

## North Dakota Accident and Health Insurance Examination

110 Items

Duration 150 minutes

### Insurance Regulation (10 items)

#### Licensing

Process (26.1-26-13.2, 13.3, 15; Reg 45-02-02-02)

Types of licensees

Producer (26.1-26-02, 11)

Individual

Business entity

Producer-agent of insured (26.1-26-07)

Producer-agent of insurer (26.1-26-06)

Consultants (26.1-26-35, 41; Reg 45-02-02-09, 10)

Nonresident producers (26.1-26-20, 47.1)

Temporary (26.1-26-26)

Maintenance and duration

Renewal of appointments (26.1-26-32; Reg 45-02-02-07)

Termination (26.1-26-31; Reg 45-02-02-12)

Change of address (26.1-26-33; Reg 45-02-02-13)

Reporting of actions (26.1-26-45.1)

Assumed business names (26.1-26-25.1)

Continuing education (26.1-26-31.1; Reg 45-02-04-03, 08–11, 13)

Disciplinary actions

Refusal of license (26.1-26-39, 40, 42)

Cease and desist order (26.1-01-03.1; 26.1-04-13)

Suspension, revocation and probation (26.1-26-42–46)

Penalties for violations (26.1-01-03.3; 26.1-04-13–17; 26.1-26-50, 51)

#### State Regulation

Commissioner's general duties and powers (26.1-01-03; 26.1-04-09)

Company regulation

Certificate of authority (26.1-02-02)

Solvency (26.1-02-02, 03; 26.1-05-32)

Unfair claims settlement practices (26.1-04-03(9))

Producer regulation

Sharing commissions (26.1-26-04)

Company and agency regulation

Examination of books and records (26.1-03-19.2; 26.1-26-48)

Producer appointment (26.1-26-13.1; Reg 45-02-02-06)

Termination of appointment (26.1-26-34; Reg 45-02-02-06)

Unfair practices

Misrepresentation (26.1-04-03(1), (12), 07)

False advertising (26.1-04-03(1), (2))

Defamation (26.1-04-03(3))

Boycott, coercion and intimidation (26.1-04-03(4), 04)

False financial statements (26.1-04-03(5))

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Unfair discrimination (26.1-04-03(7), (11), 05)  
Rebating (26.1-04-03(8), 05, 06)  
Prohibited inducements (26.1-04-05, 06)  
Twisting (26.1-04-03(1))  
Insurance fraud regulation (26.1-02.1-01–11)  
Producer Legislation - STLD (26.1-36.8)

### North Dakota Laws and Regulations Pertaining to Accident and Health Insurance (30 items)

#### Individual Accident and Health insurance policy clauses and provisions

Standard Provisions (Ref: Ref: 26.1-36-04(1))  
Entire contract; changes (Ref: 26.1-36-04(1)(a)(b))  
Claim Procedures (Ref: 26.1-36-04(1)(g) through (k), 26.1-36-37.1)  
Physical examinations and autopsy (26.1-36.04(l))  
Grace period (Ref: 26.1-36-04(e))  
Pre-existing conditions (Ref: 26.1-36-04(d))  
Incontestability (Ref: 26.1-36-04(1)(c))  
Reinstatement (Ref: 26.1-36-04(f))  
Legal Actions (Ref: 26.1-36-04(m))  
Return of premium paid beyond month of death (26.1-36.04 (n))  
Right to return policy (free look) (26.1-36-02.1)  
Other Provisions (Ref: 26.1-36-04(2))  
Change of occupation (26.1-36-04 (a))  
Misstatement of age (Ref: 26.1-36-04(b))  
Overinsurance (26.1-36-04(c))  
Unpaid premium (Ref: 26.1-36-04(d))  
Cancellation (26.1-36-04 (e))  
Conformity with state statutes (Ref: 26.1-36-04(f))  
Intoxicants and narcotics (Ref: 26.1-36-04(h))  
Illegal occupation (Ref: 26.1-36-04(g))

#### Group Accident and Health insurance policy clauses and provisions

Standard provisions (Ref: 26.1-36-05(1–15))  
Certificates of coverage (Ref: 26.1-36-05(7))  
Grace period (Ref: 26.1-36-05(1))  
Incontestability (Ref: 26.1-36-05(2))  
Attachment of application (Ref: 26.1-36-05(3))  
Exclusions or limitations (26.1-36-05(5))  
Misstatement of age (Ref: 26.1-36-05(6))  
Claim Procedures (Ref: 26.1-36-05(8) through (12))  
Physical examination and autopsy (26.1-36-05(13))  
Legal Action (Ref: 26.1-36-05(14))  
Other provisions  
Coordination of benefits (Ref: 26.1-36-10, Reg. 45-08-01.2)  
Continuation of coverage (Ref: 26.1-36-23)  
Coverage of former spouse and children (26.1-36-23.1)  
Dual choice option (26.1-36-26)

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### North Dakota requirements (individual and group)

#### Eligibility requirements

- Newborn/adopted children (26.1-36-07)
- Child coverage; non-custodial parents (26.1-36.5-03)
- Dependent coverage (26.1-36-22)
- Portability (26.1-36.4-04; Reg 45-06-11-01–05)

#### Group mandated benefit options

- Prescription drugs (26.1-36-06(1))
- Chiropractic care (26.1-36-06(2))

#### Marketing requirements

- Advertising (Reg 45-06-04-01)
- Life and Health Guaranty Association (26.1-38.1-16(1))
- Sales presentations (Reg 45-06-04)

#### Underwriting requirements

- Informed consent (testing of body fluids) (Reg 45-03-11-01)
- Unfair discrimination (Reg 45-03-10-04)

#### HIPAA (Health Insurance Portability and Accountability Act) requirements

- Eligibility (Reg 45-06-12-02-01: 45-06-12-02-03)
- Guaranteed issue (Reg 45-06-12)
- Pre-existing conditions (26.1-36.4-03, 03.1; Reg 45-06-12-01)

### Medicare Supplements

- Standards for marketing (Ref: Reg. 45-06-01.1-17)
- Open enrollment (Ref: Reg. 45-06-01.1-09)
- Advertising (Ref: 26.1-36.1-07; Reg. 45-06-01.1-16)
- Appropriateness of recommended purchase (Ref: Reg. 45-06-01.1-18)
- Outline of coverage (Ref: 26.1-36.1-05; Reg. 45-06-01.1-14(4))
- Right to return (free look) (Ref: 26.1-36.1-06)
- Replacement (Ref: Reg. 45-06-01.1-20)
- Minimum benefit standards (Ref: Reg. 45-06-01.1-06.1)
- Pre-existing conditions (Ref: Reg. 45-06-01.1-06.1)
- Required disclosure provisions (Reg 45-06-01.1-06.1)
- Permitted compensation arrangements (Ref: Reg. 45-06-01.1-13)
- Continuation and conversion requirements (Ref: Reg. 45-06-01.1-06.1(e))
- Notice of change (Ref: Reg. 45-06-01.1-14(2))
- Excessive or unnecessary coverage (duplication of coverage) (Ref: Reg. 45-02-02-14)
- Medicare SELECT (Reg 45-06-01.1-08)

### Long-term Care Insurance

- Standards for Marketing (Ref: Reg. 45-06-05.1-21)
- Advertising (Reg 45-06-04)
- Shopper's guide (Ref: Reg. 45-06-05.1-28)
- Outline of coverage (Ref: 26.1-45-09; Reg. 45-06-05.1-27)
- Right to return (free look) (Ref: 26.1-45-09(1))
- Replacement (Ref: Reg 45-06-05.1-23)
- Renewal provisions (Ref: 26.1-45-05.2)

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Contingent non-forfeiture (Ref: 26.1-45-14; Reg. 45-06-05.1-24)  
Cancellation (Ref: 26.1-45-05)  
Required disclosure provisions (Ref: Reg 45-06-05.1-06; Reg 45-06-05.1-07)  
Inflation protection (Ref: Reg. 45-06-05.1-11)  
Pre-existing conditions (Ref: 26.1-45-05-06)  
Protection against unintentional lapse (Ref: Reg. 45-06-05.1-05)  
Suitability (Ref: Reg. 45-06-05.1-22)  
Minimum home health care benefits (Ref: 26.1-45-13; Reg 45-06-05.1-10)  
Qualified long-term care contracts (Ref: 26.1-45-01(6); Reg. 45-06-05.1-26)  
Standards for benefit triggers (Reg 45-06-05.1-25)  
Premium rate schedule increases (Reg 45-06-05.1-07; 45-06-05.1-01 Appendix F)

### Comprehensive Health Association of North Dakota (CHAND) (26.1-08-01-13)

Eligibility (Ref: 26.1-08-12)  
Coverage and limits (Ref: 26.1-08-06, 26.1-08-06.1)  
Notification of CHAND by companies (Ref: 26.1-08-11)  
Premium amount (26.1-08-08)

### Federal Laws and Regulations (3 items)

Fair Credit Reporting Act - Purpose  
Privacy [Gramm Leach Bliley]  
Affordable Care Act (ACA)  
National Do Not Call List  
CAN-SPAM Act

### General Insurance Concepts (7 items)

#### Risk

Methods of Handling Risk (Avoidance, Retention, Sharing, Reduction, Transfer)  
Elements of Insurable Risks  
Definitions (Risk, Hazard, Peril, Loss)

#### Elements of a Contract

Consideration  
Competent Parties  
Legal Purpose  
Offer  
Acceptance

#### Authority and Powers of Producers

Express  
Implied  
Apparent  
The Law of Agency

#### Legal Interpretations Affecting Contracts

Reasonable Expectations  
Indemnity  
Good Faith  
Fraud  
Warranties, Representations, Misrepresentations, and Concealment

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### Accident and Health Insurance Basics (13 items)

#### Field Underwriting

- Application Procedures
- Disclosures and Privacy

#### Underwriting Requirements (Varies by Insurer)

#### Sources of Underwriting

- Application
- Producer's report
- Medical information bureau (MIB)
- Inspection report
- Medical examination
- Attending physician's report

#### Policy Delivery

- Effective Date of Coverage
- Policy Review
- Premium Collection Methods (e.g., Electronic, Physical, EFT, ACH)
- Statement of Good Health

#### Definitions of Perils

- Accidental Injury
- Sickness

#### Types of Losses and Benefits

- Loss of Income from Disability (Short-Term/Long-Term Disability)
- Medical Expense
- Long-Term Care Expense

#### Classification of Risks

- Preferred
- Standard
- Substandard

### Individual Accident and Health Insurance Policy Provisions (12 Items)

#### Uniform Required Provisions

- Time Limit on Certain Defenses
- Grace Period
- Reinstatement
- Claim Forms
- Proof of Loss
- Time of Payment of Claims
- Physical Examinations and Autopsy
- Legal Actions
- Entire Contract
- Payment of Claims
- Change of Beneficiary
- Notice of Claim

#### Uniform Optional Provisions

- Change of Occupation

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Misstatement of Age/Sex

Illegal Occupation

Intoxicants, Narcotics, or Other Controlled Substances

### Other General Provisions

Right to Examine/Free Look

Insuring Clause

Consideration Clause

Coinsurance

Probationary Period

Elimination Period

Exclusions

### Disability Income and Related Insurance (7 items)

#### Benefits Determination for Disability

Indemnity

Loss of Income

#### Qualifications of Disability

Total (Own Occupation, Any Occupation)

Partial

Permanent

Presumptive

Recurrent

Residual

Inability to Perform Duties

Occupational versus Non-Occupational

#### Individual Disability Income Insurance

Basic Total Disability Plan

Cost of Living Rider

Future Increase Option Rider

Change of Occupation

Other Cash Benefits - (Accidental Death and Dismemberment (AD&D), Rehabilitation Benefit, Medical Reimbursement Benefit)

Refund Provisions

Exclusions

Waiver of Premium

Probationary Period

Elimination Period

Benefit Limits

#### Unique Aspects of Individual Disability Income Underwriting

Occupational Considerations

Benefit Limits

Policy Issuance Alternatives

#### Group Disability Income Insurance

Short-Term Disability

Long-Term Disability

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Coordination of Benefits (Workers' Compensation Benefits and Social Insurance)

At-work benefits

### Business Disability Income Insurance

Key Employee Disability Income

Disability Buy-Sell Policy

Business Overhead Expense

### Social Security Disability Income

Qualification for Disability Benefits

Definition of Disability

Waiting Period

### Medical Plans (15 items)

#### Medical Plan Concepts

Fee-for-Service

Prepaid

Specified disease/Dread disease insurance

Comprehensive Coverage

Dependent Coverage

#### Provisions and Clauses

Deductibles

Stop-Loss Provision

Impairment rider

#### Types of Medical Plans

Major Medical Insurance

Health Maintenance Organizations (HMOs)

Preferred Provider Organizations (PPOs)

Point-of-Service (POS) Plans

#### Cost Containment in Health Care Delivery

Managed Care

Preventive Care

Outpatient Benefits

Utilization Management

Preauthorization

Primary Care Physician

#### Limited Health Insurance Policies

Accidental Death and Dismemberment

Hospital indemnity

Critical Illness/Dread Disease

Vision Care

Hearing

Dental

#### Health Insurance Portability and Accountability Act (HIPAA)

Eligibility Requirements

Terms

Privacy

## North Dakota Accident and Health Insurance Examination

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Portability

### Affordable Care Act (ACA)

Eligibility

Dependent coverage

Essential health benefits

Levels of Coverage (Metallic Plans)

### Group Health Insurance (4 items)

#### Characteristics of Group Health Insurance

Group Contract

Certificate of Coverage

Eligible Groups

Contributory versus Non-Contributory

#### Employer Group Health Insurance

Underwriting Criteria

Eligibility for Insurance

Conversion of Coverage

Open Enrollment

Probation/Waiting Period

Coordination of Benefits

### COBRA

Eligibility

Duration of Coverage

Premium

### Specialized Health Insurance for Qualified Individuals (6 Items)

#### Medicare

Eligibility

Part A

Part B

Part C

Part D

#### Medicare Supplement Insurance

Enrollment Periods

Standardized Plan Benefits

#### Medicaid

Eligibility

#### Long-Term Care Policies

Eligibility for Benefits (Activities of Daily Living)

Benefit/Elimination Periods

Levels of care (Skilled, Intermediate, Custodial)

### Federal Tax Considerations for Health Insurance (3 items)

#### Health Insurance Premiums and Benefits

Individual

Group

Disability Income (Individual and Group)

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Business Disability Insurance

**Consumer-Driven Health Plans**

Health Savings Accounts (HSAs)

High Deductible Health Plans (HDHPs)

Health Reimbursement Accounts (HRAs)

Flexible Spending Accounts (FSAs)