Session 115 - (2003-2004)

S 1087 General Bill, By Hayes, Thomas, Ford, Alexander and Richardson

Similar (H 5001)

Summary: Relates to the examination of Health maintenance organizations by the Director of Insurance

A BILL TO AMEND SECTION 38-33-170, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE EXAMINATION OF THE AFFAIRS OF A HEALTH MAINTENANCE ORGANIZATION BY THE DIRECTOR OF INSURANCE, SO AS TO CLARIFY THE DEPARTMENT OF INSURANCE'S EXAMINATION AUTHORITY WITH RESPECT TO ENTITIES OR PERSONS OTHER THAN ADMITTED INSURERS; TO AMEND SECTION 38-39-50, RELATING TO THE REQUIREMENT THAT A LICENSED PREMIUM SERVICE COMPANY IS REQUIRED TO MAINTAIN RECORDS OF ITS TRANSACTIONS, SO AS TO CLARIFY THE DEPARTMENT OF INSURANCE'S EXAMINATION AUTHORITY WITH RESPECT TO ENTITIES OR PERSONS OTHER THAN ADMITTED INSURERS; TO AMEND SECTION 38-41-80, RELATING TO THE REQUIREMENT FOR MULTIPLE EMPLOYER SELF-INSURANCE HEALTH PLANS TO KEEP FULL AND CORRECT RECORDS, SO AS TO CLARIFY THE DEPARTMENT OF INSURANCE'S EXAMINATION AUTHORITY WITH RESPECT TO ENTITIES OR PERSONS OTHER THAN ADMITTED INSURERS; TO AMEND SECTION 38-43-100, AS AMENDED, RELATING TO THE ISSUANCE OF A PRODUCER'S LICENSE, SO AS TO OFFER LICENSE EXAMS ELECTRONICALLY AS WELL AS WRITTEN AND TO AUTHORIZE THE DEPARTMENT TO PURSUE ACTION AGAINST AN APPLICANT OR INSURER'S REPRESENTATIVE FOR FALSE INFORMATION PROVIDED ON AN APPLICATION; TO AMEND SECTION 38-43-101, RELATING TO LICENSING AN INSURANCE PRODUCER WHO WAS PREVIOUSLY LICENSED FOR THE SAME LINES OF INSURANCE IN ANOTHER STATE, SO AS TO AUTHORIZE THE DEPARTMENT TO PURSUE ACTION AGAINST AN APPLICANT OR INSURER'S REPRESENTATIVE FOR PROVIDING FALSE INFORMATION ON AN APPLICATION; TO AMEND SECTION 38-43-105, AS AMENDED, RELATING TO EDUCATIONAL REQUIREMENTS FOR LOCAL AND GENERAL PRODUCERS, SO AS TO STRENGTHEN THE EDUCATIONAL REQUIREMENTS AND DELETE THE REQUIREMENT THAT A COURSE EXAMINATION BE MONITORED BY A PROCTOR; TO AMEND SECTION 38-43-106, AS AMENDED, RELATING TO CONTINUING EDUCATION REQUIREMENTS OF AN APPLICANT OR PRODUCER LICENSED TO SELL PROPERTY AND CASUALTY INSURANCE OR LIFE, ACCIDENT, AND HEALTH INSURANCE, SO AS TO ALLOW THE DEPARTMENT TO BE RECIPROCAL WITH OTHER STATES WITH REGARD TO CONTINUING EDUCATIONAL REQUIREMENTS AND AUTHORIZE THE DIRECTOR TO APPOINT AS MANY REPRESENTATIVES AS NECESSARY TO PERFORM THE RESPONSIBILITIES OF THE ADVISORY BOARD; TO AMEND SECTION 38-43-107, AS AMENDED, RELATING TO THE ADDRESS SUPPLIED BY AN INSURANCE PRODUCER WHEN APPLYING FOR A LICENSE, SO AS TO REQUIRE THE BUSINESS, MAILING, AND RESIDENCE ADDRESSES; TO AMEND SECTION 38-43-200, AS AMENDED, RELATING TO THE PROHIBITION ON SPLITTING COMMISSIONS WITH AN UNLICENSED PERSON BY A LICENSED PRODUCER, SO AS TO DELETE A PROVISION WHICH ALLOWS FEE SPLITTING; TO AMEND SECTION 38-43-250, AS AMENDED, RELATING TO PRODUCER RECORDS KEPT BY PRODUCERS AS AN ACCURATE RECORD OF BUSINESS DONE BY THEM, SO AS TO CLARIFY THE DEPARTMENT OF INSURANCE'S EXAMINATION AUTHORITY WITH RESPECT TO ENTITIES OR PERSONS OTHER THAN ADMITTED INSURERS; TO AMEND SECTION 38-44-20, RELATING TO DEFINITIONS USED IN THE MANAGING GENERAL AGENTS ACT, SO AS TO CLARIFY THE DEFINITION OF A "MANAGING GENERAL AGENT"; TO AMEND SECTION 38-45-20, AS AMENDED, RELATING TO THE REQUIREMENTS FOR A RESIDENT TO BE LICENSED AS AN INSURANCE AGENT, SO AS TO CLARIFY WHAT CONSTITUTES THE LIFE SPAN OF A CERTIFICATE OF COURSE COMPLETION WITH RESPECT TO A BROKER LICENSE; TO AMEND SECTION 38-45-80, RELATING TO THE REQUIREMENT FOR BROKERS TO KEEP RECORDS OF BUSINESS DONE, SO AS TO CLARIFY THE DEPARTMENT OF INSURANCE'S EXAMINATION AUTHORITY WITH RESPECT TO ENTITIES OR PERSONS OTHER THAN ADMITTED INSURERS; TO AMEND SECTION 38-48-120, RELATING TO RECORD RETENTION BY A PUBLIC ADJUSTER, SO AS TO CLARIFY THE DEPARTMENT OF INSURANCE'S EXAMINATION AUTHORITY WITH RESPECT TO ENTITIES OR PERSONS OTHER THAN ADMITTED INSURERS; TO AMEND SECTION 38-51-60, RELATING TO THE REQUIREMENT THAT AN ADMINISTRATOR MAINTAIN FOR THE DURATION OF THE WRITTEN AGREEMENT AND FIVE YEARS AFTER THAT TIME ADEQUATE BOOKS AND RECORDS OF ALL TRANSACTIONS AMONG THE ADMINISTRATOR, INSURERS, AND INSURED PERSONS, SO AS TO CLARIFY THE DEPARTMENT OF INSURANCE'S EXAMINATION AUTHORITY WITH RESPECT TO ENTITIES OR PERSONS OTHER THAN ADMITTED INSURERS; TO AMEND SECTION 38-53-320, RELATING TO THE EXAMINATION BY A PROFESSIONAL OF A SURETY BONDSMAN, SO AS TO CLARIFY THE DEPARTMENT OF INSURANCE'S EXAMINATION AUTHORITY WITH RESPECT TO ENTITIES OR PERSONS OTHER THAN ADMITTED INSURERS; TO AMEND SECTION 38-77-155, RELATING TO THE DISTRIBUTION OF MONIES FROM THE UNINSURED MOTORIST'S FUND BY THE DIRECTOR OF INSURANCE, SO AS TO ALLOW THE DIRECTOR TO

DISTRIBUTE MONIES BASED ON DATA FROM THE INSURER'S ANNUAL STATEMENT INFORMATION FILED WITH THE DEPARTMENT; AND TO AMEND SECTION 38-78-70, RELATING TO THE REQUIREMENT THAT A PROVIDER MAINTAIN ACCURATE ACCOUNTS, BOOKS, AND RECORDS CONCERNING HIS TRANSACTIONS, SO AS TO CLARIFY THE DEPARTMENT OF INSURANCE'S EXAMINATION AUTHORITY WITH RESPECT TO ENTITIES OR PERSONS OTHER THAN ADMITTED INSURERS.

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