

Amendment No. 1 to SB1855

Bailey
Signature of Sponsor

AMEND Senate Bill No. 1855

House Bill No. 1772*

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 56-6-104(b), is amended by adding the following as a new subdivision:

(12)

(A) A medicare product marketing representative, unless licensing as an insurance producer is required under applicable CMS regulations.

(B) As used in this subdivision (b)(12):

(i) "CMS" means the federal centers for medicare and medicaid services;

(ii) "Medicare product" means the forms of medicare coverage under which medicare beneficiaries may obtain coverage from a risk-bearing entity, including a medicare advantage plan;

(iii) "Medicare product insurer" means an insurance company:

(a) Authorized in this state to write accident and health insurance; and

(b) Authorized by CMS to offer one (1) or more medicare products in this state;

(iv) "Medicare product marketing":

(a) Means marketing as defined in medicare product marketing regulations and guidelines published by CMS; and

(b) Does not include the authority to bind coverage, negotiate premiums or other terms of coverage, or receive commissions in connection with the sale of medicare advantage plans;

(v) "Medicare product marketing representative" means an individual who:

(a) Is authorized by a medicare product insurer to engage in medicare product marketing on the insurer's behalf;

(b) Works under the supervision of a supervising agent employed by the medicare product insurer; and

(c) Complies with applicable CMS training and educational requirements for medicare products; and

(vi) "Supervising agent" means an individual holding an insurance producer license for accident and health insurance who has been designated by a medicare product insurer to supervise the marketing activities of one (1) or more medicare product marketing representatives.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.