy of the course approval letter from your home state
- Non-refundable \$25 application fee per course
- Timed Outline

All additional course dates and locations shall be submitted electronically through Sircon at least fourteen (14) days in advance of the offering date for each previously approved course. This filing should be submitted on the Sircon for state site. There is no fee required for this filing.

The maximum number of hours that can be approved in South Dakota is 10 hours in the L/H and P/C Category, 4 hours in the Crop Category. Maximum Company sponsored hours is 5 in each category, except Crop which is 4.

GUIDELINES FOR ONLINE COURSES:

Goal: To deliver functional computer-based internet courses that offer quality insurance and/or risk management material in a password-protected online environment.

Key Components:

- Material that is current, relevant, accurate, and that includes valid reference materials, graphics and interactivity
- Clearly defined objectives and course completion criteria
- Specific instructions to register, navigate and complete the course work
- Technical support/provider representative be available during business hours
- Process to authenticate student identity
- Method for measuring the student's successful completion of course material and for evaluating the learning experience
- Process for requesting and receiving CE course-completion certificate

Final Assessment (exam) Criteria:

- Minimum of 25 questions for courses of 4 hours or less and a score of 70% or greater to qualify for CE credit
- Minimum of 50 questions for courses that are 5 hours or more and a score of 70% or greater to qualify for CE credit

- At least enough questions to fashion a minimum of 2 versions with a least 50% of questions being new/different in each subsequent version
- Inability to print the exam or to launch the exam prior to reviewing material

Acceptable Procedures to determine Appropriate Number of Credit Hours:

Method A

- 600-700 words (standard font size) = one text page
- Textbooks/workbooks/other printed material - one credit for every 15 pages
- 3 screens with an aggregate total of approximately 600-700 words - one text page
- 45 screens - one hour of credit
- Divide total screens by 45 - total number of credit hours
- Multiply number of hours by 1.00 for a basic level course; 1.25 for an intermediate level; 1.50 for an advanced course for additional study" time= total number of credit hours (fractional hours rounded up if .50 or above and rounded down if .49 or less)

Method B

- Divide total number of words by 180 (documented average reading time) = number of minutes to read material
- Divide number of minutes by 50 = credit hours
- Multiply number of hours by 1.00 for a basic level course; 1.25 for an intermediate level; 1.50 for an advanced course for additional study time = total number of credit hours (fractional hours rounded up if .50 or above and rounded down if .49 or less)

Method C

- Course that is part of a nationally recognized professional designation
- Credit hours equivalent to hours assigned to the same classroom course material

The Division will want to know if the producer can modify exam questions or if the response from the producer is final.

The provider must permit the Division access to all courses and exams by assigning us access ID codes or passwords. The Division will deny approval of any courses which do not permit us full access. This information must be submitted with each course application.

GUIDELINES FOR WEBINAR PROCEDURES:

1. How does an individual sign up for the webinars?
 - a) Individuals will sign up for the webinars by going to the provider's web site
 - b) They go through the registration process and then be signed up for the webinar
 - c) When this has been completed, they will receive their login information that they will utilize to attend the seminar

2. Pre-Webinar instructions and protocol for participants to qualify for CE sent to them electronically prior to the meeting.
 - a) Each participant is sent instructions as to what they must do in order to qualify for CE credit
 - b) All participants must be accessible to the monitor and instructor at all times
 - c) They are told that they must both register and sign into the webinar to visually watch the instruction and must call in to the number provided to them
 - d) They can either call by telephone or use a microphone and speakers on their computer
3. Pre-Webinar materials sent to the participants
 - a) Participants will be sent instructions on how to download the materials from the website
 - b) Participants will be sent a sign in sheet that they must complete at the end of the class which they will scan and send into the email address provided
4. Webinar introductory slides that provide webinar instructions to the participant
 - a) One of the webinar monitors begins all of the webinars with a series of slides that explain the requirements for all participants regardless of what state they are licensed in
 - b) The monitor will explain that all participants are on mute during the session
 - c) The monitor will familiarize them with their control panel emphasizing that they have both a chat area and a question area where they can submit a question in writing during class and that the presenter will take questions in the order they are submitted.
 - d) They are told that the presenter will ask them to answer polling questions from time to time throughout the lecture. The monitor then performs an example poll requesting all attendees to participate in the test
 - e) The presenters and monitors can see all of the participants in the control panel and can see when the poll is answered. If during the test anyone does not answer the poll monitor will notify them telling them that they must comply
 - f) The monitor can tell by the color displayed on the screen of their communication choice (either phone or microphone) that they have chosen if they have called in. If the communication device appears gray the individual has not called in. If the communication device is green they are on live chat and can be called upon. If they are gray, the monitor will immediately chat with them to call the webinar
 - g) The monitor will instruct the participants that they must be attentive at all times during the presentation. The monitor will advise them that they and the presenter can see them, by an indication of an exclamation point by their name, that they are inattentive. If they have another screen open or are doing another application rather than watching the presentation this will be indicated. The monitor will advise them that they will not qualify for CE if they are digitally inattentive.
5. How will the participants be monitored during the presentation process?
 - a) The software program for the presentation has a reporting system that indicates when the participants sign –in and monitors the length of time they stay connected
 - b) It is the monitor’s responsibility to make sure certain that all participants are “actively” listening. If they have an exclamation point next to their name the monitor will communicate with them
 - c) Participants can also ask the instructor questions in real time and post-webinar

- d) At the end of the session, the webinar platform provides a report at the end of the session that shows the percentage of active time each participant has in the class.
- e) It is the responsibility of the proctor to make certain the participant is attentive at all times
- f) In the group setting the audio must be activated so that everyone in the group can be called upon
- g) At the end of the session, the instructor will post final polling questions
- h) At the end of the session, all participants are invited to stay on the line to ask questions of the instructor

6. Post Webinar Procedures for qualifying for CE

- a) All participants must send in (scan) their sign in sheet with their signature attesting to the fact they attended the seminar in its totality
- b) The monitor will review the reports and verify that attendees participated in polls.
- c) The protector will email in their Webinar Affidavit and Proctor Form
- d) In state that require exams:
 - i) Exams will be administered "on line" immediately following the session
 - ii) The exams will be multiple choice and/or true/false and based on the material presented
 - iii) The participant will complete the exam and automatically be uploaded in the system
 - iv) The participant must score at least 70% on the exam in order to qualify for CE

7. Post Seminar Submission Protocols

- a) Following the webinar all of the information relating to the participants will be uploaded into the various state's systems
- b) All forms will be retained as required by state specifications

8. How will the instructor know when the student has signed out?

- a) All students must stay in session until the instructor ends the session.
- b) Their attendance is recorded and displayed in the post course reporting.

INSTRUCTOR REQUIREMENTS AND RESPONSIBILITIES:

Instructor application must be submitted electronically through Sircon.

The instructor shall possess one of the following qualifications:

- Three years of recent experience in the subject area being taught;
- A degree or designation related to the subject area being taught; or
- Two years of recent experience and 60 hours of course work in the subject area being taught.

RESPONSIBILITIES:

The instructor shall provide the students with current and accurate information pertaining to the subject matter of the approved course outline.

The instructor or provider shall monitor the attendance of the students throughout the course.

COURSE COMPLETION:

The provider shall provide at the request of a student a Certificate of Course Completion upon completion of the course.

The instructor or provider shall maintain a roster of all class participants who completed the course. The roster will be the original sign-in-sheets for each course offering. The sign-in sheets will consist of the original signature and producer license number of each class participant.

Roster attendees are to be encoded or uploaded on Sircon within 14 days of the conclusion of each class offering where South Dakota producers are in attendance.

PROVIDER DISCIPLINARY ACTION:

The director may approve or disapprove providers or instructors. Each provider is responsible for the actions of its instructors. Providers and instructors shall conduct themselves in a professional manner and may not offer or teach any course not approved by the director or not complying with any insurance statute or rule, may not deviate from approved course outlines, and may not misrepresent any course material or other information.

If the director determines that a course provider or instructor has violated the above provisions, the director may withdraw approval of the course provider or instructor or may order a refund of course fees to licensees who attended the course, or both. The director may also refuse to approve courses conducted by specific providers or instructors if the director determines that past offerings by those providers or instructors have not been in compliance with insurance continuing education laws or rules.

To view a copy of the Laws (SDCL 58-30-114 through 58-30-123) or Administrative Rules (Chapter 20:06:18) pertaining to continuing education see <http://www.sdlegislature.gov/>

If you have any questions regarding the continuing education rules and regulations, please contact the Continuing Education Coordinator:

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