

**RULES AND REGULATIONS OF  
THE INSURANCE COMMISSIONER**

**CHAPTER 120-2  
RULES OF COMMISSIONER OF INSURANCE**

**SUBJECT 120-2-3  
REGULATIONS REGARDING AGENTS, SUBAGENTS, COUNSELORS,  
ADJUSTERS, SURPLUS LINES BROKERS AND AGENCIES**

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**Rule 120-2-3-.05. Licensure of Agencies**

(1) For the purposes of O.C.G.A. § 33-23-3, a principal office of an agency shall be defined as the primary location of an agency or agency organization with multiple locations. An agency or organization with multiple locations seeking licensure must designate one agency location as the principal office of such organization. ~~A branch office of an agency shall be defined as all other locations of the agency or agency organization.~~

(2) In order to be eligible for an agency license issued in accordance with Chapter 23 of Title 33 of the Official Code of Georgia Annotated and this Regulation, the applicant must make proper application to the Commissioner and pay all required fees.

(3) In accordance with O.C.G.A. § 33-23-3, an application for an agency license must be accompanied by the appropriate form containing the designation of the principal office of the agency. ~~For filings regarding an agency branch office location, the name and address of the agency's principal office location will be required.~~

(4) Each principal office ~~and branch office~~ shall remit the fee prescribed in O.C.G.A. § 33-8-1 with the agency licensing application. Effective July 1, 2012, all new agency licenses will be issued on a biennial basis.

(5) Each agency location must have at least one licensed agent whose primary place of business is that agency location.

(6) A business entity must be licensed as an agency if it employs an individual who is required to be licensed as an agent pursuant to O.C.G.A. § 33-23-1 et seq. and this Regulation, and such individual is selling, soliciting, or negotiating insurance on behalf of that business entity.

(7) The lines of authority of an agency cannot be greater than the lines of authority held by the agent or agents whose primary place of business is that agency location.

(8) An agency license does not eliminate the need for an agent license for any individual that

sells, solicits, or negotiates insurance.

**(9) License renewal:**

~~(a) All agency licenses issued prior to July 1, 2012 expire on December 31 of the year issued; an agency is required to renew the license prior to expiration on forms prescribed by the Commissioner. The appropriate fee as prescribed in O.C.G.A. § 33-8-1 must accompany the renewal application.~~

~~(b)~~(a) The appropriate fee as prescribed in O.C.G.A. § 33-8-1 must accompany the renewal application. Beginning July 1, 2012, upon renewal, all agency licenses will be converted to a biennial license.

~~(e)~~(b) Agency may file a late renewal with appropriate late fee within 15 days of the expiration date of the agency license.

**(10)** A licensed entity under Chapter 3 of Title 7 of the Official Code of Georgia Annotated shall be deemed licensed under this Regulation.

**(11)** The license issued in accordance with this Rule must be available for public inspection in the agency location.

**Authority: O.C.G.A. §§ 33-2-9, 33-8-1, 33-23-1, 33-23-2, 33-23-3, 33-23-44, 50-13-21.**

**Rule 120-2-3-.48. Navigator and Georgia Access Specialist**

(1) No person shall act as a Navigator, as defined in O.C.G.A. § 33-23-201(3), without first obtaining a license to act as such from the Commissioner.

(2) The Commissioner may not issue a Navigator license to any applicant until such applicant has:

(a) Submitted an application on forms provided by the Commissioner. Such form shall include an acknowledgement from the applicant that such applicant understands that a Navigator license is not alone sufficient to sell, solicit, or negotiate insurance in the State of Georgia;

(b) Submitted a résumé listing the applicant's educational background and experience related to the functions of a Navigator;

(c) Successfully completed not less than 35 hours of instruction;

(d) Passed an exam as required by the Commissioner;

(e) Attained the age of 18;

(f) Submitted electronic fingerprints through a vendor selected by the Department to run criminal background checks. The applicant shall bear the cost for electronic fingerprinting; and

(g) Submitted proof satisfactory to the Commissioner that such applicant (or such applicant's sponsoring entity) has been approved by the State authorities, by being awarded a grant or otherwise, to act as Navigator, as defined in O.C.G.A. § 33-23-201(3).

(3) Each license shall expire August 31.

- (4) In determining whether any applicant has satisfied the pre-licensing education requirement set forth in subparagraph (d) of paragraph (2) of this regulation. Up to 25 hours of pre-licensing training may consist of education provided by approved provider provided that the applicant submits documentation, satisfactory to the Commissioner that the applicant has, in fact, spent the amount of time requested engaged in pre-licensing training. If the applicant completes 25 hours of navigator training, the remaining 10 hours must be satisfied by completing the 10 hour Navigator prelicensing course through an approved provider.
- (5) The Commissioner may not renew a Navigator license until such applicant has:
- (a) Submitted a license renewal on forms prescribed by the Commissioner;
  - (b) License renewals are due on or before the August 31 expiration date;
  - (c) Failure to file the required license renewal form shall result in the expiration of the license.
  - (d) Completed 10 hours of Continuing education; hours must be completed annually on or before the expiration date of the license. Up to 10 hours of Continuing Education may consist of education provided by approved provider provided that the licensee submits documentation, satisfactory to the Commissioner that the licensee has, in fact, spent the amount of time requested engaged in training.
  - (e) Submitted proof satisfactory to the Commissioner that such applicant (or such applicant's sponsoring entity) has been approved, by being awarded a federal grant or otherwise, to act as a Navigator.
- (6) Georgia Access Specialist means an individual who is employed by or affiliated with a Certified Application Counselor Designated Organization and is ~~certified~~licensed and trained by the State of Georgia to assist consumers, small businesses, and their employees as they compare options and apply for health coverage through Georgia Access. Georgia Access Specialists are not permitted to enroll consumers into a health plan and are not allowed to provide specific health plan advice. These individuals are required to be unbiased, and their services are free to consumers.
- (7) No person shall act as a Georgia Access Specialist without first obtaining a ~~certification~~license to act as such from by the Commissioner.
- (8) The Commissioner may not issue a Georgia Access Specialist ~~certification~~license to any applicant until such applicant has:
- (a) Submitted an application on forms provided by the Commissioner. Such form shall include an acknowledgement from the applicant that such applicant understands that a Georgia Access Specialist ~~certification~~license is not alone sufficient to sell, solicit, or negotiate insurance in the State of Georgia;
  - (b) Completed Georgia Access Certification Training;
  - (c) Passed an exam as required by the Commissioner;
  - (d) Submitted a Counselor Designation Organization Affiliation form;
  - ~~(e) Completed annual registration on Sireon for which no fee shall be collected.~~
  - ~~(f)~~(e) Submitted a Citizenship Affidavit;
  - ~~(g)~~(f) Attained the age of 18.
- (9) The Commissioner may not renew a Georgia Access Specialist ~~certification~~license until

such applicant has:

- (a) Submitted a ~~certification~~License renewal on forms prescribed by the Commissioner;
- (b) ~~Certification~~License renewals are due on or before the August 31 expiration date;
- (c) Failure to file the required ~~license~~certification renewal form shall result in the expiration of the ~~license~~certification.

(10) Each Georgia Access Specialist ~~license~~certification shall expire on August 31.

**Authority: O.C.G.A. §§ 33-2-9, 33-8-1, 33-23-5, 33-23-5.1, 33-23-9, 33-23-10, 33-23-44, 33-23-200, 33-23-201, 33-23-202, 33-23-203, 33-23-204, 33-23-205.**