

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2490 Session of
2010

INTRODUCED BY JOHNSON, BRIGGS, BROWN, BUXTON, CALTAGIRONE,
CARROLL, D. COSTA, FRANKEL, HENNESSEY, JOSEPHS, MANN,
MICOZZIE, PAYTON, READSHAW, SANTONI, SIPTROTH AND YOUNGBLOOD,
MAY 5, 2010

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES,
JUNE 30, 2010

AN ACT

1 Amending the act of May 17, 1921 (P.L.789, No.285), entitled, as
2 amended, "An act relating to insurance; establishing an
3 insurance department; and amending, revising, and
4 consolidating the law relating to the licensing,
5 qualification, regulation, examination, suspension, and
6 dissolution of insurance companies, Lloyds associations,
7 reciprocal and inter-insurance exchanges, and certain
8 societies and orders, the examination and regulation of fire
9 insurance rating bureaus, and the licensing and regulation of
10 insurance agents and brokers; the service of legal process
11 upon foreign insurance companies, associations or exchanges;
12 providing penalties, and repealing existing laws," in
13 insurance producer licensing, providing for life, accident
14 and health insurance.

15 The General Assembly of the Commonwealth of Pennsylvania
16 hereby enacts as follows:

17 Section 1. The act of May 17, 1921 (P.L.789, No.285), known
18 as The Insurance Department Act of 1921, is amended by adding a
19 section to read:

20 Section 604.1-A. Life, accident and health insurance.

21 (a) Scope.--This section shall apply to insurance producer
22 licensing examinations taken for life insurance or for life,

1 accident and health or sickness lines of insurance.

2 (b) Administration.--The department or a vendor selected by
3 the department shall review producer licensing examinations
4 subject to this section on an annual basis, and shall consider
5 as part of the review determinations and findings made under
6 this section. The department or its selected vendor shall do all
7 of the following:

8 (1) Beginning on January 1, 2011, collect demographic
9 data from individuals who have made application to take an
10 insurance producer licensing examination subject to this
11 section. The data shall be collected on a form and in a
12 manner prescribed by the department and shall include the
13 race, gender, nation of origin and highest achieved
14 educational level of the examination applicant. The form
15 shall contain a written statement displayed prominently on
16 each page used to collect the data which states:

17 You are not required to disclose this information and
18 will not be penalized for leaving it blank. This
19 information is used strictly for research and statistical
20 purposes in order to improve the quality and fairness of
21 the examination.

22 (2) Review the data collected under paragraph (1) and
23 compare it to the outcome of each question of the producer
24 insurance licensing examinations and to the overall outcome
25 of the examinations to determine whether there was any
26 disparity in the pass rate based on demographic
27 characteristics of the examinees.

28 (3) Publish its findings under paragraph (2) on its
29 Internet website by September 30, 2011, and every six months
30 thereafter.



1 (c) Right-to-Know.--The individual demographic data
2 collected under subsection (b)(1) shall not be subject to the
3 act of February 14, 2008 (P.L.6, No.3), known as the Right-to-
4 Know Law.

5 Section 2. This act shall take effect immediately.