



# State of Tennessee

## PUBLIC CHAPTER NO. 806

HOUSE BILL NO. 1772

By Representative Powers

Substituted for: Senate Bill No. 1855

By Senator Niceley

AN ACT to amend Tennessee Code Annotated, Title 56, Chapter 6, Part 1, relative to producer licensing.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

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

**HB1772**

(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.

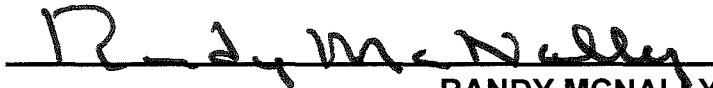
SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.

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PASSED: March 28, 2022



CAMERON SEXTON, SPEAKER  
HOUSE OF REPRESENTATIVES



RANDY MCNALLY  
SPEAKER OF THE SENATE

APPROVED this 8<sup>th</sup> day of April 2022



BILL LEE, GOVERNOR