Producer Licensing Reform Implementation FAQ

Questions about the contents of this document can be addressed to the Kansas Insurance Department Producer Licensing Division at 785-296-7862 or KID.Licensing@ks.gov. Additional information can be found at https://insurance.kansas.gov/producer-licensing/. Updated 11/12/2021.

When are the changes in SB 37 effective?
SB 37 is effective July 1, 2021. However, portions of the bill do not go into effect until January 1, 2022.

Effective July 1, 2021:

For Agents:
- The licensing renewal date changes from the agent’s birthday to the last day of the agent’s birth month, in an even or odd year, depending on whether they were born in an even or odd year.
- Self-study/online type continuing education courses will no longer require a proctor (monitor) for the exam portion.
- Producers (agents) will be required to keep a current email address on file with the Department.
- The six-month waiting period for retaking an examination after a third or subsequent failure is removed.
- Agents will be required to wait two years to reapply after revocation of a license.
- Public adjusters will now be fingerprinted as part of their application and required to complete 18 hours of continuing education, three of which must be ethics.

For other entities (Agencies and Companies): (Resident and nonresident unless noted.)
- An insurance company will no longer be required to file appointments for business entities (agencies). Current business entity (agency) appointments will be canceled and removed from Department records.
- Current agency-affiliated producer (agent) appointments will be converted to direct individual producer (agent) company appointments without additional cost.
- New individual producer (agent) appointments and terminations must be processed through National Insurance Producer Registry (NIPR).
- Business entities (agencies) will no longer be required to proactively report affiliated licensed producers (agents) to the Department.
- A complete list of current company appointments and insurance producer (agent) affiliations must be provided within 30 days of a request by the Department.
- Business entities (agencies) must keep a current email address on file with the Department.
- Business entities (agencies) are no longer required to license each location or DBA separately.
- Business entities (agencies) must keep the Designated Responsible Licensed Producer (DRLP) current with the Department and report any change to the DLRP within 30 days.
- Updated contact information, regulatory action, disciplinary action, or termination for cause must be reported to the Department within 30 days.
- Nonresident business entities (agencies) license renewal date will change to the last day of the original month in which it was issued its license, in an even or odd year, depending on whether the license was issued in an even or odd year.

Effective January 1, 2022:

For Agents:
- Resident producers (agents) will be required to renew their licenses through the National Insurance Producer Registry (NIPR).
- Resident producer (agents) must pay a $4.00 biennial license renewal fee.
- Updated contact information, regulatory actions, termination for cause and new convictions must be reported to the Department within 30 days.
- Resident producers (agents) who hold a major line of authority will be required to complete a total of 18 hours of continuing education biennially, three of which must be ethics.
- The limitation on the number of continuing education hours that can be insurance agency management hours is removed.
- Resident producers (agents) who hold a pre-need ONLY line of authority must affirm and provide certification from an officer of each insurance company that has appointed the producer (agent) that shows the producer (agent) has transacted no other insurance business during the renewal period.

For other entities (Agencies):
- Resident business entities (agencies) will be required to:
  - Renew their license biennially, through the National Insurance Producer Registry (NIPR), on the last day of the original month in which the entity (agency) was issued its license in an even or odd year, depending on whether the license was originally issued in an even or odd year.

Will any regulations change as a result of SB 37?
The Department is seeking changes to the following regulations.
- K.A.R. 40-7-7 (amendments)
- K.A.R. 40-7-9 (revocation)
- K.A.R. 40-7-11 (amendments)
- K.A.R. 40-7-13 (amendments)
- K.A.R. 40-7-20a (amendments)
- K.A.R. 40-7-22 (revocation)
- K.A.R. 40-7-23 (revocation)
- K.A.R. 40-7-25 (revocation)

The Department will follow the process outlined by statute to make regulatory changes. If a conflict arises between the current version of a regulation and the amended statutes, the statute will control. Please check the following link:
https://insurance.ks.gov/department/LegalIssues/proposed-regulations.php periodically for publication of the proposed amendments to the regulations above.
What communications have been sent to industry?
Producers (Agents)
Business entities (Agencies)
Companies
Risk Retention Groups
CE Providers
CE Providers- Follow Up
Public Adjuster

Will the system be down for any period of time for the transition to NIPR?
Yes. Kansas will be unable to process any licensing related transactions from December 31, 2021 – January 11, 2021.

AGENT FAQ’s

With these changes, how/where do I renew my license?
Until January 1, 2022, resident agents should continue to renew through the Kansas Insurance Department Producer Desktop: https://towerii.ksinsurance.org/kid/psignon.do and nonresident agents will continue to renew through the National Insurance Producer Registry (NIPR): https://nipr.com/

As of January 1, 2022, both resident and nonresident renew through NIPR: https://nipr.com/

The Department will no longer accept paper renewals.

With these changes, how/where do I apply for an insurance license?
Until January 1, 2022, resident agent applicants should continue to apply through the Kansas Insurance Department Producer Desktop: https://towerii.ksinsurance.org/kid/psignon.do and nonresident agent applicants will continue to apply through the National Insurance Producer Registry (NIPR): https://nipr.com/

As of January 1, 2022, both resident and nonresident applicants will apply through NIPR: https://nipr.com/

The Department will no longer accept paper applications.

Where do I pay the $4.00 resident renewal fee?
On the NIPR website at your next biennial renewal date after January 1, 2022.

When I renew online through NIPR and pay the renewal fee, are there other charges I will incur?
Yes. NIPR charges a transaction fee. Visit www.nipr.com to view their fee schedule.
Does the biennial resident renewal fee of $4.00 apply to business entities (agencies) as well as agents?
Yes. Resident business entities (agencies) are also required to pay the $4.00 renewal fee beginning January 1, 2022.

How early can I renew my license?
Resident and nonresident agents can renew 90 days prior to their renewal date.

I am a single lines licensed agent and my renewal date is in the first 90 days of 2022. How many hours of continuing education (CE) do I need?
If you process your renewal prior to December 31, 2021, you need 12 hours of CE. If you process your renewal after December 31, 2021 you need 18 hours of CE.

I am a dual-lines licensed agent and my renewal date is in the first 90 days of 2022. How many hours of continuing education (CE) do I need?
If you process your renewal prior to December 31, 2021, you need 24 hours of CE. If you process your renewal after December 31, 2021, you need 18 hours of CE.

Are there changes to the testing facilities?
No. If a person needs to schedule an exam, online or in-person, they should do so through the process on Pearson Vue’s website: https://home.pearsonvue.com/

See the Candidate Handbook on the website for more information:

Are there changes to fingerprinting?
Yes.
- Effective September 15, 2021, licensing applicants can make an appointment to have digital fingerprints taken at PearsonVUE testing centers in Overland Park, Topeka and Wichita, and have them submitted electronically to the KBI. (Unfortunately, digital fingerprinting will not be available at the Hays location.)
- To learn how to make an appointment for digital fingerprinting or to answer other fingerprinting related questions, visit the Department’s Fingerprinting FAQ: https://insurance.ks.gov/documents/agentagency/Fingerprint-FAQ.pdf
- The Department will still accept hard copy fingerprint cards. Instructions for that can be found at: https://insurance.kansas.gov/producer-licensing/

Are there changes to the fingerprint waiver form?
Yes. Effective July 1, 2021, the fingerprint waiver form can only be submitted electronically through the Kansas Insurance Department website. Click the link (https://insurance.ks.gov/agentagency/waiver.php) to the fillable form, where applicants can fill
it out, submit it electronically and download a copy for their files. We will **NOT** accept paper fingerprint waiver forms after July 1, 2021.

**Are there changes to the tax clearances?**
Yes. In an effort to expedite the licensing process, applicants are now required to submit a tax clearance with their application. Click the link for more information about tax clearances: [https://insurance.ks.gov/documents/agentagency/Tax-Clearance-Information.pdf](https://insurance.ks.gov/documents/agentagency/Tax-Clearance-Information.pdf) or click the link to apply for a tax clearance: [https://www.kdor.ks.gov/apps/taxclearance/default.aspx](https://www.kdor.ks.gov/apps/taxclearance/default.aspx).

**If an agent has failed an exam more than three times and is currently required to wait six months before testing again, must they wait that time period or can they resume testing on July 1, 2021?**
They can resume testing on July 1, 2021. However, the seven-day waiting period following a failed exam still applies.

**If an applicant was denied a license following a hearing prior to July 1, 2021, does the requirement to wait one year before reapplying for a license apply to them?**
No. It applies to an applicant who files an application on or after July 1, 2021.

**If a license was revoked prior to July 1, 2021, does the requirement to wait two years to apply for a license apply to them?**
No. It applies to licensees whose license was revoked on or after July 1, 2021.

**I am a resident agent with a single line of authority and I let my license lapse. What is required if I want to get it back after January 1, 2022?**

- **During 90-day suspension period:**
  - Submit renewal application
  - 18 hours of CE
  - Pay the $4 renewal fee
  - Pay the $100 reinstatement fee

- **After the 90-day suspension period, when the license expires, up to one year:**
  - Submit the renewal application
  - 18 hours of CE
  - Pay the $4 renewal fee
  - Pay the $100 reinstatement fee
  - Companies will be required to reappoint

- **If it has been more than a year, but less than four years**
  - Reapply for the license (includes providing fingerprints)
  - Pay the $90 application fee
  - 18 hours of CE
  - Pay the $100 reinstatement fee
  - Companies will be required to reappoint

- **If it has been more than four years:**
  - Reapply for the license (includes providing fingerprints)
  - Pay the $90 application fee
o Take and pass the appropriate exam
o Companies would be required to reappoint

I am a resident agent with dual-lines of authority and I let my license lapse. What is required if I want to get it back after January 1, 2022?

- During 90-day suspension period:
o Submit renewal application
o 18 hours of CE
o Pay the $4 renewal fee
o Pay the $100 reinstatement fee
- After the 90-day suspension period, when the license expires, up to one year:
o Submit the renewal application
o 18 hours of CE
o Pay the $4 renewal fee
o Pay the $100 reinstatement fee
o Companies will be required to reappoint
- If it has been more than a year, but less than four years
  o Reapply for the license (includes providing fingerprints)
o Pay the $90 application fee
  o 18 hours of CE
  o Pay the $100 reinstatement fee
  o Companies will be required to reappoint
- If it has been more than four years:
o Reapply for the license (includes providing fingerprints)
o Pay the $90 application fee
o Take and pass the appropriate exam
o Companies would be required to reappoint

I am a resident agent with dual lines of authority and I let one line lapse. What is required if I want to get that line back after January 1, 2022?

Contact the Department for assistance.

How do I submit my current email address to the Department?
Currently, agents can update their information on the Kansas Insurance Department Producer Desktop: https://towerii.ksinsurance.org/kid/psignon.do. After January 1, 2022, complete a contact change request through NIPR.

Are there any continuing education requirement changes for limited lines of authority?
No. They are outlined as shown below:
- Crop qualification- two hours crop CE
- Title line of authority- four hours of title CE
- Pre-need ONLY- no CE requirement
- Self-storage qualification- no CE requirement
- Travel qualification- no CE requirement
- Bail bond qualification- no CE requirement for renewal of your bail bond only insurance license. However, bail bond licensees must comply with CE requirements under K.S.A. 22-2809b required for authorization to act as a bail bond agent in any Kansas judicial district.

I am a resident agent who only has a pre-need line of authority. When and how should I provide certification to the Department that I transact no other insurance business? Documents can be uploaded to the document warehouse on the NIPR website.

If the Department sends me an inquiry or requests information, how long do I have to respond?
The Department will request a response time, but licensees must respond within 15 business days.

If a carrier asks me for my current producer (agent) license after July 1, 2021, when my renewal date changes to the last day of my birth month, how do I get a new copy of my license? Will there be a cost?
There is no cost. The license can be printed from the Producer Desktop: https://towerii.ksinsurance.org/kid/psignon.do

No. None of the following applications require a user to login:

SBS: Licensee Lookup, Provider and Course Lookup (currently in use in KS), License Manager (License and Education Transcript printing)

NIPR: Original Applications, Renewal Applications , Contact Change Request (CCR), Attachments Warehouse.

Where do I go if I need to look up how many Continuing Education credits I have?
Currently, you can review your CE credits on the Producer Desktop: https://towerii.ksinsurance.org/kid/psignon.do.

After January 1, 2022, you can use your NPN number or Name and Social Security number to look up CE credits, which have been reported by CE providers for you on the State Based Systems (SBS) website: https://www.statebasedsystems.com/solar/index.html

How do I surrender my license?
All requests to surrender licenses must be made via the Department’s online link: https://insurance.ks.gov/agentagency/agent-licensing/req-surrender.php The Department will process the request and send you a confirmation email.
I am currently on inactive status. What requirements will I have after January 1, 2022 if I want to become active again?
The requirements that are in place the date you choose to become active again.

If I apply for a license or renew my license and then change my mind, can I get a refund?
No. Licensing and renewal fees are non-refundable.

BUSINESS ENTITY FAQ’s

When is my business entity (agency) license due for renewal?
Business entity (agency) license renewals will be the last day of the month of the initial license issue month. Business entity (agency) license renewal years will be even if issued in an even year and odd if issued in an odd year.

What do I do if I don’t know what month and year my business entity (agency) was originally licensed?
It can be looked up on the Kansas Insurance Department website at: https://insurance.ks.gov/department/company-search.php

Will business entity (agency) licenses cancel on their renewal date or will they suspend for up-to 90 days before the actual business entity (agency) license cancels?
The business entity (agency) license will expire on the renewal date. There is no suspension period.

Does my agency still need to submit the AG11/change of agency status form to add or delete producers affiliated with the agency?
No. As stated previously, agency appointments and terminations will only be tracked at the company level. The form will continue to be used for address changes and updates to your Designated Responsible Licensed Producer (DRLP). After, January 1, 2022, address changes will be processed through NIPR. However, the AG11 form should still be used for changes to the DRLP. The Department is no longer accepting paper AG11 forms. You can submit the form electronically through our website by using this link: https://insurance.ks.gov/agentagency/AG11form.php

My company does not want to have an individual producer appointed, when can we terminate the appointment?
After July 1, 2021.

How do I submit my agency’s current email address to the Department?
The AG11/change of address form will continue to be used for address changes and updates to your Designated Responsible Licensed Producer (DRLP). After, January 1, 2022, address changes will be processed through NIPR. However, the AG11 form should still be used for
changes to the DRLP. The Department is no longer accepting paper AG11 forms. You can submit the form electronically through our website by using this link: https://insurance.ks.gov/agentagency/AG11form.php

When a business entity (agency) hires a currently licensed agent or when an employee becomes a newly licensed agent does the agency need to report that to the Department on the AG11 form?
No. As stated previously, agency appointments and terminations will only be tracked at the company level. Companies are required to process individual appointments and terminations through NIPR beginning July 1, 2021. The AG11 form will not be used to report newly licensed agent affiliations with business entities (agencies) because the Department will no longer track agent affiliations at the business entity level.

A business entity (agency) has a change in ownership, does anything need to be reported to the Department if the FEIN and DRLP is staying the same?
Changes of agency ownership are not required to be reported to the Department if the FEIN and DRLP do not change. SB 37 requires agencies to report only changes in legal or mailing address, email address, telephone number and a change in the DRLP. Of course, if there is a change in the Agency’s FEIN, name, or DBA, those should also be reported to the Department. The Department is no longer accepting paper AG11 forms. You can submit the form electronically through our website by using this link: https://insurance.ks.gov/agentagency/AG11form.php

If the Department sends my agency an inquiry or requests information, how long do we have to respond?
The Department will request a response time, but licensees must respond within 15 business days.

If business entity (agency) renews multiple licensees (agents) at the same time is the NIPR fee charged per license or per transaction?
Per NIPR, the transaction fee is per license.

Does the business entity (agency) need to submit an agency change of status form (AG11) to delete their currently affiliated producers (agents)?
No, The Department will delete all affiliated producers (agents) from the agencies record effective July 1, 2021.

INSURANCE COMPANY FAQ’s

Our company is a domestic insurer that has never utilized NIPR for appointments and terminations. Will we be able to continue filing those directly with the Department?
No. After July 1, 2021, all producer appointments and terminations must be filed through NIPR. The company can contact NIPR at marketing@nipr.com to discuss various options for conducting filings through NIPR. NIPR will collect the $2.00 appointment fee for the Department at the time of the transaction. (The Department does not charge a termination fee.) For both appointment and termination transactions NIPR will also collect a transaction fee.

**When the Department converts the agency-affiliated producer (agent) appointments to direct individual producer (agent) company appointments, will appointment fees be charged to the company?**

No, these will be converted at no cost to the company.

**Does the company need to submit termination transactions to cancel the business entity (agency) appointments?**

No, the Department will cancel all business entity (agency) appointments effective July 1, 2021.

**Does the company need to notify the business entities (agencies) of the termination due to the July 1 2021 change?**

No, the Department notified all business entities (agencies) of this change. Going forward if a company appoints and subsequently terminates, the company would be required to notify.

**When can the company start submitting termination transactions for the individual producer appointments that were originally appointed through a business entity (agency) appointment?**

The company can start submitting transactions to cancel after July 1, 2021.

**How do I get a Company Appointment Report (CAR) after July 1, 2021, to verify the accuracy of producer appointments with the company? Is there a cost?**

The CAR is normally available to companies through NIPR for a $50 fee. NIPR is extending a one-time courtesy to companies to view their CAR for the state of Kansas at no cost after July 1, 2021. Normally access to this report also requires the company to be a consumer of NIPR, but this requirement is waived through August 31, 2021. Companies that want to request their CAR should contact acward@nipr.com and provide the following information with their request: NAIC CoCode, FEIN, Company Name. **After September 1, 2021, NIPR will return to its normal procedure of having companies become a NIPR customer and pay the $50 CAR fee.**

**Why do I have all of these extra agents on my Company Appointment Report (CAR)?**

Prior to July 1, 2021, Kansas law (see K.S.A. 40-4912[b]) required that when a company appointed an agency in Kansas, all currently affiliated/qualified agents listed with the agency (holding the appropriate line(s) of authority) were automatically also appointed with the company. These affiliated agents had to remain appointed to the company as long as the company had the agency appointed. This law has been in effect since at least 2001. Under K.A.R. 40-7-25, the termination of an agency’s appointment by an insurer automatically terminated the appointment of each individual agent in that agency (unless the agent had a direct
appointment with the company). Because of this statutory construct, companies were required to
*annually* pay appointment renewal fees of $2.00 per agent for domestic companies and $5.00 per
agent for non-domestic companies for all agents which were appointed to the company solely
due to an agent’s affiliation with an appointed agency. The statutory changes recently adopted
(SB 37) in Kansas, while requiring action and a one-time termination fee on your part, will result
in less cost to the company going forward due to not having to pay annual renewal fees ($2.00
per agent for a domestic company, $5.00 per agent for a non-domestic company).

**My company needs to do bulk terminations of direct agent appointments, will the Kansas
Insurance Department do that for us?**
No. Unfortunately, the Department no longer has the functionality within its system to process
appointment terminations for companies. We are aware that, while the Department does not
charge a termination fees, NIPR does collect a fee (generally $3.00) to process each termination
transaction. However, if these appointments are not terminated by December 31, 2021, you will
be required to pay a renewal fee ($2.00 per agent for a domestic company, $5.00 per agent for a
non-domestic company).

For companies that have large volume of terminations to process, we understand NIPR can work
with companies to process batches of terminations. Please contact marketing@nipr.com to
discuss various options for conducting filings through NIPR.

**There is not an invoice on the Kansas Department’s Company Desktop system for our
agent appointments in July 2021. Why not?**
The Kansas Insurance Department transitioned from handling appointments and terminations in
house to NIPR on July 1, 2021. The last monthly invoice for appointments would have been
provided for you for the month of June 2021. After July 1, 2021, appointments and terminations
must be made electronically through NIPR.

**We looked on NIPR but can’t find an invoice for the Kansas appointments we made in July
2021. What do we do?**
It is our understanding that fees for appointments are paid through NIPR at the time of the
transaction. Kansas appointment fees are collected by NIPR and are remitted to Kansas directly
from NIPR. If you have questions about how/when appointment fees for Kansas are being paid
by your company to NIPR, we’d encourage you to contact them at marketing@nipr.com.

*The only remaining invoice you will receive from the Kansas Insurance Department will be for
your 2021 annual agent renewal (payment due date March 1, 2022).

**In the past, our agent appointments renewed on 1/1 of the new year and we received a
listing of all the agents by agency/producer. Will this work the same way?**
The Department no longer tracks the agency a licensed producer may be affiliated with. We now
track only direct company appointments. So, the list will only include the listing of producers.
How will we receive an invoice for our Kansas annual agent appointment renewals?
For the annual appointment renewal fee (for appointments in place on December 31, 2021) renewal invoices will be processed by the Kansas Insurance Department and available to the companies in early January via the Department's Company Desktop. The renewal invoice must be paid by March 1, 2022. Going forward annual renewal fees will be processed and invoiced to companies through NIPR (beginning January 2023).

The final invoice you will receive from the Department for agent appointments will be for appointment renewals at the end of 2021. Beginning January 2023 that invoice (for renewals for year-end 2022) will be sent to you through NIPR.

If we want to appoint agents affiliated with an agency, can we appoint only the agents, or do we also have to appoint the agency?
You can appoint only the agents; however, you can also appoint the agency if you desire. Appointment of an agency will no longer have the effect of appointing all the agents affiliated with that agency. Affiliated agents must be appointed directly with the company. This is true for Kansas domestic insurers as well as for non-Kansas companies.

We have a large number of appointment terminations to process. Can the Department process these terminations in bulk for us?
The Department no longer has the functionality within its system to process appointment terminations for companies. For companies that have large volume of terminations to process, we understand NIPR can work with companies to process batches of terminations. Please contact marketing@nipr.com to discuss various options for conducting filings through NIPR.

It will cost our company $3.00 to process each termination through NIPR. Can the Department waive this fee as it was due to the change in affiliated appointments which is causing us to have to pay this?
Prior to July 1, 2021, Kansas law required that when a company appointed an agency in Kansas, all currently affiliated/qualified agents listed with the agency (holding the appropriate line(s) of authority) were automatically also appointed with the company. These affiliated agents had to remain appointed to the company as long as the company had the agency appointed. This law has been in effect since at least 2001. Also, the termination of an agency’s appointment by an insurer automatically terminated the appointment of each individual agent in that agency (unless the agent had a direct appointment with the company). Because of this statutory construct, non-Kansas companies were required to annually pay appointment renewal fees of $5.00 per agent for all agents which were appointed to the company solely due to an agent’s affiliation with an appointed agency. The statutory changes recently adopted in Kansas, while requiring action and a one-time termination fee on your part, will result in less cost to the company going forward due to not having to pay annual renewal fees ($2 for agents appointed with a domestic company; $5.00 for agents appointed by a non-Kansas domestic company). Again, while NIPR does collect a fee (generally $3.00) to process each termination transaction, if these appointments are not terminated by December 31, 2021, your company will be required to pay a renewal fee of ($2.00/domestic
companies or $5.00/non-domestic companies) for each appointment. This change was estimated to result in over $5 million in annual savings in appointment renewal fees for companies.

**Does the $3.00 transaction fee apply only if you terminate appointments through NIPR?**

*We utilize a third-party vendor (Vertafore, RegEd, NLC Group, etc.) for all of our appointments and terminations. Will we be charged $3 per termination transaction if we process the terminations through our vendor?*

For companies which use a reseller that handles transactions with NIPR on your behalf, please contact your reseller representative. They are in the best position to advise you of the termination fee charged for appointment termination transactions when processed through them. The state of Kansas does not charge a fee for terminating an appointment.

**Does anyone know of any vendors who can process this cheaper than NIPR?**

The following information is provided by NIPR on option available for processing appointments and terminations.

There are three options to submit appointments/terminations through the NIPR Gateway.

1) **NIPR’s Interactive Appointments and Terminations (IAT)**
   
   IAT is a front-end application which allows insurance carriers to appoint and terminate using the National Producer Number (NPN), eliminating the use of the SSN. These transactions are validated with the Producer Database (PDB) prior to submission, greatly reducing the number of declines. The cost for this application is $3 per transaction plus any associated state fees. These fees are paid at the time of processing via credit card or customer initiated ACH.

2) **Customer Programming**
   
   To process appointments/terminations directly through the Gateway (i.e. not using IAT), **programming on the company’s behalf is required.** This option allows clients to establish specified programming requirements and to build their own product. The cost for these transactions is currently $1.53 per transaction plus any associated state fees (state fees paid at the time of processing via Electronic Funds Transfer (EFT); transaction fees invoiced and billed at the end of each month).

3) **NIPR Reseller**
   
   Companies can choose to utilize one of NIPR’s Resellers (https://nipr.com/products-and-services/nipr-gateway/resellers), which offer value-added services.