

State Budget Office  
**Office of Regulatory Reinvention**  
111 S. Capitol Avenue; 8th Floor, Romney Building,  
Lansing, MI 48933  
Phone: (517) 335-8658 FAX: (517) 335-9512

## REQUEST FOR RULEMAKING (RFR)

Under the Administrative Procedures Act (APA), 1969 PA 306, the agency that has the statutory authority to promulgate rules must electronically file a RFR with the Office of Regulatory Reinvention (ORR) before initiating any changes or additions to the rules. Submit copy to the ORR at [orr@michigan.gov](mailto:orr@michigan.gov).

### 1. Agency Information

Agency name:	Department of Insurance and Financial Services
Division/Bureau/Office:	Office of General Counsel
Name, title, phone number, and e-mail of person completing this form:	Sarah Wohlford, Deputy General Counsel, 517-284-8743, <a href="mailto:wohlfords@michigan.gov">wohlfords@michigan.gov</a>

### 2. Rule Set Information

Title of proposed rule set:	Pre-Licensure Education Requirements
Rule number(s) or range of numbers:	R 500.1-R 500.6
Included in agency's annual regulatory plan as rule to be processed in current year?	Yes.

### 3. Estimated timetable for completion, or statutory deadline, if applicable:

As soon as possible.
----------------------

### 4. Describe the general purpose of these rules, including any problem(s) the changes are intended to address:

These rules set forth requirements related to pre-licensure education for insurance producers (i.e., agents). The proposed amendments are necessary to reflect statutory amendments, primarily the elimination of the Agent Education Advisory Council by PA 67 of 2017. The other amendments are: updating the number of hours required for certain programs of study, as necessitated by 2009 amendments to Section 1204a of the Insurance Code, MCL 500.1204a; providing for online courses; and establishing reporting requirements for education providers.
--

### 5. Cite the specific rule promulgation authority (i.e. agency director, commission, board, etc., listing all applicable statutory references. If the rule(s) are mandated by any applicable constitutional or statutory provision, please explain.

These rules are promulgated under mandatory rulemaking authority set forth in MCL 500.1204a(1)(d) and MCL 500.1204a(3).
---

### 6. Describe the extent to which the rule(s) conflict with, duplicate, or exceed similar regulations, compliance requirements, or other standards adopted at the state, regional, or federal level. Include applicable public act and statutory references.

Pre-licensure education requirements are established by state insurance regulators; there are no conflicting, duplicative, or similar regulations, compliance requirements, or other standards (state, regional, or federal) that apply.
--

### 7. Is the subject matter of the rule(s) currently contained in any guideline, manual, handbook, instructional bulletin, form with instructions, or operational memo?

DIFS has informal guidance, including FAQs, related to pre-licensure education here: [https://www.michigan.gov/difs/0,5269,7-303-22535\\_23382---,00.html](https://www.michigan.gov/difs/0,5269,7-303-22535_23382---,00.html). DIFS has three (3) forms with instructions related to instructor and provider registration:  
[https://www.michigan.gov/documents/difs/FIS\\_2327\\_622582\\_7.pdf](https://www.michigan.gov/documents/difs/FIS_2327_622582_7.pdf) (Application for Instructor Approval)  
[https://www.michigan.gov/documents/lara/FIS\\_0409\\_372067\\_7.pdf](https://www.michigan.gov/documents/lara/FIS_0409_372067_7.pdf) (Application for Provider/Course Approval)  
[https://www.michigan.gov/documents/difs/FIS\\_2331\\_622583\\_7.pdf](https://www.michigan.gov/documents/difs/FIS_2331_622583_7.pdf) (Insurance Instructor Education Request)  
 A manual related to requests for new courses is here:  
[https://www.michigan.gov/documents/lara/07-2011\\_PE\\_CE\\_Course\\_Schedule\\_Reporting\\_358041\\_7.pdf](https://www.michigan.gov/documents/lara/07-2011_PE_CE_Course_Schedule_Reporting_358041_7.pdf)

**8. Explain whether the rule(s) will be promulgated under Sections 44 or 48 of the APA or the full rulemaking process:**

The rules will be promulgated under the full rulemaking process.

**9. Do the rule(s) incorporate the recommendations of any Advisory Rules Committee formed pursuant to Executive Order 2011-5? If yes, explain.**

No.

**10. Is there an applicable decision record as defined in Section 3(6) and required by Section 39(2) of the APA? If so, please attach the decision record.**

No.

**11. Reviewed by the following Departmental Regulatory Affairs Officer:**

Sarah Wohlford

-----  
 ↓ To be completed by the ORR ↓

Date RFR received:4-8-2019

**Based on the information in this RFR, the ORR concludes that there are sufficient policy and legal bases for approving the RFR.**

ORR assigned rule set number:	<b>2019-038 IF</b>
Date of approval:	<b>4/18/19</b>

**Based on the information in this RFR, the ORR is not approving the RFR at this time.**

Date of disapproval:	
Explanation:	