

**AGENDA
FINANCIAL SERVICES COMMISSION
OFFICE OF INSURANCE REGULATION**

August 24, 2004

MEMBERS

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

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

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

ITEM	SUBJECT	RECOMMENDATION
-------------	----------------	-----------------------

1. Minutes of the Financial Services Commission, April 13, 2004.

(ATTACHMENT 1)

FOR APPROVAL

2. Approval for adoption of Emergency Rule 69OER04-05, F.A.C.; Hurricane Charley; State of Emergency; Extension of Grace, Claims Filing, Reinstatement, and Miscellaneous Periods; Limitation on Cancellations and Non-renewals

This emergency rule, in designated counties, establishes limits on cancellation and non-renewal of insurance policies for victims of Hurricane Charley and alternative procedures for the cancellation and non-renewal of policies under certain circumstances. The rule further tolls the premiums due and prohibits the issuance of notices of cancellation or non-renewal from August 10, 2004, to October 15, 2004. The rule also provides specific procedures for the cancellation of insurance contracts that are premium financed.

(ATTACHMENT 2)

FOR APPROVAL

3. Request for delegation of authority to the Commissioner of the Office of Insurance Regulation to adopt Emergency Rule 69OER04-06, F.A.C.; Property and Casualty; Prior Approval of Rate Increases, in the event circumstances arise that necessitate the suspension of new rate and form filings.

This emergency rule would require all insurers to receive prior approval of all personal lines, property and casualty insurance rates effective on or after the effective date of the rule. Use and file rate increases that have not been filed with the Office shall be withdrawn and no longer used. Additionally, the rule would prohibit new rate filings between the effective date of the rule to October 1, 2004, except if necessary for the protection of insureds.

(ATTACHMENT 3)

FOR APPROVAL

4. Approval for adoption of Emergency Rule 69OER04-07, F.A.C.; Hurricane Charley; Extension of One Group Enrollment; Employee Health Care Access Act; Section 627.6699.

This emergency rule extends for one month the open enrollment period under the Employee Health Care Access Act. The specified open enrollment period, in the designated counties, will be from August 1, 2004, to September 30, 2004.

(ATTACHMENT 4)

FOR APPROVAL

5. Proposed delegation of limited emergency rulemaking authority to the Commissioner of the Office of Insurance Regulation.

This item requests that the Financial Services Commission delegate to the Commissioner the specific authority to adopt emergency rules necessary to narrow the scope of emergency rules 69OER04-05, 69OER04-06 and 69OER04-07; and make such revisions in response to unintended consequences that have arisen as the result of applying the emergency rules; and to issue such emergency rules deemed necessary to address unforeseen circumstances that have arisen as a result of Hurricane Charley that are consistent with the purpose and intent of the rules.

(ATTACHMENT 5)

FOR APPROVAL