

AGENDA
FINANCIAL SERVICES COMMISSION
Office of Insurance Regulation

February 1, 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

<u>ITEM</u>	<u>SUBJECT</u>	<u>RECOMMENDATION</u>
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1. Minutes of the Financial Services Commission, November 23, 2004.

(ATTACHMENT 1)

FOR APPROVAL

2. Approval for adoption of proposed Rule 690-149.0055, Health Lifestyle Rebate, F.A.C.

Changes are being promulgated to implement the provisions of HB 1629 regarding rebates for healthy lifestyles.

(ATTACHMENT 2)

FOR APPROVAL

3. Approval for adoption of amendments to Rule 690-149.038, Employee Health Care Access Act Annual and Quarterly Statement Reporting Requirement, F.A.C.

This proposed amendment is amending the underwriting margin of 5% to 4% in the small group market.

(ATTACHMENT 3)

FOR APPROVAL

4. Approval for adoption of proposed Rule 690-191.0545, Health Lifestyle Rebate, F.A.C.

The rule is being promulgated to implement the provisions of HB 1629 regarding rebates for healthy lifestyles in HMO filings.

(ATTACHMENT 4)

FOR APPROVAL

5. Approval of the appointment of a substitute to take action on recommended orders when 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

A motion to disqualify the Commissioner of the Office of Insurance Regulation has been filed in the above cases. While the motion has been denied, the Commissioner, out of an abundance of caution, voluntarily requests that the Financial Services Commission appoint a substitute to act as the final

authority in the five cases referenced above. The recommended order requiring final agency action in case number DOAH 03-4477 is expected at any time. Good cause action on this request is required in order to provide the substitute with the full 90 days provided in Chapter 120 F.S. in which to issue the final order.

(ATTACHMENT 5)

FOR APPROVAL