



STANDARDS
OF
CONDUCT
AND
CONTINUING
EDUCATION
POLICY



THE NATIONAL ALLIANCE
for Insurance Education & Research

Standards of Conduct and Continuing Education Policy

I. Background

The National Alliance for Insurance Education & Research (TNA) exists to promote professional excellence and improve professional standards through comprehensive education in the insurance and risk management industries. With these goals in mind, TNA offers and develops programs that teach understanding and analysis of complex insurance contracts and risk management techniques through several series of courses.

Participants who pass each respective series of challenging exams earn prestigious designations and secure the right to use those designations with pride and proper conduct.

TNA, through the Boards of Governors and Directors, has exclusive authority to determine who may use its trademarked designations. The Boards grant individuals permission to use these designations based upon their agreement to abide by certain terms and conditions specified by the Boards, including those stated in this policy.

As a part of the designation process and the terms and conditions imposed upon designees and participants, the Boards require professional standards necessary for competency, which include currency and awareness of ever-present changes. Thus, for retention of all current designations, TNA, through its Boards, requires the fulfillment of continuing education requirements.

Furthermore, TNA upholds the principles of legal, ethical, and moral practices in fields where professionals are responsible for the financial well-being of individuals and corporations. These principles form the basis for the Boards' Rules of Conduct, which establish a level of professionalism required of all designees to maintain all current designations.

Designation Programs

Although various levels of knowledge and experience are requisite for success, matriculation in any TNA program is open to anyone in the insurance and risk management fields: insurance company and agency staff, captive and direct writer agents, independent agents and brokers, wholesalers, surplus lines brokers, consultants, adjustors, actuaries, attorneys, and risk management professionals.

From the more basic Certified Insurance Service Representative (CISR) and Certified School Risk Manager (CSRM) to the more technical Certified Insurance Counselor (CIC), Certified Risk Manager (CRM), and Certified Personal Risk Manager (CPRM) designation programs, and other programs to be developed in the future, TNA courses address practical applications for everyday use by insurance and risk management professionals.

Timeframe: For TNA designation conferment, each candidate must complete all of the prescribed series of courses, passing the exam given at the end of each classroom or online course, all within the established timeframe as outlined in website pages, promotional materials, and publications.

Requirements for Maintenance of Designation

Once a TNA participant attains a designation and experiences the recognition, prestige, and career fulfillment associated with that designation, the participant must attend at least one program annually to maintain the designation. This annual update must be one of the sanctioned programs offered by TNA and associated with that designation, as outlined in various website pages and publications.

No tests are required to maintain a designation. However, some of the update options are available only to dues-paying members of TNA.

II. Rules of Conduct

All persons who have heretofore been granted the rights and privileges of a TNA designation shall conduct themselves in an ethical and professional manner. The Rules of Conduct (which include, but are not limited to, the following) govern all designees who have rights to use the designations.

- A. A designee shall not engage in conflicts of interest.
- B. A designee shall not violate state insurance and risk management laws or statutes. Examples include, but are not limited to, licensing, advertising, or unfair trade or claims practices.
- C. A designee shall not violate Federal insurance law involving the Risk Retention Act, privacy under the Privacy Act of 1974, 5 U.S.C., Health Insurance Portability and Accountability Act of 1996, Gramm-Leach-Bliley Act of 1999, USA Patriot Act, 15 U.S.C., Sarbanes-Oxley Act of 2002, and/or other discrimination, unfair competition, or intellectual property laws.
- D. Designees shall not infringe upon copyright or trademark regarding any materials published by TNA.
- E. A designee shall not act in a manner that causes the designee's risk management license or risk management consulting license, or insurance-related license or permit to be cancelled, revoked, suspended, or restricted by an official regulatory body or by a court, and/or causes the surrender of such license or permit under the threat of or after the commencement of cancellation, revocation, or suspension proceedings by an official regulatory body or the initiation of litigation to cancel, revoke, or suspend such license or permit.

F. A designee shall not violate obligations to TNA and its Boards:

1. A designee shall abide by the terms of all agreements as established by TNA and its Boards, including but not limited to, using the designations properly and cooperating fully with TNA copyright, trademark, and professional review operations and requirements.
2. A designee shall meet the continuing education requirements to retain the right to use the designation.

III. Designation Disciplinary Policies and Procedures

Violations of the Rules of Conduct outlined in this policy may subject a designee or registrant to disciplinary action. TNA and its Boards are the certifying and standards-setting bodies for those individuals who have fulfilled the requirements of the designation program and must continue to fulfill those requirements. These Rules of Conduct contain professional and ethical standards and form the basis of a fair process for the conferment and maintenance of the designations granted by TNA, which through its Boards reserve the right to exercise disciplinary actions or to revoke its designations as circumstances dictate. Additionally, the Rules of Conduct are not designed to be a basis for legal liability to any third party.

Action Prior to Designation Revocation

Before instituting Revocation Procedures as outlined in Section III below, appropriate TNA personnel may implement procedures to allow a designee who has committed one of the following violations to continue to maintain the designation. TNA openly and responsibly works with designees to determine the appropriate process to maintain or reinstate a designation, with revocation remaining the last resort.

A. Failure to Annually Update

Each TNA designee must attend an appropriate TNA program in its entirety during each 12-month period, determined by the designee's birth month. Each designee who has not completed an annual update in a timely manner receives scheduled reminder notices. If the designee has sufficient justification for failing to update during this time, TNA personnel will work with the designee to complete the update within a reasonable length of time agreed upon by designee and TNA personnel.

After the scheduled reminder notices, and before TNA initiates final revocation of a designation for failure to update, the individual will receive a letter advising the designee of the intent to revoke the designation. This letter offers the person an opportunity to contact TNA to seek reinstatement of the designation.

To request reinstatement of the designation, the designee must contact TNA Client Support and agree to the following remedial program.

1. The CIC/CRM/CPRM (or other 16- or 20-hour program) designee must attend two *different* 16- or 20-hour (classroom or online) programs within the 12-month period following the missed update period.
2. The CISR/CSRM (or other one-day program) designee must attend two *different* one-day programs (classroom or online) within the 12-month period following the missed update period.
3. The designee must submit any requisite membership dues payment.
4. The designee must complete and sign the "Intent to Reinstate" form provided by TNA, outlining expected actions.

If the designee does not comply with the above conditions, TNA personnel shall have the authority to revoke the designation. Should the individual choose to appeal the decision, the revocation procedures must be followed by the designee.

B. Failure to Comply with Attendance Requirements During Update Seminars, Courses, or Programs

1. *Attendance Documentation:* Each participant must sign every Attendance Verification when it passes through the classroom. TNA uses Attendance Verification at every program for two reasons: to verify attendance for state licensing CE requirements and to verify attendance to meet TNA update requirements.
2. *Missed Time:* Missed time may include a missed Attendance Verification or missed classroom time due to arriving late or leaving early (including breaks, lunch, etc.).
3. *Missed Time and Failure to Sign Verification Procedures:* The on-site Educational Consultant/Coordinator for 16- and 20-hour programs and Instructor/Coordinator for one-day programs control all Attendance Verification and must report any Missed Time and Attendance Verification discrepancies to TNA.
4. *Corrective Actions:* TNA handles Missed Time and Attendance Sheet discrepancies on an individual basis to comply with state CE laws and TNA attendance requirements. If a designee does not agree on and take required remedial action, TNA personnel shall have the authority to remove the designation as described above. Should the individual choose to appeal the decision, the revocation procedures must be followed by the designee.

C. Alternative Disciplinary Procedures Following Discovery of Breaches of TNA Rules of Conduct

If TNA receives notice or complaint about breaches of TNA Rules of Conduct by a designee, it will proceed with appropriate investigation and action on an individual basis. If after such investigation, the circumstances appear to merit revocation procedures against the designee, TNA personnel will forward the case to the Boards to initiate the revocation procedures discussed in Section III.

Alternative TNA disciplinary procedures may include such measures as required attendance by the designee at a TNA Ethics course; required attendance at an appropriate additional seminar or course; or required attendance at an appropriate additional course *and* earning a passing grade on the corresponding examination. This attendance must take place within a period determined by TNA.

Designation Revocation Policy and Procedures

Pursuant to the authority granted by the By-laws of TNA, the Boards establish the following Rules of Conduct policy, which must be followed for retention of designations. This Policy sets out the procedures, rules, and guidelines for revocation and/or subsequent reinstatement of the designations heretofore granted by TNA to any person.

A. Breaches of TNA Requirements or Rules of Conduct

Breaches of TNA continuing education requirements or Rules of Conduct included within this policy may be a basis for revocation of designation.

B. Revocation of a Designation

If, for reasons including but not limited to those listed above, any person who has heretofore received a TNA designation fails to satisfy the requirements and/or ethical and professional standards of conduct of TNA and the other qualifications of individuals so designated, the Boards may revoke the designation.

1. Immediate Revocation for License Violations

- a. If the Boards ascertain 1) that a designee's risk management license or consulting license or insurance-related license or permit has been cancelled, revoked, suspended, or restricted by an official regulatory body or by a court, 2) that such designee has surrendered an insurance-related license or permit under threat of or after the commencement of cancellation, revocation, or 3) that suspension proceedings by an official regulatory body or the initiation of litigation to cancel, revoke, or suspend such license or permit, the Boards may *immediately revoke* that person's designation. This may be done without prior notice to that designee that the Boards are contemplating taking an action to revoke the designation.
- b. The Boards will give written notice ("Revocation Notice") of such revocation to the person whose designation has been revoked within thirty (30) days after the revocation action.
- c. The designee has sixty (60) days after receipt of the Revocation Notice to request that the Boards reconsider its revocation decision ("Reconsideration Request"). Such Reconsideration Request must be made in writing and include all explanations, arguments, exhibits, and other materials that the person deems appropriate for the Boards to consider. The person may request an informal hearing in which to make an oral presentation to the Boards or its designated representatives; and the Boards may,

in their sole discretion, grant such a hearing, but it shall not be required to do so. If the Boards do not receive a Reconsideration Request on or before the expiration of the 60-day period, the revocation shall continue until otherwise decided by the Boards.

- d. If a Reconsideration Request is made within the 60-day period, the Boards shall give the person written notice of its decision (“the Reconsideration Decision”) within one hundred fifty (150) days after receiving the Reconsideration Request.

2. Revocation for Other Cause

- a. If the Boards receive notice or complaint, or through other means of discovery, determines that any designee has otherwise breached TNA requirements or Rules of Conduct, the Boards may initiate its own Revocation Proceedings.
- b. The Boards will give written notice (“Revocation Proceedings Notice”) of the initiation of the Revocation Proceedings to the designee.
- c. The designee shall have sixty (60) days after receipt of the Revocation Proceedings Notice to respond (“Revocation Hearings Response”). Such Revocation Hearings Response must be made in writing and shall include all explanations, arguments, exhibits, and other materials that the designee deems appropriate for the Boards to consider. The designee may request an informal hearing in which to make an oral presentation to the Boards or its designated representative; and the Boards may, in their sole discretion, grant such a hearing, but shall not be required to do so. If the Boards do not receive a Revocation Proceedings Response on or before the expiration of the said 60-day period, the Boards shall revoke the designee’s designation at of the end of the 60-day period.

- d. If the Revocation Proceedings Response is received within the 60 days, the Boards shall give the designee written notice of its final decision (the “Revocation Decision”) within one hundred fifty (150) days after receipt of the Revocation Proceedings Response.

C. Reinstatement of Revoked Designation

1. Any individual whose designation has heretofore been revoked under the provisions of B. 1. or B. 2. may apply to the Boards for reinstatement (“the Reinstatement Application”). Such Reinstatement Application must be made in writing and shall include all explanations, arguments, exhibits, and other materials that the individual deems appropriate for the Boards to consider. The individual may request an informal hearing in which to make an oral presentation to the Boards; and the Boards may, in their sole discretion, grant such a hearing, but shall not be required to do so.
2. The Boards shall give the individual notice of its decision (the “Reinstatement Decision”) within one hundred fifty (150) days after receipt of the Reinstatement Application.

IV. Evidentiary Matters

The Boards, in making their decision regarding revocation or reinstatement of a person’s designation, shall be allowed, but shall not be required, to make its own independent investigation of the facts and receive oral presentations from any persons. The Boards, in making their decisions, shall not be bound by any particular rules of procedure or evidence.

V. Duty to Investigate

Other than ongoing disclosures of update requirement breaches as reported by TNA database and personnel, the Boards shall not be required to make ongoing or periodic investigations of the conduct of persons holding TNA designations. The Boards shall, in their discretion, investigate allegations of violations of its ethical or professional standards if they receive actual notices or complaints.

VI. Alternative Requirements Regarding Revocation or Reinstatement

The Boards, as a condition to any decision regarding revocation or reinstatement, may impose any lawful requirements on the person being considered for revocation or reinstatement. The Boards may further require whatever proof it deems appropriate that the individual has satisfied or performed the requirements set by the Boards.

VII. Finality of Decisions and Discretion of the Boards

The decision of the Boards regarding revocation or reinstatement shall be final and shall not be subject to judicial review. All decisions and actions of the Boards shall be at the complete and sole discretion of the Boards.

VIII. Referral to Committees of the Boards of Governors and Directors

The Boards may refer any action to a committee of the Boards. Once the Boards have referred an action to a committee of the Boards, the committee may proceed to final resolution without further action by the full Boards, unless such action or review is required under the Bylaws. In the event of such a referral, all references in this Policy to the Boards shall apply to the committee. In adopting this Policy, the Boards simultaneously refer all matters under this Policy to the Executive Committees.

IX. Notices

All notices to be given by the Boards pursuant to this Policy on Retention of designations shall be given by mail addressed to the person's last known address shown on TNA records. Notice to be given by the Boards shall be sent by certified mail.

Passed by the Boards on the 26th day of February 2008 and superseding all previous Board Policies concerning the Revocation and Retention of Designations.



3630 North Hills Drive • Austin, TX 78731
P.O. Box 27027 • Austin, TX 78755-2027
800-633-2165
TheNationalAlliance.com