

# Agent Policies for PY 2025

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## Change Log

Date	Modified By	Sections	Program Change Description
11/1/2024	Georgia Access	N/A	Initial publication.

## 1 Overview

### 1.1 Purpose

This document outlines the policies related to Georgia Access Agents (“Certified Agents” or “agents”) for Georgia’s State-based Exchange (SBE), Georgia Access. This document is updated at least annually.

### 1.2 Background

Georgia Access is a division within the Office of Commissioner of Insurance and Safety Fire (OCI). The Georgia Access Division is responsible for operating and managing the State’s SBE. Georgia Access operated as a State-based Exchange on the Federal Platform (SBE-FP) for plan year (PY) 2024 and will transition to a full SBE for PY 2025. Starting November 1, 2024, consumers can shop for and enroll in coverage through Georgia Access ([GeorgiaAccess.gov](https://GeorgiaAccess.gov)) for PY 2025. Consumers can also work with a web broker, insurance company, or Certified Agent to shop for and enroll in coverage.

### 1.3 Key Terms

**Accident and Sickness License:** A type of insurance license regulated by OCI. An Accident and Sickness License qualifies an agent to sell accident and sickness insurance in the State of Georgia but does not qualify an agent to sell insurance through Georgia Access. In order to sell through Georgia Access, agents must also receive a Georgia Access Certification.

**Certified Georgia Access Agents (“Certified Agents” or “agents”):** Individuals licensed to sell health insurance products in Georgia who are certified by Georgia Access. Certified Agents assist consumers with the consumer application and enrollment processes. Certified Agents are appointed by Georgia Access insurance companies to sell health insurance plans and are compensated via commission.

**Georgia Access Certification:** Agents who want to sell individual qualified health plans (QHPs) and stand-alone dental plans (SADPs) through Georgia Access must be certified by the State. The certification process consists of completing training modules, passing an exam, and attesting to adhere to all Georgia Access policies and procedures.

**Georgia Access Agent Portal:** A state-run portal provided free-of-charge to agents to maintain their book of business, enroll consumers, and submit tickets to the Georgia Access Contact Center. While agents are permitted to use any Georgia Access EDE Partner Agent Portal for consumer enrollments, all agents must establish a profile on the Georgia Access Agent Portal to receive commissions.

**Georgia Access Enhanced Direct Enrollment (EDE) Partner:** An organization that is certified to provide a technology platform for consumers to shop for and enroll in QHPs and SADPs. These partners include technology providers, web brokers, and insurance companies. All Georgia Access EDE Partners must hold an FFE EDE certification.

**Georgia Access Learning Management System (LMS):** A state-run platform used by agents, Navigators, and CACs to complete their respective Georgia Access Certification Training.

**Sircon / National Insurance Producer Registry (NIPR) Licensing Systems:** Systems used by the State of Georgia to manage all license applications, approvals, renewals, and maintenance.

## 2 Agent Policies

### 2.1 Requirement and Responsibilities

Agents are individuals who are licensed by the OCI Agent Licensing Division to sell health insurance products in Georgia and have received certification from Georgia Access to sell health insurance plans through Georgia Access. Agents can assist consumers with the application and enrollment processes. Agents receive Certificates of Authority or “appointments” from Georgia Access insurance companies to sell plans and are compensated via insurance company commissions.

#### 2.1.1 Agent Licensing

Agents must have an active Accident and Sickness License in the State of Georgia to participate in Georgia Access. An Accident and Sickness License is valid for two years and must be renewed by the last day of the agent’s birth month. Agents who already have an Accident and Sickness License must complete timely license renewals to participate in Georgia Access. There are two types of Accident and Sickness Licenses—Resident and Non-Resident. An agent’s license type is based on whether their personal or business address resides in Georgia. More information of each license type can be found below in [Section 2.1.1.1 Resident Licensing Requirements](#) and [Section 2.1.1.2 Non-Resident Licensing Requirements](#), respectively.

##### 2.1.1.1 Resident Licensing Requirements

Agents with a resident license are residents of Georgia or have a Georgia business address. To receive a resident Accident and Sickness License,<sup>1</sup> agents must:

- Be at least 18 years of age
- Be a resident of Georgia or have a Georgia business address
- Be in good standing as outlined in O.C.G.A. 33-23-21<sup>2</sup>
- Complete continuing pre-licensing education and/or continuing education (CE) requirements for renewals
- Complete a citizenship affidavit for new applicants
- Apply for a resident Accident and Sickness License in Georgia on the National Insurance Producer Registry at [www.nipr.com](http://www.nipr.com) or Sircon at [www.sircon.com/georgia](http://www.sircon.com/georgia)
- Achieve a passing score on the accident and sickness licensing examination (this applies to both new agents and existing agents who need to add the Accident and Sickness qualification to their license)
- Complete electronic fingerprints (for new resident agents and existing agents applying for reinstatement, if inactive for more than six months)<sup>3</sup>

##### 2.1.1.2 Non-Resident Licensing Requirements

Non-resident agents who hold a resident license in another state are not required to complete the pre-licensing course, Accident and Sickness licensing examination, or fingerprinting in Georgia when

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<sup>1</sup> See [Get Insurance Agent license | oci.georgia.gov](http://oci.georgia.gov) for more information.

<sup>2</sup> See [Rules and Regulations of the State of Georgia | rules.sos.ga.gov](http://rules.sos.ga.gov) for more information.

<sup>3</sup> Note: if an Agent’s license is revoked due to failure to renew, they enter a 12-month period where they can request reinstatement.

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applying. To receive a non-resident Accident and Sickness License, agents must meet the following OCI requirements:

- Be at least 18 years of age
- Hold a resident license in their home state
- Be in good standing as outlined in O.C.G.A. 33-23-21
- Complete a citizenship affidavit
- Apply for a non-resident Accident and Sickness License in Georgia on the National Insurance Producer Registry at [www.nipr.com](http://www.nipr.com) or Sircon at [www.sircon.com/georgia](http://www.sircon.com/georgia).

### 2.1.2 Georgia Access Certification for Agents

Accident and Sickness licensed agents are required to have Georgia Access Certification to sell plans through Georgia Access. The following requirements must be met to obtain Georgia Access Certification:

- Hold a Georgia Accident and Sickness License
- Complete the Georgia Access Certification Training
- Pass the Georgia Access Certification Exam
- Attest to all Georgia Access policies and procedures

Agents who hold a Georgia Accident and Sickness license and who complete Georgia Access Certification are considered Certified Agents and are eligible to participate in Georgia Access. All requirements for Georgia Access Certification can be accessed in the Georgia Access Learning Management System (LMS) at [certification.georgiaaccess.gov](http://certification.georgiaaccess.gov).

#### 2.1.2.1 Georgia Access Certification Training

The LMS is accessed at [certification.georgiaaccess.gov](http://certification.georgiaaccess.gov). The Georgia Access Certification Training includes information on Georgia Access policies and procedures, privacy and security standards, and the SHOP.

Agents must register on the LMS to complete Georgia Access Certification. To register, agents are required to provide their name, a unique personal email, National Producer Number (NPN), and agency affiliation if applicable. The name and personal email that agents provide must match the name and personal email that was used when registering for their license. After an account is created, agents may start the certification process.

#### 2.1.2.2 Certification Exam

Agents are required to take and pass an exam at the completion of the Georgia Access Certification Training. Agents must pass the Georgia Access Certification Exam with a score of 80% or higher to receive certification. Agents have three attempts to pass the exam.

If the agent fails the exam three times, they receive a notification that they failed certification. Agents who fail the exam three times and want to re-take the exam are required to email the Georgia Access Agent Inbox ([agents@georgiaaccess.ga.gov](mailto:agents@georgiaaccess.ga.gov)) indicating the reason they did not pass in the first three attempts and to request an appeal.

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### 2.1.2.3 Certification Exam Appeals Process

Agents who fail to pass the Georgia Access Certification Exam after three attempts may appeal for an additional opportunity to take the exam under certain extenuating circumstances.

### 2.1.2.4 Extenuating Circumstances

Extenuating circumstances are serious, unforeseen, and/or unavoidable events that significantly impair an agent's ability to prepare for or perform on the certification exam. These may include, but are not limited to:

- **Military Assignments:**
  - Active-duty deployment or reassignment
  - Mandatory training or exercises that conflict with exam dates
  - Sudden changes in military orders
- **Death or Serious Illness:**
  - Death of an immediate family member (spouse, child, parent, sibling, grandparent)
  - Serious illness or injury of the agent or an immediate family member requiring hospitalization or intensive care
- **Natural Disasters or Major Events:**
  - Hurricanes, floods, earthquakes, or other natural disasters affecting the agent's residence or place of work
  - Major accidents or events causing significant property damage or displacement
- **Legal Obligations:**
  - Jury duty or court appearances that conflict with exam preparation or dates
- **Severe Technical Issues:**
  - Documented system failures during the online exam that significantly impacted the agent's performance
- **Documented Learning Disabilities:**
  - Previously undiagnosed learning disabilities that affected exam performance, with proper medical documentation

*Note: General stress or anxiety related to exam-taking is not typically considered an extenuating circumstance, as licensed agents are expected to manage routine work-related stress. However, clinically diagnosed anxiety disorders or other mental health conditions may be considered with proper medical documentation, if applicable.*

### 2.1.2.5 Filing an Appeal

The agent must submit a written appeal via email to the Georgia Access Agent Inbox ([agents@georgiaaccess.ga.gov](mailto:agents@georgiaaccess.ga.gov)) within 10 business days of receiving their third failed exam result.

The appeal must include:

- Agent's full name, NPN, and contact information
- Detailed description of the extenuating circumstance(s)
- Explanation of how the circumstance(s) affected exam performance

### 2.1.2.6 Appeals Committee Review

The Georgia Access Agent Team will serve as the "Appeals Committee" and review the appeal within 15 business days of receipt. The Georgia Access Agent Team may request additional information or

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clarification from the agent during this period.

The Georgia Access Agent Team will consider:

- The nature and timing of the extenuating circumstance(s)
- The quality and completeness of supporting documentation
- The agent's previous exam performance and preparation efforts
- The likelihood of the agent passing the exam if granted another attempt

### 2.1.2.7 *Decision and Notification*

The Georgia Access Agent Team will decide within 5 business days following the completion of their review. The agent will be notified in writing via email of the Georgia Access agent team's decision, including the rationale.

If the appeal is granted:

- The agent will be allowed three additional exam attempts
- The agent may be required to complete additional preparation as specified by the committee

If the appeal is denied:

- The original decision will stand
- The agent must wait until the next agent certification period for Georgia Access Agent Certification

### 2.1.2.8 *Final Determination*

The decision of the Georgia Access agent team is considered final for the current certification period. Agents whose appeals are denied may reapply for certification in the next certification cycle.

### 2.1.2.9 *Agent Agreement*

Agents attest to the Georgia Access Agent Agreement in the LMS after completing the Georgia Access Certification Training and passing the Georgia Access Certification Exam. Agents attest to the following:

- All provided information is accurate
- They agree to adhere to all Georgia Access policies and procedures

After completing the attestation, agents receive a downloadable certificate proving that they have fulfilled the requirements for Georgia Access Certification.

### 2.1.2.10 *Continuing Education (CE) Credits*

Once agents complete Georgia Access Certification, Georgia resident new agents earn three CE credits towards their resident Accident and Sickness CE requirement, if applicable by the Office of the Commissioner of Insurance. If licensed resident agents fail the certification exam, they are not eligible for CE credits. Successful certification completions are provided to the State from the LMS to add into the resident agent's CE record. Resident returning agents earn 1.5 credits towards their resident Accident and Sickness CE requirement.

### 2.1.2.11 *Agent Certification Timeline*

Once the training is live, agents can complete certification during the specified time period prior to the upcoming Open Enrollment period for the following plan year. However, agents who plan to participate

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at the start of Open Enrollment (OE) must complete Georgia Access Certification by October 31st prior to OE.

Georgia Access Certification is active from the time of approval until the end of the approved plan year (i.e., December 31 of the approved plan year). Certified Agents may support enrollments during OE (if certified in time) and Special Enrollment Periods (SEPs) of that plan year. Agents must complete Georgia Access Certification annually for each plan year to be eligible to assist consumers for that plan year. For existing Certified Agents seeking certification for an upcoming plan year, a condensed refresher training may be available.

Training for the upcoming plan year is typically posted on the Georgia Access website in July before the plan year's OE begins. The training remains posted publicly through October 31st of that plan year. (I.e., From July 1 through October 31 there are two plan years' trainings posted: one for the current plan year, and one for the upcoming plan year.) During this period, agents who would like to assist consumers in applying for and enrolling in plans for the current plan year should complete the current plan year's training. Agents who would like to assist consumers in applying for and enrolling in plans for the upcoming plan year should take the training for the upcoming plan year.

Below are examples of when licensed agents can help consumers based on when they are certified.

- **Certified by October 31, 2024 for PY 2025:** Eligible to help consumers November 1, 2024 through December 31, 2025 for PY 2025 coverage.
- **Certified by October 31, 2025 for PY 2026:** Eligible to help consumers November 1, 2025 through December 31, 2026 for PY 2026 coverage; not eligible to help consumers for PY 2025 coverage during OE 2026 if agent was not certified in the previous PY.

## 2.2 Consumer Enrollments and Commissions

Agents receive appointments from Georgia Access insurance companies to sell health insurance and assist consumers with the consumer application and enrollment processes. As compensation, agents are paid a commission by the insurance company for each consumer they enroll in a health plan.

### 2.2.1 Agent Consent

ASSOCIATED FEDERAL REGULATION 45 CFR 155.220(j)(2)

Prior to providing consumer support, agents must receive authorization to collect consumer personally identifiable information (PII). This authorization is built into the Georgia Access Agent Portal and the EDE Partner Agent Portals so that when consumers enroll with an agent, the authorization is automatically recorded and maintained.

Georgia Access requires agents to document that the consumer or the consumer's authorized representative has reviewed and confirmed data accuracy prior to application submission. The agent must document the below fields, maintain documentation for a minimum of ten years, and produce documentation upon request.

- Date the information was reviewed
- Name of the consumer or their authorized representative
- Explanation of the attestations at the end of the eligibility application
- Name of the agent



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Additionally, agents must document the receipt of consent from the consumer or the consumer's authorized representative prior to providing assistance. The agent must document the below fields, maintain documentation for a minimum of 10 years, and produce documentation upon request.

- Description of the scope, purpose, and duration of the consent provided by the consumer or their authorized representative
- Date consent was given
- Name of the consumer or their authorized representative
- Name of the agent or agency being granted consent
- Process by which the consumer or their authorized representative may rescind consent

**Note:** Georgia Access will provide a reporting form to record and maintain the above information on the Georgia Access website. Agents may record and collect the information in the format of their choice.

### 2.2.2 Agent Support

Agents support consumers through the application process. Agents can access the consumer application, notices, eligibility, and enrollment information to resolve consumer inquires and assist with enrollment. Examples of consumer inquires that agents may support include:

- Application questions and processes
- Health plan selection
- Changes to the consumer's information, such as application updates or life events
- Consumer account creation and troubleshooting
- Identity proofing
- Language and accessibility support
- Submission of appeal requests
- Questions about notices, eligibility, enrollment, Data Matching Issues and SEP Verification Issues, and exemptions

### 2.2.3 Escalation Process

If an agent encounters a consumer inquiry that they cannot solve, the agent escalates the issue to the Georgia Access Contact Center for resolution or further escalation. Agents may reach the Georgia Access Contact Center by calling the direct phone line at 1- 888-312-4237 or by logging a ticket in the Georgia Access Agent Portal.

### 2.2.4 Consumer Enrollment Options

Agents have two options they may use for consumer enrollment:

- A Georgia Access EDE Partner Agent Portal
- The Georgia Access Agent Portal

Agents have the flexibility to use either enrollment option; agents may use them simultaneously and may switch between them at any time.

**Note:** Regardless of enrollment option, agents must create a Georgia Access Agent Portal Profile in order to receive commissions.

### 2.2.5 Georgia Access Insurance Company Appointments

Per Georgia Administrative Code Rule 120-2-3-.21 agents are required to obtain a Certificate of Authority or “appointment” directly with the insurance company whose products they intend to sell. All agents must receive an appointment with an associated insurance company within 15 calendar days of the sale of an insurance product. Appointments are legal documents that allow an agent to conduct business for the insurance company.

Agents must follow existing Georgia code and insurance company processes to establish appointments as outlined in the Georgia Insurance Licensing Candidate Handbook.<sup>4</sup>

### 2.2.6 Claiming Consumers

Agents claim consumers when a consumer has elected to work with that agent. Agents are able to claim a consumer only after receiving consumer information and consent provided by the consumer.

Without claiming a consumer, an agent cannot see or work on the consumer's application and cannot legally enroll the consumer. Once a consumer is claimed, only the agent who claimed the consumer may access the consumer's enrollment account and information. Below are the four examples in which agents may need to claim a consumer:

- **Example 1:** When an unaffiliated consumer contacts an agent and agrees to work with the agent for eligibility and enrollment assistance.
- **Example 2:** When an agent contacts a consumer who is either new or unaffiliated, and the consumer agrees to work with the agent for eligibility and enrollment assistance.
- **Example 3:** When an existing affiliated consumer decides to change agents and provides their permission to the new agent to assist them with eligibility and enrollment.
- **Example 4:** When an existing affiliated consumer decides to switch from enrolling themselves through the Georgia Access EDE Partner website or State consumer portal to enrolling with an agent's assistance. The agent first needs to claim the consumer prior to assisting them with eligibility and enrollment.

To claim a consumer, agents use either a Georgia Access EDE Partner Agent Portal or the Georgia Access Agent Portal to proceed through the consumer search functionality and become the Agent of Record (AOR) for that consumer. Agents search for a consumer based on information that is known to the consumer or that the consumer has provided voluntarily to the agent. Upon finding the consumer, the agent claims the consumer and formally identifies themselves as the AOR.

### 2.2.7 Agent of Record (AOR) Changes

An AOR is an agent or agency authorized by an insured individual to represent the insured party and manage an insurance policy on their behalf. Agents can submit a support ticket through the Georgia Access Agent Portal for AOR issue resolution. If the associating agent-to-consumer record is missing, the agent submits a ticket through the Georgia Access Agent Portal to correct the NPN information in the system.

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<sup>4</sup> See [Georgia Insurance Licensing Candidate Handbook | home.pearsonvue.com](http://home.pearsonvue.com) for more information.

## 2.3 Oversight and Compliance

The State monitors agents to ensure compliance with licensing and certification standards, including reviews for unauthorized enrollments and plans switches. If an agent is found to be non-compliant or fails to meet agreed upon standards, the State takes the necessary actions to decertify the agent.

### 2.3.1 Agent Decertification

Agent decertification is the process of an agent losing Georgia Access Certification. When an agent is decertified, they lose access to the Georgia Access Agent Portal and are no longer able to enroll consumers through Georgia Access.

#### 2.3.1.1 Reasons for Decertification

Decertification can occur for several reasons. The table below provides examples of different situations that result in decertification.

Decertification Reason	Description
Loss of Accident and Sickness License	Agent fails to meet the Accident & Sickness License standards
Failure to comply with rules and regulations in the Georgia Access policies and procedures	Agent fails to meet the standards of Georgia Access, as documented in the Agent Agreement
Failure to complete Georgia Access Certification requirements	Agent does not complete the requirements for Georgia Access Certification by the deadline
Voluntary Surrender	Agent sends written notice to Georgia Access requesting decertification <sup>5</sup>

#### 2.3.1.2 Decertification Reconsiderations

If an agent has been decertified, they may request a reconsideration by submitting a ticket to the Georgia Access Contact Center. Additional information about the reconsideration case may be requested by Georgia Access.

Examples of possible reasons for reconsideration include:

- Being physically unable to complete the certification course and exam before the deadline
- Military duty
- Death in immediate family<sup>6</sup>
- Intention to renew after failing to meet renewal deadline<sup>7</sup>

<sup>5</sup> To manually terminate their certification, an Agent must send the Georgia Access Contact Center a written notice at least 30 days in advance of the date of their intended termination.

<sup>6</sup> As used in this document, the term "immediate family" means a spouse, child, sibling, or parent or the spouse of a child, sibling, or parent.

<sup>7</sup> If an Agent's license is revoked due to failure to renew, they enter a 12-month period where they can request reinstatement after fulfilling certain OCI criteria.

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Georgia Access will provide the agent with a written notice of the reconsideration decision within 30 calendar days of the date the initial request for reconsideration is received. This decision constitutes the final determination for the plan year and is unappealable. However, decertified agents may apply for certification in future years.