

**Producer Licensing (EX) Working Group – 1033 Guidelines Suggested Revisions:**

**The following suggested revision has been presented to the Antifraud (D) Task Force.**

*Guidelines for State Insurance Regulators to the Violent Crime Control and Law Enforcement Act of 1994.*  
Section H, subsection (3)

(3) ~~–~~ State Due Diligence / Notification to all other NAIC members.

Upon receipt of a 1033 ~~h~~ application, the commissioner should verify the name/SSN/NPN (if applicable) of the applicant with the PDB to determine if 1033 consent has been given by another commissioner, any other state license has been issued or any regulatory actions taken. If information on the applicant appears, the commissioner should contact the specific states which are identified for any pertinent information. ~~notify all other members of the NAIC that an application for written consent has been filed together with a brief statement revealing the name, address, Social Security number and types of insurance activities to be conducted by the applicant. Commissioners are urged to use the NAIC e-mail system to make this notification.~~

~~Any Commissioners who have relevant information regarding the fitness of an applicant for a 1033 waiver are requested to immediately respond back with that adverse information. States should allow other NAIC members at least fifteen (15) days from the date notice was sent to them to comment on the application before making a decision as to whether or not to grant the 1033 waiver request.~~

~~It is hoped that a~~Any commissioner who has relevant information regarding the fitness of the applicant for a 1033 waiver are requested to ~~receive written consent will~~ immediately respond back with that adverse information. States should allow other NAIC members at least fifteen (15) days from the date notice was sent to them to comment on application before making a decision as to whether or not to grant the 1033 waiver request. It is recommended that the application not be acted on until other NAIC members have had at least ten (10) days from the date notice was sent to them to comment on the application.

~~Following a decision on whether to grant or deny the 1033 waiver request, the commissioner will notify all other NAIC members of the decision by placing the decision into the NAIC 1033 database. Information regarding the granting or denial of written consent will be of great value to State licensing and administrative authorities.~~  
Following a decision on whether to grant or deny the 1033 waiver request, the commissioner ~~written consent, it is also hoped that the commissioner will again~~ notify all other NAIC members of the decision by placing the decision into the NAIC 1033 State Decision Repository. ~~e-mail and place an entry noting the decision into the appropriate NAIC database.~~ Information regarding the granting or denial of written consent will be of great value to state licensing and administrative authorities.