

FEDERAL LIFE INSURANCE COMPANY

ANNUITY SUITABILITY TRAINING

For Agents Licensed in: Florida

NAIC Suitability in Annuity Transactions (2010 version)

These rules apply to any recommendation to purchase, exchange, or replace an annuity that results in the purchase, exchange or replacement recommended.

I. Agent Responsibilities

- A. An agent may not recommend to a consumer the purchase or exchange of an annuity unless the agent has reasonable grounds to believe that the recommendation is suitable for the consumer on the basis of facts disclosed by the consumer as to his or her investments, other insurance products, and financial situation and needs including the consumer's suitability information, and there is a reasonable basis to believe all of the following:
1. The consumer has been reasonably informed of the various features of the annuity such as the potential surrender period and surrender charge, potential tax penalty if the consumer sells, exchanges, surrenders or annuitizes the annuity, mortality and expense fees, investment advisory fees, potential charges for and features of riders, limitations on interest returns, insurance and investment components and market risk;
 2. The consumer would benefit from certain features of the annuity, such as tax-deferred growth, annuitization, death benefit or living benefit;
 3. The particular annuity as a whole, the underlying subaccounts to which funds are allocated at the time of purchase or exchange of the annuity, and riders and similar product enhancements, if any, are suitable (and in the case of an exchange or replacement, the transaction as a whole is suitable) for the particular consumer based on his or her suitability information; and
 4. In the case of an exchange or replacement of an annuity, the exchange or replacement is suitable including taking into consideration whether:
 - a. The consumer will incur a surrender charge, be subject to the commencement of a new surrender period, lose existing benefits (such as death, living or other contractual benefits), or be subject to increased fees, investment advisory fees or charges for riders and similar product enhancements;
 - b. The consumer would benefit from product enhancements and improvements; and
 - c. The consumer has had another annuity exchange or replacement and, in particular, an exchange or replacement within the preceding thirty-six (36) months.
- B. Prior to the execution of a purchase, exchange or replacement of an annuity resulting from a recommendation, an agent shall make reasonable efforts to obtain the consumer's suitability information. Suitability information includes the followings: age, annual income, financial situation and needs (including the financial resources used for the funding of the annuity), financial experience, financial objectives, intended use of the annuity, financial time horizon, existing assets (including investment and life insurance holdings), liquidity needs, liquid net worth, risk tolerance and tax status. **THIS INFORMATION IS TO BE DOCUMENTED ON FEDERAL LIFE FORM L-8076 AND SUBMITTED TO THE HOME OFFICE WITH ALL ANNUITY APPLICATIONS.** *Please scroll down to see a copy of this form.*
- C. Suitability Form
The suitability information detailed in section B. above must be collected on from L-8076. The form is to be signed and dated by both the agent and the applicant and submitted to the Home Office with all annuity applications.

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D. Disclosure and Comparison of Annuity Contracts Form

Prior to the execution of an exchange or replacement of an annuity resulting from a recommendation, an agent shall provide on form L-8075 information that compares the differences between the existing annuity contract and the annuity contract being recommended in order to determine the suitability of the recommendation and its benefit to the consumer. The form is to be signed and dated by both the agent and the applicant and submitted to the Home Office with all annuity applications that involve an exchange or replacement.

E. An agent shall have no obligation under these rules related to any annuity transaction if:

1. No recommendation is made;
2. A recommendation was made and was later found to have been prepared based on materially inaccurate information provided by the consumer;
3. A consumer refuses to provide relevant suitability information and the annuity transaction is not recommended;
4. A consumer decides to enter into an annuity transaction that is not based on a recommendation of the agent.

F. An agent shall at the time of sale:

1. Make a record of any recommendation subject these rules;
2. Obtain a consumer signed statement documenting a customer's refusal to provide suitability information, if any; and
3. Obtain a customer signed statement acknowledging that an annuity transaction is not recommended if a customer decides to enter into an annuity transaction that is not based on the agent's recommendation.

G. An agent shall not dissuade, or attempt to dissuade a consumer from:

1. Truthfully responding to an insurer's request for confirmation of suitability information;
2. Filing a complaint;
3. Cooperating with the investigation of a complaint.

II. Agent Training

A. An agent shall not solicit the sale of annuity product unless the producer has adequate knowledge of the product to recommend the annuity and the producer is in compliance with Federal Life's standards for product training.

B. An agent who engages in the sale of annuity products shall complete a one-time four hour credit training course approved by their state.

III. Compliance Mitigation; Penalties

If a violation occurs either because of the action or inaction of an agent, the Director of Insurance/Commissioner of Insurance may:

A. Order an agency/agent to take reasonably appropriate corrective action for any consumer harmed by the agent's violation of this rule.

B. Order any appropriate penalties or sanctions applicable in the state of Florida.

C. Any applicable penalty for a violation of this rule may be reduced or eliminated at the sole discretion of the Director/Commissioner if corrective action for the consumer was taken promptly after a violation was discovered or the violation was not part of a pattern or practice.

IV. Record Keeping

Agents shall maintain and be able to make available to the Director/Commissioner records of the information collected from a consumer and other information used in making a recommendation that was the basis for an insurance transaction for five years after the transaction is completed.

V. Noncompliance

Violations of these requirements may be considered evidence of misrepresentation and/or a deceptive act or practice prohibited under state rules and regulations.