

Title 23. Public Utilities and Regulated Industries
Chapter I. State Insurance Department, Department of Commerce
Subchapter A. Generally
Part 44. Automatic and Expedited Licensure for Military Service Members, Veterans, and Spouses

Codification Notes. This part as promulgated prior to codification into the Code of Arkansas Rules provided as follows:

"SECTION 1. AUTHORITY

This rule is issued pursuant to Ark. Code Ann. §§ 17-4-101 et seq., 23-61-108(a), and 25-15-201 et seq."

"SECTION 5. EFFECTIVE DATE

This Rule shall be effective upon approval by the Arkansas Legislative Council, and shall go into effect ten (10) days after filing the final rule with the Secretary of State."

Subpart 1. Generally

23 CAR § 44-101. Definitions.

As used in this part:

(1) "Automatic occupational licensure" means the granting of a license without the individual's having met occupational licensure requirements provided under the Arkansas Insurance Code or by State Insurance Department rule;

(2) "Licensure" means the issuance of any of the following licenses:

- (A) Certified application counselor;
- (B) Claims adjuster;
- (C) Emergency temporary producer;
- (D) In-person assistant guide;
- (E) Insurance consultant;

- (F) Insurance producer;
- (G) Life settlement broker;
- (H) Managing general agent;
- (I) Navigator;
- (J) Purchasing group broker;
- (K) Reinsurance intermediaries broker;
- (L) Reinsurance intermediaries manager;
- (M) Risk retention agent; and
- (N) Surplus lines broker;

(3) "Returning military veteran" means a former member of the United States Armed Forces who was discharged from active duty under circumstances other than dishonorable;

(4) "Uniformed service member" means:

(A) An active or reserve component member of the:

- (i) United States Air Force;
- (ii) United States Army;
- (iii) United States Coast Guard;
- (iv) United States Marine Corps;
- (v) United States Navy;
- (vi) United States Space Force; or
- (vii) National Guard;

(B) An active component member of the National Oceanic and Atmospheric Commissioned Officer Corps; or

(C) An active or reserve component member of the United States Commissioned Corps of the Public Health Service; and

(5) "Uniformed service veteran" means a former member of the United States uniformed services discharged under conditions other than dishonorable.

Authority. Arkansas Code §§ 17-4-105, 17-4-106, 23-61-108.

23 CAR § 44-102. Requirements for automatic licensure.

(a) The State Insurance Department shall grant automatic licensure to any of the following individuals:

- (1) A uniformed service member stationed in the State of Arkansas;
- (2) A uniformed service veteran who resides in or establishes residency in the State of Arkansas;
- (3) The spouse of a uniformed service member stationed in the State of Arkansas;
- (4) The spouse of a uniformed service veteran who resides in or establishes residency in the State of Arkansas;
- (5) The spouse of a uniformed service member who is assigned a tour of duty that excludes the uniformed service member's spouse from accompanying the uniformed service member and the spouse relocates to this state; and
- (6) The spouse of a uniformed service member who is killed or succumbs to his or her injuries or illness in the line of duty if the spouse establishes residency in the state.

(b)(1) The department shall grant automatic licensure to any individual:

- (A) Listed in subsection (a) of this section; and
- (B) Who is a holder in good standing of a license with similar scope of practice issued in another state, territory, or district of the United States.

(2) No testing will be required.

(c) The department shall extend the expiration date of any license issued for a deployed service member or his or her spouse for one hundred eighty (180) days following the date of the uniformed service member's return from deployment.

(d) The department shall allow for a full exemption from continuing education requirements for any individual listed in subsection (a) of this section until one hundred eighty (180) days following the date of the uniformed service member's return from deployment.

(e) In order to allow for full exemption of continuing education, the department may require evidence of completion of continuing education before:

- (1) Granting a subsequent licensure; or
- (2) Authorizing the renewal of the license.

Authority. Arkansas Code §§ 17-4-105, 17-4-106, 23-61-108.

23 CAR § 44-103. Requirements for expedited initial licensure.

(a) This section applies to individuals who:

(1) Have never been licensed in the insurance industry in this state or in any other United States state, district, or territory; and

(2) Qualify as one (1) of the individuals listed in 23 CAR § 44-102(a).

(b) All individuals listed in 23 CAR § 44-102(a) shall be eligible for expedited initial licensure.

(c)(1) Such an individual shall first apply for provisional licensure.

(2) The application for provisional licensure shall be made on a form approved by the Insurance Commissioner.

(d)(1) The application for provisional licensure shall be accompanied by the provisional licensure application fee.

(2) Once the State Insurance Department has verified the required documentation, a provisional license will be issued to the individual.

(3) The provisional license will be valid for one hundred eighty (180) days.

(e) An individual who has been issued a provisional license pursuant to this part is required to be supervised by an individual who is licensed with the same scope of practice as the provisional license being applied for, which shall be one (1) of the licenses listed in 23 CAR § 44-101(2).

(f) If needed, an individual may request an extension of the provisional license beyond the one hundred eighty (180) days in order to attain full licensure.

(g) The department shall accept relevant and applicable uniformed service education, training, national certifications, or service-issued credential toward licensure qualifications or requirements when considering an application for provisional licensure

of an individual who is a uniformed service member or a uniformed service veteran who makes an application after his or her discharge from uniformed service.

Authority. Arkansas Code §§ 17-4-105, 17-4-106, 23-61-108, 23-61-709.