

**Government of Puerto Rico**  
**OFFICE OF THE INSURANCE COMMISSIONER OF PUERTO RICO**  
**Guaynabo, P.R.**

**RULE NO. 52**

**CONTINUING EDUCATION REQUIREMENTS**

**ARTICLE 1. AUTHORITY**

The Commissioner of Insurance of Puerto Rico repeals Rule 52 of the Regulations of the Insurance Code of Puerto Rico and adopts the new Rule 52, "Continuing Education Requirements", pursuant to Article 2.040 and Chapter 9 of Act No. 77 of June 19, 1957, as amended, known as the Insurance Code of Puerto Rico, as well as the provisions of Act No. 170 of August 12, 1988, as amended, known as the Uniform Administrative Procedures Act.

**ARTICLE 2. PURPOSE**

The Commissioner, by virtue of the inherent power to regulate the local insurance business, promulgated the Continuing Education Regulation for the purpose of establishing a continuing education program that will contribute to the academic improvement of all persons who are authorized, or may be authorized in the future, by the Commissioner, as producers, solicitors, consultants, adjusters and non-resident producers or adjusters. Fulfillment of this mission requires an effective Regulation that will facilitate the insurance professionals to stay current in terms of legal and regulatory requirements and the skills that are necessary for the highest levels of quality and competence in professional practice.

The mechanisms established in the Regulation allow the Commissioner to fulfill the mission and duties of the office. Furthermore, the rules aim to promote the fulfillment of the ethical duty that every insurance professional has to maintain a high level of excellence and competence in the services he or she provides.

### ARTICLE 3. DEFINITIONS

The following terms shall have the meanings set forth as follows, except when another meaning may be derived from the language of any other provision of this Rule:

- A. "Applicant" - means an applicant for a license of any kind who has not had an insurance license during the five (5) years prior to the application for the respective license.
- B. "Code" - means the Insurance Code of Puerto Rico.
- C. "Commissioner" - means the Insurance Commissioner of Puerto Rico.
- D. "Compliance Period" - means a period of two (2) years, from the expedition date of the license, or renewal date, in which the licensee must comply with the Continuing Education Requirements set by this Rule.
- E. "Continuing Education Course" - means those educational activities that are referred to in Article 8 of this Rule and those in which a licensee participates in order to obtain or update knowledge and to develop skills in the professional field of insurance.
- F. "Due Date" - means the renewal date of the license.
- G. "Educational Institution" - means any legally constituted institution and accredited by the Council on Higher Education. The resource used by the Educational Institution must comply with the qualifications of a lecturer.
- H. "Expiration Date" - means the limit date on which the licensees must comply with the Continuing Education Requirements established by this Rule. In any case, the first expiration date will be less than two (2) years of separation from the date on which the license is obtained. Beginning on the effective date of this Rule, all licenses that are issued or renewed will show the expiration date.
- I. "Hours" - means the number of hours of interaction between the person offering the Continuing Education Course and the participants of that course. It also means the equivalence given by the Commissioner to activities that do not require interaction, pursuant to the Article 8 of the Rule.

- J. "Lecturer" - means any natural person who offers a Continuing Education Course and who has the qualifications that the Commissioner deems necessary, such as the professional designations recognized by the insurance industry in the United States and Puerto Rico (i.e. CLU, HIA, LUFCE, CPCU, and CIC); have five (5) years of experience as a producer; possess a license as an insurance consultant; have a Bachelor's degree with a major in the insurance field and two (2) years of experience as a producer; have a Bachelor's degree with a major in the insurance field and two (2) years of experience as an insurance course professor, in any Education Institution; have a master degree in the insurance field and at least one (1) year as an insurance course professor in any Education Institution; or possess a Juris Doctor. Also, the Lecturer could have not been convicted of any felony and if he/she was a licensee, he/she could have not been declared as a non-competent or non-trustable person by the Commissioner.
  
- K. "Licensee" - means a producer, solicitor, consultant or insurance adjuster who holds a license issued under Articles 9.170, 9.220, 9.241, and 9.290 of the Code, and designees, under Article 9.160 of the Code to act as representatives of corporations or companies that hold a license issued under Articles 9.170, 9.241, and 9.290 of said Code. It also means non-resident producers and adjusters authorized under Article 9.260 of the Code.
  
- L. "Professional Development Entity" - means the entity that is not an Educational Institution and that offers Continuing Education Courses and professional development. The resource used by the Professional Development Entity must comply with the qualifications of a lecturer.
  
- M. "Reasonable Accommodation" - means the logical and reasonable adjustment to the conditions established for the offering of a Continuing Education Course that reduces the effect that a handicap condition may have in the participant, without altering the nature of the course in a fundamental manner or causing undue hardship in the Lecturer, Education Institution or Professional Development Entity.

#### **ARTICLE 4. APPLICABILITY**

- A. The provisions of this Rule are applicable to any natural person authorized by the Commissioner, or may be authorized in the future, as a producer, solicitor, consultant, or insurance adjuster, or non-resident producer or adjuster.

- B. Licensees who are sixty (60) years of age or older and who have been Licensees for a period of no less than twenty-five (25) years are excluded from the provisions of this Rule.
- C. The managers, as defined in Article 9.052 of the Code, may follow the provisions of this Rule. Also, it is recommended for them to take at least three (3) hours of professional ethics, as required to producers, solicitors, consultants, adjusters, non-residents producers or non-resident adjusters in Article 6 of this Rule.

#### **ARTICLE 5. FORMAL EDUCATION**

- A. As a requirement for issuing a license, all applicants must provide evidence of their formal education. The evidence will be evaluated and accredited to comply with the Continuing Education requirement.
- B. Once the license has been obtained, it is considered that the Licensee will be in compliance with this Rule for a period of two (2) years immediately following the issue of said license.

#### **ARTICLE 6. REQUIREMENTS FOR PARTICIPATION IN CONTINUING EDUCATION COURSES**

- A. During the Compliance Period, all licensees shall take and pass a total of no less than twenty four (24) hours of Continuing Education Courses within each renewal period, of which at least three (3) hours will be devoted to the topic of professional ethics, as described in Article 8 of this Rule. All Licensees shall provide evidence of compliance with this provision, in the form and manner provided by the Commissioner, no later than the Due Date of the license.
- B. Licenses issued or renewed for a Licensee after the approval of this Rule shall show the Due Date as well as the effective and Expiration dates. The Due Date for all licensees will be the last day of the birth month of the Licensee and the Licensee will renew the license every two (2) years.
- C. The license of any Licensee who fails to comply with the provisions of paragraph A of this Article will be automatically suspended and may only be reinstated after the Licensee has complied with the requirements set forth in this Rule.

D. If the Licensee has failed to comply with the Continuing Education Requirement within one (1) year from the Expiration Date, the licensee shall comply with the requirements set forth in the license application.

## **ARTICLE 7. APPROVAL OF COURSES**

A. For the purpose of accreditation, all Continuing Education Courses shall comply with the following requirements:

1. The Lecturer, Educational Institution or Professional Development Entity shall have previously submitted to the Commissioner a request for approval of the course.
2. The application shall include the title, place, date, duration, a general description and outline of the course, as well as the names and qualifications of the lecturers. Also, the general test that will be offered must be submitted, as well as the evaluation sheet of the Continuing Education Course that will be given to the licensees at the end of the course.
3. In addition to the time devoted to ethics, the names of the resources and their qualifications shall be provided.

B. The request for approval of the Continuing Education Course must be submitted before the Commissioner at least thirty (30) days before the date in which the Lecturer, Educational Institution or Professional Development Entity plan to offer said course.

C. Once the Continuing Education Course is approved, if the Lecturer, Educational Institution or Professional Development Entity plan to make a substantial change to said course, as to varying the content or the Lecturer, they must submit a new approval form.

## **ARTICLE 8. ACCEPTABLE COURSES**

A. Continuing Education Courses that are acceptable for compliance with the requirements of this Rule are as follows:

- (1) In order to pass the course, participants must pass at least one (1) general examination, which is duly supervised by the Lecturers,

Educational Institution or Professional Development Entity that offers the Continuing Education Course.

- (2) Those of the various Educational Institutions that provide courses leading to professional titles and can vouch for the professional excellence in the insurance field of the person holding the title, regardless the Licensee has approved them before the effective date of this Rule. Such designations must be provided by Educational Institutions that are approved by the Commissioner, including the following:

- (i) American Educational Institute
- (ii) American Institute for Chartered Property and Casualty Underwriters
- (iii) Casualty Actuarial Society
- (iv) Health Insurance Association of America
- (v) Insurance Institute of America
- (vi) International Foundation of Employee Benefit Plans
- (vii) Life Office Management Association
- (viii) Life Underwriter Training Council
- (ix) Professional Liability Underwriting Association
- (x) The American College
- (xi) The National Alliance for Insurance Education & Research

In order to accredit the activities geared towards these professional designations, the licensee must submit to the Commissioner an original certification of the Educational Institution that offers said designation that accredits that the participant completed the course and the hours to be accredited.

Any licensee who confirms that he/she has approved one (1) or more courses to the Commissioner, will have the hours accredited, as mentioned in section (E) of this Article, even if such courses were approved before this Rule's effective date.

- B. Courses offered by Educational Institutions in which academic credit is earned leading to academic degrees such as an associate, bachelors, master's or doctoral degrees, provided that such degrees have been earned and that the courses in such degree programs strengthen and/or develop skills in the

insurance field. In such cases, the Commissioner will credit ten (10) hours for each course that has been passed up to a maximum of ninety (90) hours for each degree obtained, regardless of whether said courses were approved before the effective date of this Rule.

- C. In the case of courses offered by Lecturers, Educational Institutions or Professional Development Entity for which academic credit is not earned, the Commissioner may credit a certain number of Continuing Education hours with a view to achieving the broadest possible diversity and address the needs of all Licensees.
- D. Continuing Education courses approved by the Commissioner and offered through non-traditional teaching means such as distance learning, correspondence courses, computers, videos, tapes, or other media subject to the limitations and requirements established in this Rule or through computer networks, that are offered by Lecturers, Educational Institutions or Professional Development Entities that are recognized by the insurance industry in the United States and/or Puerto Rico. The courses shall include the number of credit hours.
- E. The Commissioner will publish the Continuing Education Courses that have been approved and the hours that have been accredited for each course, except for the Continuing Education Courses for which the hours to be credited have been established in this Rule.
- F. The Lecturer, Educational Institution or Professional Development Entity will use the following email address [educa@ocs.gobierno.pr](mailto:educa@ocs.gobierno.pr) to provide the Commissioner, in the first twenty (20) days after the general examination is given, a list of the licensees who approved the Continuing Education Course.
- G. All Lecturers, Educational Institutions or Professional Development Entities shall keep records of the Continuing Education Courses that were offered for a period of five (5) years, available to the Commissioner for inspection when so requested.

#### **ARTICLE 9. CONTINUING EDUCATIONAL REQUIREMENTS FOR NON-RESIDENT PRODUCERS AND ADJUSTERS**

- A. Persons who are authorized to act as representatives of corporations or companies that are authorized in Puerto Rico as non-resident producers or adjusters, in whose state of residence there are Continuing Education requirements, shall provide, on applying for a renewal of their license,

evidence of having complied with the Continuing Education requirements of their state of residence. For this purpose, they shall submit a certification from the highest insurance official of the state of residence, indicating that they have complied with said requirements.

- B. Persons who are authorized to act as representatives of corporations or companies that are authorized in Puerto Rico as non-resident producers or adjusters, in whose state of residence there is no Continuing Education requirement, shall comply with the Continuing Education requirements that are applicable to resident producers and adjusters.

#### **ARTICLE 10. REASONABLE ACCOMMODATION**

All Lecturers, Educational Institutions or Professional Development Entities shall provide reasonable accommodation to participants who request such, due to physical disability or special needs, so that the person may be able to comply with the Continuing Education requirement.

#### **ARTICLE 11. ACCUMULATED EXCESS HOURS**

If a Licensee on one or more occasion accumulates hours in excess of the total required for accreditation under the Continuing Education requirement, such excess may be accredited to subsequent renewals.

#### **ARTICLE 12. AUTHORITY OF THE COMMISSIONER TO INSPECT CONTINUING EDUCATION COURSES**

- A. The Commissioner shall have the authority to investigate, observe or verify the development of any Continuing Education Course for which hours have been accredited under this Rule, and may examine records and other documents related to said courses, for the purpose of verifying continuous compliance of the courses with the requirement of quality and applicability to the insurance field.
- B. The Commissioner may withdraw approval of any Continuing Education Course, if it is found that the course does not meet minimum quality criteria and/or the Lecturer, Educational Institution or Professional Development Entity that offered it has repeatedly been found to have

engaged in irregularities in providing such course. The affected party may request an administrative hearing.

#### **ARTICLE 13. SEVERABILITY**

- A. Should any word, sentence, paragraph, subsection, article or part of this Rule be declared null or invalid by a court of competent jurisdiction, the order entered by that court shall have no effect and will not invalidate the remaining provisions of this Rule, but rather the effect of the order shall be limited to the word, sentence, paragraph, subsection, article or part which has been so declared.
- B. The previous Rule 52 of the Regulations of the Puerto Rico Insurance, as well as the related Ruling and Circular Letters, are hereby repealed.

#### **ARTICLE 14. EFFECT**

The provisions of this Rule will enter into effect thirty (30) days after its presentation in the Puerto Rico Department of State, pursuant to the provisions of Act No. 170, supra.

Ramón L. Cruz Colón  
Commissioner of Insurance