

**NEW YORK STATE
DEPARTMENT OF FINANCIAL SERVICES
SIXTH AMENDMENT TO 11 NYCRR 20
(INSURANCE REGULATIONS 9, 18, AND 29)**

BROKERS, AGENTS AND CERTAIN OTHER LICENSEES - GENERAL

I, Adrienne A. Harris, Acting Superintendent of Financial Services, pursuant to the authority granted by Sections 202 and 302 of the Financial Services Law and Sections 301, 2108(r), and 2132 of the Insurance Law, do hereby promulgate the following Sixth Amendment to Part 20 of Title 11 of the Official Compilation of Codes, Rules and Regulations of the State of New York (Insurance Regulations 9, 18, and 29), to take effect 30 days after the publication of the Notice of Adoption in the State Register, to read as follows:

(ALL MATERIAL IS NEW)

A new section 20.7 is added as follows:

§ 20.7 Continuing education requirements.

(a) For purposes of this section:

(1) *Diversity, inclusion, and elimination of bias instruction* means courses or programs of instruction and seminars related to being a licensee that include implicit and explicit bias; equal access to justice; serving a diverse population; diversity and inclusion initiatives in the insurance industry; and sensitivity to cultural and other differences when interacting with clients, potential clients, or other members of the public.

(2) *Enhanced flood insurance instruction* means courses or programs of instruction and seminars related to being a licensee and the sale of flood insurance through the NFIP that include instruction on NFIP coverage, limits, and rates, including coverage for dwellings in urban environments; annual updates to the NFIP; measures to improve flood insurance affordability; the impact of climate change on flood risk and the NFIP; and the NFIP claims process, including the role of adjusters. *Enhanced flood insurance instruction* shall not include the minimum training requirements of section 207 of the Flood Insurance Reform Act of 2004 or basic flood education as outlined or published by the Federal Emergency Management Agency.

(3) *Ethics and professionalism instruction* means courses or programs of instruction and seminars related to a licensee that includes a licensee's professional obligations to clients and potential clients; the sources of a licensee's professional obligations, such as the Insurance Law and regulations promulgated thereunder and court decisions; recognition and resolution of ethical dilemmas; the mechanisms for enforcing professional norms; substance abuse control; and professional values, such as professional development, improving the profession, and the promotion of fairness, justice, and morality.

(4) *Flood insurance instruction* means courses or programs of instruction and seminars related to a licensee and the sale of flood insurance through the NFIP, including the minimum training requirements of section 207 of the Flood Insurance Reform Act of 2004 and basic flood education as outlined or published by the Federal Emergency Management Agency.

(5) *Insurance Law instruction* means courses or programs of instruction and seminars related to a licensee that include an overview of the provisions of the Insurance Law and regulations promulgated thereunder that are relevant to a licensee, such as Insurance Law sections 2102, 2114, 2115, 2116, 2117, 2119, 2120, 2122, 2324, 4224, and 6409, Insurance Law Article 26, this Part, and Parts 25, 30, 34, 35, and 224 of this Title.

(6) *Licensee* means a person who or that is licensed under Insurance Law article 21 and subject to the continuing education requirements set forth in Insurance Law article 21.

(7) *NFIP* means the National Flood Insurance Program.

(b) Of the 15 credit hours of instruction that a licensee shall complete in accordance with Insurance Law article 21, the licensee shall satisfactorily complete courses or programs of instruction or attend seminars, as the superintendent may approve, that provide:

(1) at least one hour of Insurance Law instruction;

(2) at least one hour of ethics and professionalism instruction;

(3) at least one hour of diversity, inclusion, and elimination of bias instruction;

(4) at least one hour of flood insurance instruction, if the licensee is licensed to sell one or more lines of property/casualty insurance; and

(5) at least three hours of enhanced flood insurance instruction, if the licensee sells flood insurance through the NFIP.

(c) The requirements set forth in subdivision (b) of this section shall apply to a licensee whose license renews on or after April 1, 2022.



KATHY HOCHUL
Governor

Department of Financial Services

ADRIENNE A. HARRIS
Acting Superintendent

CERTIFICATION

I, Adrienne A. Harris, Acting Superintendent of Financial Services, do hereby certify that the foregoing is the Sixth Amendment to Part 20 of Title 11 of the Official Compilation of Codes, Rules and Regulations of the State of New York (Insurance Regulations 9, 18, and 29), signed by me on September 28, 2021, pursuant to the authority granted by Financial Services Law Sections 202 and 302 and Insurance Law Sections 301, 2108(r), and 2132, to take effect 30 days after the publication of the Notice of Adoption in the State Register.

Pursuant to the provisions of the State Administrative Procedure Act, prior notice of the proposed rule was published in the New York State Register on July 7, 2021. No other publication or prior notice is required by statute.

Signed copy filed with Department of State
Adrienne A. Harris
Acting Superintendent of Financial Services

Date: September 28, 2021