



Annual Report
(Pursuant to New York Insurance Law § 214)

Report on Insurance Agent Licensing Examinations
2012

By
New York State Department of Financial Services
Benjamin M. Lawskey
Superintendent

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I. Introduction

On May 21, 2008, Governor David A. Paterson signed Chapter 77 of the Laws of 2008 into law. Chapter 77 amended the New York Insurance Law to require the Superintendent of Insurance to collect certain information from those persons taking insurance agent licensing examinations, and to perform a study of the insurance agent licensing examinations. Specifically, Chapter 77 added a new Insurance Law § 2103(f)(3), which requires the Superintendent to request that an applicant taking an insurance agent licensing examination set forth his or her: (1) full name, residence address, business address and mailing address; (2) gender; (3) age; (4) education level; (5) race or ethnicity; and (6) native language. The examination must also include a clear and unambiguous statement that the applicant is not required to disclose his or her gender, native language, highest level of education achieved and race or ethnicity, and that the New York State Insurance Department will use the information for statistical purposes only. The NYS Insurance Department subsequently merged with the Banking Department in October, 2011 and is now known as the Department of Financial Services (“Department”).

Chapter 77 also added a new Insurance Law § 214, which requires the Superintendent to perform a study of the insurance agent licensing examinations required by Insurance Law § 2103. The study must include, at a minimum, the total number of examinees, the passing rate of all examinees, and the mean scores on the examinations. In addition, the study must examine the correlation between the aforementioned items and “the applicants’ native language, level of education, gender, race and ethnicity.” The Superintendent must complete the study by January 1st of each year, except that pursuant to a recent amendment to the law, the Superintendent must complete the study by March 15 of each year starting in 2012.

Chapter 77 of the Laws of 2008 went into effect September 2008. This report has been developed in accordance with Insurance Law § 214.

II. Demographic Information and Report

A. Demographic Information

In accordance with Insurance Law § 2103(f)(3), the registration form for an insurance agent licensing examination sets forth six optional demographic questions. The questions are multiple choice, and ask the applicant to identify his or her gender, age, education level, race, ethnicity, and native language as follows:

Gender: Female; Male; unspecified; I decline to participate;

Age: under 18; 18-24; 25-29; 30-34; 35-39; 40-44; 45-49; 50-54; 55-59; 60-64; 65 and over; unspecified; I decline to participate;

Education: high school or GED; some college; 2-year college degree (associate’s); 4-year college degree (BA - BS); master’s

degree; doctoral degree; unspecified; I decline to participate;

Race: American Indian and Alaska Native; Asian; Black or African American; Native Hawaiian and Other Pacific; White; Two or more races; unspecified; I decline to participate;

Ethnicity: American/Canadian; Chinese; Cuban; Dutch; English; Filipino; French; German; Irish; Italian; Japanese; Korean; Mexican; Polish; Puerto Rican; Russian; Scottish; Swedish; Vietnamese; other Asian; other European; other Hispanic or Latino; unspecified; I decline to participate; and

Native Language: Arabic; Chinese; English; French; German; Italian; Korean; Polish; Russian; Spanish; Tagalog; Vietnamese; unspecified; I decline to participate.

An applicant may not leave any demographic question blank – he or she must specify an answer. Therefore, if the applicant does not wish to participate in the study, then he or she must choose “I decline to participate.” If an applicant believes that his or her gender, race, education, age, ethnicity, or native language is not specified, then he or she may choose “unspecified.”

B. Demographic Report

At the Department’s request, the Department’s testing vendor provided the Department with a demographics report for the period January 1, 2011 through December 31, 2011, a copy of which is attached hereto. The demographic report sets forth certain statistics for each licensing examination. Specifically, it sets forth the total number of examinees, passing rate, and average score¹ for each licensing examination broken down further by gender, age, education, race, ethnicity and native language.

Overall, 38% of examinees did not identify their age, gender, race, education, ethnicity, and native language.² Therefore, the Department bases its observations on the answers of the 62% of examinees who voluntarily provided the foregoing information.

III. Department’s Observations

As a preliminary matter, the Department does not employ statisticians. Therefore, the Department makes observations in this report based only upon the statistics set forth in the demographics report.

¹ The figures set forth under “average score” represent the average number of questions answered correctly.

² With regard to the English language examinations, 38% of examinees chose not to participate by electing “unspecified” or “I decline to participate” in response to the demographic questions, while 62% of examinees chose to participate. Further, 40% of the examinees taking the Spanish language examinations chose not to participate, while 60% chose to participate.

A. **Life Insurance Agent/Broker**

5,337 applicants registered and sat for the life insurance agent/broker examination (#10-51). The examination consists of 100 questions, and an examinee must answer 70 questions correctly to pass. Of the 5,337 applicants who sat for the examination, the passing rate for all examinees was 57.34%, and the average number of questions answered correctly for all examinees was 69.79.

1. **Gender**

4,996 examinees identified their gender. Those examinees who identified themselves as male had a higher passing rate (57.13%) and average score (70.87) than those who identified themselves as female (51.92% and 68.81, respectively).

2. **Education**

3,176 examinees identified their education level. Those examinees who identified themselves as having a 4-year college degree had the highest passing rate (70.28%), followed by those having a doctoral degree (68.97%) and those with a master's degree (68.38%). Those examinees who identified themselves as having a doctoral degree had the highest average score (75.24), followed by those who identified themselves as having a master's degree (75.08) and those with a 4-year college degree (74.58). Those examinees who identified themselves as having a high school diploma or GED had the lowest passing rate (36.48%) and average score (63.94).

3. **Race**

2,607 examinees identified their race. Those examinees who identified themselves as Native Hawaiian and Other Pacific had the highest passing rate (70.0%), followed by those who identified themselves as White and as American Indian and Alaskan Native (68.31% and 62.5%, respectively). Those examinees who identified themselves as White had the highest average score (74.9), followed by those who identified themselves as Native Hawaiian and Other Pacific (73.1) and Two or more races (69.55). Those who identified themselves as Asian had the lowest passing rate (46.43 %) and average score (66.34).

4. **Ethnicity**

2,483 examinees identified their ethnicity. Those examinees who identified themselves as Swedish and Vietnamese had the highest passing rate (100.0%), followed by those who identified themselves as Irish and German (77.08% and 76.92%, respectively). Those who identified themselves as Swedish had the highest average score (86.67), followed by those who identified themselves as Vietnamese (81.4) and German (76.23). The examinees who identified themselves as French had the lowest passing rate (26.32%) and those identifying themselves as Other Hispanic or Latino had the lowest average score (65.79).

5. **Native Language**

2,918 examinees identified their native language. The examinee who identified his or her native language as Korean had the highest passing rate (100.0%), followed by those who identified their native language as English (60.22.0%) and Vietnamese (55.56%). The examinee who identified his or her native language as Korean had the highest average score (77.0), followed by the examinees who identified their native language as English (71.7) and Vietnamese (71.6). The examinee who identified his or her native language as German had the lowest passing rate (0.00%) and the lowest average score (56.0).

B. **Accident and Health Insurance Agent/Broker**

2,466 applicants registered and sat for the accident and health insurance agent/broker licensing examination (#10-52). The examination consists of 100 questions, and an examinee must answer 70 questions correctly to pass. Of the 2,466 applicants who sat for the examination, the passing rate for all examinees was 43.96%, and the average number of questions answered correctly for all examinees was 67.38.

1. **Gender**

1,972 examinees identified their gender. Those examinees who identified themselves as male had a higher passing rate (52.28%) and average score (69.53) than those who identified themselves as female (40.48% and 66.72, respectively).

2. **Education**

1,065 examinees identified their education level. Those examinees who identified themselves as having a doctoral degree, master's degree and 4-year college degree had the highest passing rates (76.92%, 71.82% and 60.29%) and average scores (78.77, 74.46 and 71.31, respectively). Examinees who identified themselves as having a high school diploma or GED had the lowest passing rate (34.38%) and the lowest average score (65.57).

3. **Race**

881 examinees identified their race. Those examinees who identified themselves as Native Hawaiian and Other Pacific had the highest passing rate (66.67%), followed by those who identified themselves as Asian (62.64%) and White (62.35%). With regard to average score, those who identified themselves as White had the highest average score (72.09), followed by those who identified as American Indian and Alaska Native (72.0) and those who identified as Asian(71.98). Those examinees who identified themselves as Black or African American had the lowest passing rate (39.74%) and average score (66.78).

4. **Ethnicity**

871 examinees identified their ethnicity. Examinees who identified themselves as French, Russian, Vietnamese and Scottish had the highest passing rate (100.0%), followed by

those examinees who identified themselves as Filipino (75.0%) and Chinese (73.43%). Those examinees who identified themselves as Russian had the highest average score (78.43), followed by those who identified themselves as Scottish (77.5) and Vietnamese (75.0). Those examinees who identified themselves as Mexican had the lowest passing rate (25.0%), while the examinees who identified themselves as Other Hispanic or Latino had the lowest average score (65.74).

5. Native Language

1,029 examinees identified their native language. The examinees who identified their native languages as Arabic and German had the highest passing rate (100.0%), followed by the examinees identified as Russian (85.71%) and Chinese (67.27%). The examinee who identified his or her native language as German had the highest average score (81.0), followed by those examinees who identified their native language as Chinese (73.09), and Arabic (72.0). Those examinees who identified their native languages as Polish had the lowest passing rate (20.0%) and those examinees who identified their native language as Italian had the lowest average score (54.0).

C. Property and Casualty Insurance Agent

949 applicants registered and sat for the property and casualty insurance agent licensing examination (#10-53). The examination consists of 150 questions, and an examinee must answer 105 questions correctly to pass. Of the 949 applicants who sat for the examination, the passing rate for all examinees was 59.96%, and the average number of questions answered correctly for all examinees was 107.3.

1. Gender

901 examinees identified their gender. Those examinees who identified themselves as male had a higher passing rate (65.56%) and average score (108.79), than those who identified themselves as female (55.83% and 100.78, respectively).

2. Education

651 examinees identified their education level. The examinees who identified themselves as having a 4-year college degree had the highest passing rate (79.66%), followed by those examinees who identified themselves as having a master's degree (79.25%), and those having a doctoral degree (71.43%). Those examinees who identified themselves as having a master's degree had the highest average score (116.28), followed by those who identified themselves as having a doctoral degree (115.71) and a 4-year college degree (114.08). Those examinees who identified themselves as having a high school diploma or GED had the lowest passing rate (40.48%) and average score (99.21).

3. Race

604 examinees identified their race. Those examinees who identified themselves as White, Two or More Races or Asian, had the highest passing rates (66.06, 64.0% and 62.22%)

and average scores (110.33, 108.4 and 107.22, respectively). The examinees who identified themselves as American Indian and Alaska Native had the lowest passing rate (0.0%) and average score (84.0).

4. **Ethnicity**

551 examinees identified their ethnicity. The examinees who identified themselves as Vietnamese, Swedish and Scottish, had the highest passing rate (100.0% each) and the highest average scores (135.0, 125.0 and 124.67, respectively). The examinees who identified themselves as Russian had the lowest passing rate (33.33%) and those who identified themselves as Puerto Rican had the lowest average score (92.5).

5. **Native Language**

651 examinees identified their native language. The examinees who identified their native language as French, Polish, Tagalog and Vietnamese had the highest passing rate (100.0% each), followed by those who identified their native language as Chinese (66.67%) and English (66.55%). The examinees who identified their native language as Vietnamese also had the highest average score (135.0), followed by the examinees who identified their native language as Polish (130.0) and French (115.67). The examinees who identified their native language as Spanish had the lowest passing rate (32.5%) and the lowest average score (99.5).

D. **Personal Lines Insurance Agent/Broker**

1,572 applicants registered and sat for the personal lines insurance agent/broker licensing examination (#10-54). The examination consists of 100 questions, and an examinee must answer 70 questions correctly to pass. Of the 1,572 applicants who sat for the examination, the passing rate for all examinees was 60.62%, and the average number of questions answered correctly for all examinees was 72.02.

1. **Gender**

1,094 examinees identified their gender. Those examinees who identified themselves as male had a higher passing rate (60.52%) and average score (71.66) than those examinees who identified themselves as female (45.11% and 67.88, respectively).

2. **Education**

811 examinees identified their education level. Those examinees who identified themselves as having a doctoral degree, a master's degree and a 4-year college degree had the highest passing rates (100.0%, 85.19% and 68.91%) and average score (86.0, 76.67 and 72.91, respectively). Those examinees who identified themselves as having some college had the lowest passing rate (36.39%) and those who identified themselves as having a high school diploma or GED the lowest average score (66.03).

3. **Race**

671 examinees identified their race. The examinees who identified themselves as Asian had the highest passing rate (57.14%), followed by those examinees who identified themselves as White (56.29%) and Black or African American (48.28%). The examinees who identified themselves as Black or African American had the highest average score (70.45), followed by those who identified themselves as White (69.99) and Asian (69.40). The examinees who identified themselves as American Indian or Alaskan Native had the lowest passing rate (25.0%) and those identifying themselves as Native Hawaiian and Other Pacific had the lowest average score (62.0).

4. **Ethnicity**

691 examinees identified their ethnicity. Those examinees who identified themselves as French, Mexican, Swedish and Other European had the highest passing rates (100.0%), followed by those who identified themselves as Chinese (75.0%) and American/Canadian (61.59%). The examinees who identified themselves as Swedish had the highest average score (82.0), followed by those who identified themselves as French (81.0) and Other European (77.29). The examinees who identified themselves as Russian had the lowest passing rate (16.67%), while the examinees who identified themselves as Puerto Rican had the lowest average score (61.53).

5. **Native Language**

797 examinees identified their native language. The examinees who identified their native language as Polish had the highest passing rate (100.0%), followed by those examinees who identified their native language as Chinese (61.54%) and English (52.16%). The examinees who identified their native language as Polish had the highest average score (75.0), followed by those who identified their native language as Chinese (71.23) and English (69.19). The examinee who identified his or her native language as Italian had the lowest passing rate (0.0%), while the examinees who identified their native language as Korean had the lowest average score (59.67).

E. **Life, Accident, and Health Insurance Agent/Broker**

10,618 applicants registered and sat for the life, accident, and health insurance licensing examination (#10-55). The examination consists of 150 questions, and an examinee must answer 105 questions correctly to pass. Of the 10,618 applicants who sat for the examination, the passing rate for all examinees was 55.64%, and the average number of questions answered correctly for all examinees was 105.34.

1. **Gender**

9,986 examinees identified their gender. Those examinees who identified themselves as male had a higher passing rate (58.0%) and average score (106.13) than those examinees who identified themselves as female (52.7% and 104.43, respectively).

2. **Education**

6,865 examinees identified their education level. Those examinees who identified themselves as having a doctoral degree, a master's degree or 4-year college degree had the highest passing rates and average scores (17.12, 113.26 and 109.13, respectively). Those who identified themselves as having a high school diploma or GED had the lowest passing rate and average score (39.78% and 99.8, respectively).

3. **Race**

6,180 examinees identified their race. Those examinees who identified themselves as White had the highest passing rate (65.23%), followed by those who identified themselves as Two or more Races (54.83%), and Asian (51.81%). Those examinees who identified themselves as White had the highest average score (109.28), followed by those who identified themselves as Two or more Races (104.63) and those who identified themselves as Asian (103.22). Further, those examinees who identified themselves as American Indian and Alaskan Native had the lowest passing rate (31.25%) and average score (95.75).

4. **Ethnicity**

5,614 examinees identified their ethnicity. Those examinees who identified themselves as Dutch had the highest passing rate (100.0%), followed by those who identified themselves as Scottish (86.67%) and Swedish (76.92%). Those examinees who identified themselves as Dutch also had the highest average score (116.0), followed by those who identified themselves as Scottish (114.53) and German (111.46). Those examinees who identified themselves as Japanese had the lowest passing rate (16.67%) and average score (95.78).

5. **Native Language**

6,515 examinees identified their native language. Those examinees who identified their native language as Vietnamese had the highest passing rate (100.0%), followed by those who identified their native language as Polish (75.0%) and Italian (68.75%). The examinees who identified their native language as Vietnamese had the highest average score (114.0), followed by those who identified their native language as English (108.1) and Italian (108.06). The examinees who identified their native language as Arabic had the lowest passing rate (26.67%), and the lowest average score (89.67).

F. **Bail Bond Agent**

43 applicants registered and sat for the bail bond agent licensing examination (#10-59). The examination consists of 60 questions, and an examinee must answer 42 questions correctly to pass. The passing rate for all examinees was 69.77%, and the average number of questions answered correctly was 43.84.

1. **Gender**

43 examinees identified their gender. Those examinees who identified themselves as male had a higher passing rate (71.43%) and average score (43.93) than those who identified themselves as female (66.67% and 43.67, respectively).

2. **Education**

25 examinees identified their education level. The examinees who identified themselves as having a 4-year college degree and a 2-year college degree had the highest passing rate (100.0%), followed by the examinees who identified themselves as having some college (73.33%) and high school diploma or GED (50.00%). Those examinees who identified themselves as having a 4-year college degree had the highest average score (50.25), followed by those having a 2-year college degree (48.0), and those with a some college (45.0). The examinees who identified themselves as having a high school diploma or GED had the lowest passing rate (50.0%) and the lowest average score (41.5).

3. **Race**

20 examinees identified their race. The examinees who identified themselves as two or more races and Black or African American had the highest passing rate (100.0%), followed by those who identified themselves as White (86.67%). The examinee who identified himself or herself as two or more races had the highest average score (51.0), followed by those who identified themselves as Black or African American (47.25) and White (47.13). The examinees who identified themselves as White had the lowest passing rate (86.67%), and the lowest average score (47.13).

4. **Ethnicity**

20 examinees identified their ethnicity. The examinees who identified themselves as American/Canadian, Irish and Puerto Rican had the highest passing rate (100.0%) followed by those who identified themselves as Other Hispanic and Latino (66.67%) and Italian (60.0%). Those examinees who identified themselves as Puerto Rican had the highest average score (52.0), followed by those who identified themselves as Irish (51.5), and American Canadian (49.0). Those who identified themselves as Italian had the lowest passing rate (60.0%) and the lowest average score (42.6).

5. **Native Language**

22 examinees identified their native language. The examinees who identified their native language as English had the highest passing rate (85.0%) and average score (46.9). Those who identified themselves as Spanish had the lowest passing rate (50.0%) and the lowest average score (38.5). These were the only two Native Languages identified for this exam.

G. **Mortgage Guaranty Agent**

One applicant registered and sat for the mortgage guaranty agent licensing examination (#10-60). The examination consists of 40 questions, and an examinee must answer 28 questions correctly to pass. The passing rate for this examinee was 100.0%, and the number of questions answered correctly was 34.0.

1. **Gender**

This examinee identified herself as female.

2. **Education**

This examinee identified her education level as some college.

3. **Race**

This examinee identified her race as White.

4. **Ethnicity**

This examinee identified her ethnicity as American/Canadian.

5. **Native Language**

This examinee identified her native language as English.

H. **Life Insurance Agent/Broker – Spanish**

290 applicants registered and sat for the Spanish version of the life insurance agent/broker licensing examination (#10-75). The examination consists of 100 questions, and an examinee must answer 70 questions correctly to pass. Of the 290 applicants who sat for the examination, the passing rate for all examinees was 14.83%, and the average number of questions answered correctly for all examinees was 57.04.

1. **Gender**

275 examinees identified their gender. Those examinees whom identified themselves as male had a higher passing rate (19.54%) and average score (58.07) than those whom identified themselves as female (12.77% and 56.38, respectively).

2. **Education**

166 examinees identified their education level. Those examinees who identified themselves as having a 4-year college degree had the highest passing rate (25.93%), followed by those who identified themselves as having some college (19.05%) and those with a 2-year

college degree (14.29%). Those examinees who identified themselves as having a 4-year college degree had the highest average score (62.56), followed by those who identified themselves as having some college (57.48), and a high school diploma or GED (56.09). Examinees who identified themselves as having a high school diploma or GED had the lowest passing rate (11.11%), while those examinees who identified themselves as having a 2-year college degree had the lowest average score (54.14).

3. **Race**

60 examinees identified their race. Those examinees whom identified themselves as two or more races had the highest passing rate (44.44%) followed by those who identified themselves as Asian (20.0%) and White (11.11%). Examinees who identified themselves as two or more races had the highest average score (69.33) followed by those who identified themselves as Asian (62.6) and White (55.93). The examinee who identified himself or herself as Black or African American had the lowest passing rate and average score (0.00% and 36.0, respectively).

4. **Ethnicity**

158 examinees identified their ethnicity. Those examinees who identified themselves as American/Canadian had the highest passing rate (50.0%), followed by those identifying themselves as Mexican (20.0%) and Other Hispanic or Latino (14.67%). Examinees who identified themselves as American/Canadian also had the highest average score (65.5), followed by those who identified themselves as Other Hispanic or Latino(57.61) and Puerto Rican (57.0). Those examinees who identified themselves as Puerto Rican had the lowest passing rate (0.00%) and those identified as Mexican the lowest average score (54.0).

5. **Native Language**

184 examinees identified their native language. 183 identified their native language as Spanish, 1 as English. The passing rate for the Spanish language examinees was 15.85% and their average score was (57.78). The examinee identifying his or her Native Language as English did not pass the exam and had an average score of (32.0)

I. **Life, Accident, and Health Insurance Agent/Broker – Spanish**

13 applicants registered and sat for the Spanish version of the life, accident, and health insurance agent/broker licensing examination (#10-77). The examination consists of 150 questions, and an examinee must answer 105 questions correctly to pass. Of the thirteen applicants who sat for the examination, no examinee passed the exam. The average number of questions answered correctly for all examinees was 83.92.

1. **Gender**

Thirteen examinees identified their gender. None of these passed the exam. The eight examinees who identified themselves as male had the highest average score (89.75), compared to the five examinees who identified themselves as female (74.6).

2. **Education**

Ten examinees identified their education level. None of these passed the exam. The examinees with a 4-year college degree, followed by those having a 2-year college degree and those having some college had the highest average scores (88.86, 83.0 and 82.0, respectively).

3. **Race**

Two examinees identified their Race. Neither one passed the exam. The examinee who identified him or herself as Two or more races had the highest average score (83.0) followed by the examinee who identified himself or herself as White (75.0).

4. **Ethnicity**

Eleven examinees identified their ethnicity. None passed the exam. All of these examinees identified themselves as Other Hispanic or Latino and had an average score of 86.09.

5. **Native Language**

Thirteen examinees identified their native language. None passed the exam. The seven examinees who identified their native language as English had an average score of 88.86 followed by the examinees who identified their Native Language as Spanish (78.17).

J. **Accident and Health Insurance Agent/Broker – Spanish**

No applicants registered for the Spanish version of the accident and health insurance agent/broker licensing examination (#10-76).

IV. **Conclusion**

Generally, based on those who provided demographic data, male examinees and those examinees with higher education levels performed better on the agent licensing examinations than female examinees and examinees with lower education levels. There was notable improvement in the overall demographic question response rate for all examinees. The overall demographic question response rate for 2009 was 47%, increasing in 2010 to 50%, but increasing markedly to 62% for 2011. The response rate for those who sat for Spanish language examinations continues to improve. In 2009 the response rate was 28%, increasing to 56% in 2010 and 60% in 2011. However, the number of candidates completing Spanish language examinations has steadily decreased from 955 in 2009 to 663 in 2010 to only 303 in 2011.

The response rate for those completing English language examinations in 2009 was 48%, increasing to 59% in 2010 and 62% in 2011.

Finally, the average pass rate for all examinations increased from 49.5% in 2009 to 52.1% in 2010, to 53 % in 2011.