

AGENDA
FINANCIAL SERVICES COMMISSION
Office of Insurance Regulation

January 11, 2006

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

Contact: Chris Bailey
(850-413-2552)

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

ITEM	SUBJECT	RECOMMENDATION
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1. Minutes of the Financial Services Commission, November 8, 2005.

(ATTACHMENT 1)

FOR ACTION

2. Approval for adoption of amendments to Rule 69O-170.0155, Forms, F.A.C.

This rule adopts a form that will be available for electronic viewing and downloading from the Office of Insurance Regulation or Department of Financial Services Internet websites, which notify the applicant or policyholder of any personal lines residential property insurance policy, at the time of the issuance of the policy and at each renewal, of the availability and the range of each premium discount, credit, other rate differential, or reduction in deductibles for properties on which fixtures or construction techniques demonstrated to reduce the amount of loss in a windstorm can be or have been installed or implemented. The form also describes generally what actions the policyholders may be able to take to reduce their windstorm premium and provide a list of premium discount, credit, other rate differential, or reduction in deductible ranges that have been approved by the office for each insurer licensed in the state.

(ATTACHMENT 2)

FOR ACTION

3. Approval for adoption of amendments to Rule Chapter 69O-170, Part 1, Property and Casualty Insurance Rating; Rate Filing Procedures, F.A.C., and to Rule 69O-175.003, Motor Vehicle Insurance Ratemaking and Rate Filing Procedures, F.A.C.

These rules provide that the basis for agency action regarding rates is an insurer's rate filing. A rate filing is defined in these rules as those matters the insurer wants considered in support of their rate requests, along with any additional information required by the Office that is submitted prior to the issuance of a Notice of Intent to Deny.

These rule amendments also improve the quality of rate filings by providing specific detail of the components of a filing so as to minimize the Office's processing of incomplete filings;

delete outdated language and mandate electronic filing; and update and adopt rate filing forms.

The rule amendments also provide for streamlined review and expedited approval of annual filings which are +/-5% of existing rates, subject to a full rate review every 3 years. Also, these amendments provide an optional phasing in of approved rate increases in periodic increments not to exceed 1 year.

(ATTACHMENT 3)

FOR ACTION

4. Request for approval to publish Notice of Rulemaking for amendments to Rule 69O-170.003, Calculation of Investment Income, F.A.C., and to Rule 69O-175.001, Calculation and Use of Investment Income in Motor Vehicle Insurance Rates, F.A.C.

These rules are being amended to recognize different risk characteristics of different lines of business in determining the underwriting profit factor. Rule 69O-175.001, F.A.C., cross-references to Rule 69O-170.003, F.A.C.

(ATTACHMENT 4)

FOR ACTION

5. Request for approval to reinstate the Commissioner of the Office of Insurance Regulation to take action on recommended orders issued by the Division of Administrative Hearings (DOAH) in the following cases:

OIR FCC 03-11518	DOAH 03-4477
OIR FWC 03-01024	DOAH 04-0163
OIR FCC 03-04626	DOAH 04-1167
OIR FCC 03-11516	DOAH 04-1168
OIR FWC 03-07201	DOAH 04-0155

This matter came before the Financial Services Commission on February 1, 2005, to provide for the appointment of a substitute based on a motion to disqualify the Commissioner of the Office of Insurance Regulation filed in the above cases. The objections raised in the motion to disqualify have been withdrawn, and therefore, it is appropriate to reappoint the Commissioner to take final agency action in these cases.