

**AGENDA**  
**FINANCIAL SERVICES COMMISSION**  
**Office of Insurance Regulation**

**August 9, 2005**

**MEMBERS**  
Governor Jeb Bush  
Attorney General Charlie Crist  
Chief Financial Officer Tom Gallagher  
Commissioner Charles Bronson

**Contact: Audrey Sumrall**  
**(850-413-2552)**

9:00 A. M.  
LL-03, The Capitol  
Tallahassee, Florida

<b>ITEM</b>	<b>SUBJECT</b>	<b>RECOMMENDATION</b>
-------------	----------------	-----------------------

1. Minutes of the Financial Services Commission; March 17, 2005. April 5, 2005, and May 3, 2005.

**(ATTACHMENT 1)**

**FOR ACTION**

2. Adoption of amendments to Rule 69O-137.004, "Reports of Information by Health Insurers Required", F.A.C.

The purpose of the rule is to update forms required to be filed annually by Health Carriers concerning annual premiums and enrollment due to recent legislative changes to s. 627.9175, F.S.

**(ATTACHMENT 2)**

**FOR ACTION**

3. Adoption of amendments to Rule 69O-149.038, "Employee Health Care Access Act Annual and Quarterly Statement Reporting Requirement" and Rule 69O-149.044, "Forms", F.A.C.

The rules are being updated to comply with s. 627.9175, F.S., regarding small group carrier reports and to clarify the annual actuarial certification.

**(ATTACHMENT 3)**

**FOR ACTION**

4. Adoption of amendments to Rule 69O-154.112, "Guaranteed Availability of Individual Health Coverage to Eligible Individuals", F.A.C.

The rule is being amended to change the reporting date in the rule from March to April.

**(ATTACHMENT 4)**

**FOR ACTION**

5. Adoption of amendments to Rule 69O-137.001, "Annual and Quarterly Reporting Requirements", F.A.C.

The purpose of the rule is to adopt the 2005 NAIC Quarterly and Annual Statement Instructions and NAIC's Accounting Practices and Procedures Manual, as required by Section 624.424, F.S.

**(ATTACHMENT 5)**

**FOR ACTION**

6. Adoption of amendments to Rule 69O-138.001, "NAIC Financial Examiners Handbook Adopted", F.A.C.

The purpose of the rule is to adopt the 2005 NAIC Financial Condition Examiners Handbook Adopted, as required by Section 624.316(1)(c), F.S.

**(ATTACHMENT 6)**

**FOR ACTION**

7. Adoption of amendments to Rule Chapter 69O-156, Part I, "Medicare Supplement Insurance", F.A.C.

Rule Chapter 69O-156, Part I, is being amended to conform to recent federal legislation changes and conforming changes to the NAIC Model and other updates addressing conversion or replacement coverage.

**(ATTACHMENT 7)**

**FOR ACTION**

8. Adoption of amendments to Rule 69O-167.009, "Mortgage Fire Insurance Requirements Limited", F.A.C.

The existing rule states a mortgage lender cannot require a borrower to have fire insurance in excess of the replacement value of the property. The proposed rule clarifies that "fire insurance" means "property insurance".

**(ATTACHMENT 8)**

**FOR ACTION**

9. Adoption of amendments to Rule 69O-170.003, "Calculation of Investment Income", F.A.C.

The rule is being amended to recognize the different risk characteristics of different lines of business in determining the underwriting profit factor.

**(ATTACHMENT 9)**

**FOR ACTION**

10. Adoption of amendments to Rule 69O-175.001, "Calculation and Use of Investment Income in Motor Vehicle Insurance Rates", F.A.C.

The purpose of this rule is to recognize the different risk characteristics of different lines of business in determining the underwriting profit factor. The rule is being amended to be responsive to industry issues and comments made concerning the current method of determining these factors. The rule cross references to rule 69O-170.003.

**(ATTACHMENT 10)**

**FOR ACTION**

11. Adoption of amendments to Rule 69O-171.002, .008, "General Reporting Requirements" and "Insurer Experience Reporting - Calendar Year Experience", F.A.C.

Rules 69O-171.002 and 69O-171.008 require insurers to report calendar year experience to the Office. The amendments eliminate outdated provisions which are no longer applicable, and require the electronic filing of the information. The rules also eliminate language inconsistent with Florida law regarding the calculation of market shares.

**(ATTACHMENT 11)**

**FOR ACTION**

12. Repeal of Rule 69O-191.066, "Claim Payments", F.A.C.

Rule 69O-191.066 is being repealed because it is contrary to s. 641.3155(3) and (4), F.S. The rule provides that claims must be paid or additional information must be requested within 30 days of receipt by the HMO. The statute, however, sets out a variety of different time periods, one factor of which is whether the claim was electronically submitted or not. These time periods range from 20 to 90 days

**(ATTACHMENT 12)**

**FOR ACTION**

13. Adoption of amendments to Rule 69O-193.023, "Escrow Agreements and Amendments", F.A.C.

This rule is being amended to delete the Office as a "party in interest" and a required signatory to escrow agreements. There is no statutory authority to support the rule as it currently exists.

**(ATTACHMENT 13)**

**FOR ACTION**