

California Department of Insurance Curriculum Board Meeting Minutes

Thursday, February 20, 2025 12:30 p.m. to 3:00 p.m.

The meeting was called to order at 12:30 p.m. by Board Chairperson, Jesse Dogillo.

Jesse Dogillo (Chairperson), Bay Area Financial & Insurance Services Anne Lintz (Vice Chairperson), Anne Lintz Insurance Agency, Inc. Janise Graham, Entrepreneur's Insurance Services Aretha Hartley, Allstate Insurance (Guest, Appointed April 18, 2025) Monique Howard, Inland Marine at Ascot Group (Absent) Michael Lujan, Michael Lujan Consulting Group, LLC Colbie McRae, insureCAL Insurance Agency

Gloria Mitchell, Gloria Mitchell Bail Bonds Sandra Moriarty, Roadmap to Recovery Project Coordinator (Absent) Peter Schifrin, Schifrin, Gagnon & Dickey, Inc. Doug Smith, Inclusive Action for the City Samantha Tradelius, Lytespeed Learning Vinh Truong, CMT Insurance Agency (Absent)

- Welcome: Chairperson Dogillo welcomed and thanked the Board members and guests for attending the Curriculum Board (Board) meeting and reviewed the meeting procedures.
- 2. **Minutes:** Chairperson Dogillo asked for a motion from the Board members to approve the October 17, 2024, Board meeting minutes. Vice Chairperson Anne Lintz made a motion to approve the meeting minutes and Board member Janise Graham seconded the motion. The October 17, 2024, meeting minutes were approved as written.
- 3. Bagley-Keene Open Meeting Act: Dawn Ward, Chief of the Curriculum and Licensing Background Bureau, stated the Bagley-Keene Open Meeting Act requires state bodies to give adequate notice of the following: 1) when meetings are held; 2) provide an opportunity for public comment; and, 3) conduct such meetings in open session, except where a closed session is specifically

authorized. The Department is also required to publish the agenda for the meeting, which includes the meeting locations ten days prior to the date of the meeting.

Dawn reported for the Curriculum Board meetings to be in compliance with the Bagley-Keene Open Meeting Act, the Board has two options on how to conduct its meeting:

- 1) Hold an "in person" meeting, where all the Board members and the public are present at the same noticed physical location. The meeting must otherwise comply with all standard agenda, posting, public participation and related requirements set forth in <u>California Government Code section 11122.5</u>.
- 2) Hold a meeting via teleconference in accordance with the rules outlined in <u>California Government Code section 11123</u>. To do so, the primary meeting location and any additional teleconference locations must be identified on the agenda and be open to, and accessible by, the public.

At least one Board member must be physically present at each of the noticed locations.

At each teleconference location, the meeting agenda must be posted, the proceedings must be broadcast, and the meeting must be open to allow the public to be at that location to participate in the public comment.

If the Board decides to hold the meeting using this option, each Board Member is required to notify the Department or Ammy Dang, Curriculum Board Liaison and Education Unit Analyst of the address where the Board member will be attending the meeting by the first day of the month in which the meeting will be held. The first day of the month will allow time for the Curriculum Review Section's (CRS) Education Unit to publish the agenda on the Department's Curriculum Board web page.

Dawn stated the week following this Curriculum Board meeting, Ammy will send an email to ask the Board members which meeting option the Board members would prefer to follow for the July 17, 2025, Board meeting and all future meetings.

Ammy will also ask the Board members if the current meeting start time of !2:30 p.m. is convenient or would the members prefer the meetings to start at an earlier time or a later time. After receiving the Board members responses, a follow-up email will be sent to provide the Board with the chosen start time for the Board meetings and which meeting option (i.e., in-person or teleconference with an in-person option).

4. Licensing Update: Charlene Ferguson, Chief of the Licensing Services Division (Licensing), provided a 2025 Legislative Session Update.

Wildfire Legislative Package

On February 14, 2025, the Department issued a <u>news release</u> regarding Commissioner Lara and legislative leaders joining forces to safeguard consumers by introducing proposals for wildfire mitigation and recovery.

As stated in the news release, this package focuses on three key goals: Consumer Protection, Climate Resiliency, and Market Strength.

The news release stated that among the ten proposals sponsored by the Commissioner is a new statewide grant program to assist with wildfire hardening, protections for businesses against insurance non-renewals, initiatives to combat deceptive disaster advertising, and measures to maximize insurance claim payouts by limiting the fees that public adjusters can charge.

Pharmacy Benefit Manager

One other legislative proposal that may be of interest to the Board is <u>Senate Bill 41</u> (Weiner) Pharmacy Benefits, was introduced on December 3, 2024 in the 2025 Legislative Session. This bill is identical to <u>Senate Bill 966</u> (Weiner and Wahab) Pharmacy Benefits which was vetoed by the Governor during the 2025 Legislative Session.

Licensing Services Division Notices - Late 2024 and Early 2025

As you know, <u>Senate (SB) Bill 263</u> (Dodd, Chapter 2, Statutes of 2024) Insurance: annuities and life insurance policies, kept the Department and the Curriculum Board's <u>SB 263</u> Subcommittee busy in 2024.

As previously reported, <u>SB 263</u> required the Department to provide new course training for the new Life Insurance Policies Four-Hour, the Variable Life Two-Hour Courses, and updates to the Annuity Four-Hour Training and the Annuity Eight-Hour Training Courses to include the new suitability and best interest standards by January 1, 2025.

On October 11, 2024, the Curriculum and Licensing Background Bureau distributed the last SB 263-type Notice regarding the availability of the New 2025 Eight-Hour Annuity Training Course.

With the distribution of this Notice, the California Department of Insurance met <u>SB</u> and the NAIC's Suitability in Annuity Transactions Model Act #275 standards requirements to avoid dual oversight and regulation of annuities by the federal government (namely the U.S. Securities and Exchange Commission) by January 1, 2025.

Notice - New California Live Scan Vendor

On February 13, 2025, the Licensing Services Division distributed a Notice announcing the Department's new live scan fingerprint vendor for California resident license applicants, Secure Screening Solutions, Inc, dba Capital Live Scan (CLS). For several months, Licensing did not have a contracted live scan vendor for California resident license applicants.

The fee to have a California resident license applicant schedule a live scan fingerprint is \$74, which includes:

- \$17 for FBI,
- \$32 for DOJ, and
- \$25 rolling fee for CLS.

CLS offers an online live scan fingerprint scheduling service at more than 800 live scan fingerprinting sites located throughout California. After the license applicant submits their license application, the applicant can schedule a live scan fingerprinting appointment near their home, work, or near the Los Angeles and PSI test centers.

One item for the Board to note is California non-resident applicants who are required to submit fingerprints in California, must use a standard FBI fingerprint card and send their completed fingerprint impressions to Accurate Biometrics for FBI and DOJ fingerprint processing.

2024 Agent & Broker ALERT

 December 16, 2024, <u>In a California "first," Commissioner Lara announces</u> enforcement of regulation to expand insurance coverage across the state

Commissioner's Notices

- Declaration of Emergency Situation, 2025 Los Angeles Area Fires
- <u>Urgent Notice—Solicitation by Public Adjusters in the Southern California</u>
 Wildfire Areas
- Annual Notice—Significant California Laws Effective as of the Date of this Notice Pertaining to Residential Property Insurance Policies, including those related to a Declared State of Emergency—2025
- The Guide for Adjusting Property Claims in California After a Disaster— 2025
- **5. Examination Statistics Update:** Rebecca Galsote, Curriculum Compliance Analyst, reported from January 1, 2024 through December 31, 2024, there were 21,702 first-time online remote proctored test takers with 14,145 passing, which is a 65 percent first-time pass rate.

Rebecca also stated, there were 26,849 first-time test center license examination test takers with 16,570 passing, which is a 62 percent first-time pass rate.

Overall, there were 48,551 first-time examinations with a total of 30,715 passing, which is a 63 percent first-time pass rate.

In addition, the License Examination Percentage Scores Reports provide the pass rates by percentile for those examinees who scored 50 percent or higher on their

license examination for the timeframe of January 1, 2024 through December 31, 2024. The first report is in English and the second report includes Chinese (Simplified), Korean, Spanish, Tagalog, and Vietnamese.

Rebecca also reported there were 32 license examination cheating incidents from January 1, 2024 through December 31, 2024, which resulted in 32 incident reports. Of those instances, 1 is still under review and 31 resulted in Administrative Bars. Rebecca explained that <u>California Insurance Code section 1681.5</u> states what is considered to be "willfully cheating" on a license examination and can result in a license examinee being issued an Administrative Bar.

6. Long-Term Care Outline Subcommittee Report: Dillon Gingras, Manager of the Curriculum Review Section, reported on the status of the Long-Term Care (LTC) Subcommittee's (Subcommittee) development of Four-Hour LTC Outlines (Outlines).

The Curriculum Board appointed the Four-Hour LTC Subcommittee to develop four-hour, topic-specific, LTC course outlines. These courses are to provide agents with in-depth curriculum on specific LTC topics in each four-hour course.

The Subcommittee held their first meeting on September 20, 2022, and currently meets every two weeks, unless scheduling conflicts arise. The Subcommittee has completed developing three Four-Hour LTC Outlines titled: "LTCi Plan Design," "Navigating the LTCi Claims Process" and "Suitability."

Currently, the Subcommittee is drafting the fourth Four-Hour Outline, titled "Making Changes to LTCi Benefits" and expects to complete this outline in late summer or early fall of 2025.

The Subcommittee's goal is to have a minimum of four four-hour LTC course outlines launched and distributed for these courses to be available for accident and health or sickness agents as an option to meet their eight-hour LTC continuing education requirement. The Subcommittee may consider developing additional course outlines as new LTC topics of importance arise.

7. Senate Bill 263 Subcommittee Report: Maria Alfaro, Education Analyst, reported on the status of the Senate Bill (SB) 263 Subcommittee (Subcommittee). With Governor Gavin Newsom signing SB 263, the creation of a four-hour life insurance course and a two-hour variable life policies course requirement was added to the California Insurance Code sections 1749.81(a) and (b).

In addition, <u>SB 263</u> also required the new suitability and best interest standard to be added to the four-hour and eight-hour annuity curriculum, which amended <u>Section 10509.914</u>, and added Sections <u>10509.9200</u>, <u>10509.9204</u>, and <u>10509.9205</u> to the California Insurance Code. This Subcommittee was appointed by Chairman Dogillo on July 20, 2023, to develop the new curriculum for each of these course outlines.

The Subcommittee held their first meeting on January 23, 2024, and continued to meet twice a month to develop the curriculum for the 2025 Life Insurance Policies Four-Hour Course Curriculum, the 2025 Variable Life Two-Hour Course Curriculum, the 2025 Annuity Four-Hour Training Course Curriculum, and the 2025 Annuity Eight-Hour Training Course Curriculum. The last time the Subcommittee met was on August 20, 2024.

The Department's Licensing Services Division sent nine Notices, which include four Notices to Education Providers announcing the availability of the new course curriculum and four Notices to life insurers and life agents announcing the new life insurance policies, variable life, the four-hour and eight-hour annuity training courses were available.

As of today, the Curriculum Review Section has approved 26 of the 2025 Life Insurance Policies Four-Hour courses, 18 of the 2025 Variable Life Insurance Two-Hour Courses, 21 of the 2025 Annuity Four-Hour Training Courses and 23 of the 2025 Annuity Eight-Hour Training Courses, which are available for life agents to meet <u>SB 263</u>'s training requirements.

The ninth Notice was distributed, on December 5, 2024, advising Education Providers that there are three additional four-hour annuity training course outlines available on the Department's <u>Education Provider Information</u>, California "Resident" and "Non-Resident - Provider Training Materials web pages, for Education Providers to develop additional new four-hour annuity courses that meet the suitability standards stated in <u>SB 263</u>. However, as of the date of this meeting, the Department has not received course applications for these three additional four-hour annuity courses.

8. Curriculum Review Schedule: Dawn Ward, Chief of the Curriculum and Licensing Background Bureau, provided the Board's Curriculum Review Schedule update.

Dawn explained for the new Board members that this schedule lists when the outline or guideline was developed, the dates this curriculum was reviewed, and the three-year review timeline for the Board to consider if the curriculum needs an in-depth review by an appointed subcommittee is necessary to update the curriculum to ensure the course or guideline material is up-to-date and meets current laws and regulations. The 2024 Curriculum Review Schedule had several courses scheduled for review in 2025.

Dawn noted the 12-Hour ethics and California Insurance Code Prelicensing Training and the Three-Hour Ethics Training Course Development and Review Guidelines are scheduled for the Board's review. The California Insurance Code was amended to require licensed California resident agents and brokers to complete one hour of study on insurance fraud (California Insurance Code sections 1749(g)(h)(i), 1749.3, 1749.31, 1749.32, and 1749.33). On March 10, 2023, a Department Notice announced how agents and brokers can complete the Department created one-hour anti-fraud course to meet this requirement. In addition, education providers added the one hour of anti-fraud training to their

three-hour ethics training continuing education courses and their 12-hour Ethics and California Insurance Code training courses for students to meet this requirement.

In December 2024, the Department's Special Investigative Unit (SIU) worked with the Curriculum Review Section's Education Unit to update the three-hour ethics training continuing education course outline and the 12-hour Ethics and California Insurance Code training course outline to include the one hour of study on insurance fraud training. The Department's SIU also created a new, stand-alone, one hour of study on insurance fraud ethics training outline for education providers to be able to submit a one-hour course of study on insurance fraud.

Dawn also reported the new ethics outlines were sent to the Board members and were approved prior to this Board meeting. The Department will be sending a Notice to education providers announcing the release of these outlines during the last week in February. In early March, the Department's one-hour anti-fraud training will be removed from the Department's website.

- **9. Education Work Status Report:** Ammy Dang, Education Analyst, reviewed the Education Unit's statistics for the calendar year of 2024. Ammy also informed the Board that all paper and Sircon applications were assigned to an education analyst to review within ten days of its receipt at the Department.
- 10. Roundtable: Board member Samantha Tradelius raised a question regarding a recent email that was sent to the Board members regarding potentially eliminating the pre-licensing education requirement. She inquired whether this was something officially being implemented.

Charlene clarified that no formal notice was issued. The email to the Board provided a question the Department received. Licensing was asked to contact the Board members on potentially removing the prelicensing requirement. At this time, no further action has been taken. Charlene stated she will inform the Curriculum Board on any new developments.

11. Remarks and Adjournment: Chairperson Dogillo reminded the Board members and guests that the next Board meeting is scheduled for Thursday, July 17, 2025. The meeting will begin at 12:30 p.m. CRS' Board Liaison, Ammy Dang, will provide the Board members and guests with the next Board meeting arrangements approximately 30 days before the July 17th meeting.

Chairperson Dogillo asked for a motion to adjourn the meeting. Vice Chairperson Anne Lintz made a motion, and Board member Colbie McRae seconded the motion to adjourn the meeting. Chairperson Dogillo announced the February 20, 2025, Board meeting was adjourned at 1:27 p.m.