

From: Minnesota Department of Commerce <MNCommerce@public.govdelivery.com>
Sent: Friday, July 10, 2020 12:38 PM
To: Kimberly R. Snavely
Subject: Regulatory Guidance 20-31 Minnesota Temporary Producer Licensing Updates



Regulatory Guidance 20-31

Issued July 10, 2020

Attention: Minnesota Insurance Businesses and Professionals
Re: Minnesota Temporary Producer Licensing Updates
Date: July 10, 2020

Authority.

On March 13, 2020, Governor Tim Walz signed Executive Order 20-01, declaring a peacetime emergency related to COVID-19.

On April 24, 2020, the Commerce Department issued Regulatory Guidance 20-20, allowing the issuance of temporary resident insurance producer licenses pursuant to Minn. Stat. § 60K.42.

In light of the challenges related to the COVID-19 virus and the declaration of a peacetime emergency, the Commissioner of Commerce has issued Regulatory Guidance 20-31 under the Commissioner of Commerce's authority found in Minn. Stat. § 60K.42.

Guidance.

A. Requirements for Temporary Licenses

Effective immediately, the Minnesota Department of Commerce will issue temporary producer licenses to applicants who meet the requirements for

resident licensure under Minn. Stat. § 60K, without requiring examination or the submission of fingerprints, subject to the following conditions:

1. A temporary producer license will be valid for a period of 180 days.
2. Available lines of authority will be Life, Accident & Health, Property, Casualty, Variable Life & Variable Annuity, Personal Lines, and Farm Property & Liability.
3. To qualify for a temporary Life, Accident & Health, Property, Casualty, or Personal Lines license, an individual must have successfully completed the pre-license education required under Minn. Stat. § 60K.361 for each line of authority to be held by the individual.
4. A temporary producer license may not be renewed and may not be reinstated if it lapses.
5. Upon its surrender or expiration, a temporary producer license may not be permanently converted to a regular producer license.
6. A temporary producer license is subject to cancellation or revocation if the temporary producer licensee violates the insurance laws of Minnesota or if the interests of insureds or the public are endangered.
7. A temporary producer license will allow the producer to operate in the State of Minnesota as a resident temporary producer. A temporary producer license issued by the State of Minnesota does not confer eligibility for nonresident licenses in other states. An individual cannot perform any act requiring an insurance producer license under Minn. Stat. § 60K until an application for the individual's temporary producer license has been submitted and approved.
8. A temporary producer must be either:
 1. appointed by a sponsoring insurer authorized to do business in Minnesota that assumes responsibility for all acts of the temporary producer licensee and is authorized to write the line(s) of insurance to be sold, solicited, or negotiated by the producer; or
 2. sponsored by an insurance agency licensed in good standing in Minnesota that assumes responsibility for all acts of the temporary producer licensee, and initially appointed under the procedure described in item 9 by an insurer authorized to do business in Minnesota.

The duration of the temporary appointment under either of these scenarios will coincide with the duration of the temporary license.
9. The Commerce Department will create an initial appointment for the temporary licensee once the temporary producer license application is

approved. Initial appointments, as well as any subsequent appointments completed by the temporary producer licensee, will not remain in place unless the temporary licensee subsequently applies for, and is issued, a full producer license before the temporary license expires or is terminated.

10. The sponsoring insurer or agency must maintain a record of all producers operating under a temporary producer license and all business the temporary producer licensees transact and assumes responsibility for all acts of its temporary licensees.

B. How to Apply for a Temporary Producer License

The sponsoring insurer or agency must submit an application on behalf of the temporary producer licensee. The Temporary Producer License application must be submitted electronically and is available only via www.sircon.com. The license application fee is \$50.00 per line of authority plus a \$30 company appointment fee and a \$25 Technology Surcharge. After an application is approved, the license may be printed at www.sircon.com/minnesota.

Questions.

Individual questions can be directed to licensing.commerce@state.mn.us. Commerce staff are responding as soon as possible to written inquiries.

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