

# Form Filing Checklist

## Commercial Forms for Lines of Business *Other Than* Commercial Auto, Commercial Property, and Commercial Multi-peril

Commercial form filings are not subject to prior approval pursuant to section 627.410, Florida Statutes. To help facilitate and expedite commercial form filings, the Florida Office of Insurance Regulation (OIR) provides this checklist as a resource for the following lines of business:

- Boiler & Machinery
- Fiduciary Liability
- Burglary & Theft
- General Liability
- Commercial Flood
- Liquor Liability
- Credit
- Livestock & Live Animals\*
- D&O
- Medical Malpractice Liability
- E&O
- Miscellaneous Casualty
- Employment Practices Liability
- Multi-Peril Crop (Crop Hail)
- Environmental Impairment Liability
- Umbrella/Excess Liability
- Fidelity

\*Pet Insurance policies are considered Personal lines insurance, subject to prior approval and are not eligible to be filed for Informational purposes.

This checklist includes statutes, rules, and bulletins that apply to commercial forms **but may not contain all of the requirements** for a commercial form filing. Please refer to the cited statutes and rules for instructions and guidance.

Companies can complete this checklist and upload this document along with the certification for Informational form filings required by section [627.4102](#), Florida Statutes.

STATUTE / RULE	TOPIC	COMMENTS	Yes	N/A	Form #	Page #
<a href="#">626.752(1)(b), (3)(b), (c), &amp; (d)</a>	Applications	If applicable, exchange of business requirements must be followed				
<a href="#">790.338(7)</a>		May not deny coverage, increase premium, or otherwise discriminate due to lawful ownership or possession of or lawful use or storage of a firearm or ammunition.				
<a href="#">627.4035</a>		Insurer must offer option of quarterly and semiannual premium payment plans; may offer monthly payment plans				

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<a href="#">627.4085(1)</a>		Must prominently display the name of the insuring entity on the first page				
		Must disclose the name and license number of the agent (typed, printed, stamped, or legibly handwritten)				
<a href="#">627.409</a> & <a href="#">69O-167.005</a>		Statements made by insureds in applications are representations, not warranties; warranties by insureds are not allowed				
<a href="#">627.410(1)</a>		Must be filed if to be made a part of the policy/contract of insurance				
<a href="#">817.234(1)(b)</a>		All application forms must contain the fraud statement				
<a href="#">627.7152(1)</a>	Assignment of Benefits (AOB)	Defined terms applicable to assignment agreements				
<a href="#">627.7152(2)</a>		An assignment agreement must include all requirements pertaining to assignment agreements and include the required statement				
<a href="#">627.7152(3) &amp; (4)</a>		Assignee's duties regarding claims				
<a href="#">627.7152(9)</a>		Written notice of assignee's intent to initiate litigation required				
<a href="#">627.422(2)</a>		A residential or commercial property policy may not prohibit the assignment of post-loss benefits unless it complies with 627.7153				
<a href="#">627.7153(2)</a>	AOB, Policies Restricting	An insurer <u>may</u> for a reduced premium make available a policy that restricts in whole or in part an insured's right to assign post-loss benefits				
<a href="#">627.7153(2)(d)</a>		A policy that restricts the insured's right to assign post-loss benefits must include a prescribed notice in 18-point uppercase and boldfaced type (typically, on the Declarations Page)				
<a href="#">627.7153(3)</a>		Insurer must notify insured of the coverage options regarding assignment of benefits at least once a year with the notice of premium				
<a href="#">627.7153(4)</a>		Insured must reject a fully assignable policy in writing or electronically on a form approved by OIR, which states that the policy restricts the assignment of benefits (see statute for required statement)				
<a href="#">627.4205</a>	Binders	Coverage identification number required				
<a href="#">627.420</a>	Binder Cancellation	5 days' notice required				

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<a href="#">627.4133(1)</a>	Cancellation	Non-Residential Property Policies are not prohibited from providing notice requirements as stated in 627.4133(2); however, policies must at least comply with 627.4133(1)				
<a href="#">627.4133(2)(b)*</a>		Advance written notice of at least 120 days for policies in force more than 90 days (some exceptions apply- see statute)				
<a href="#">627.4133(2)(b)1.*</a>		At least 10 days' advance written notice required for cancellation for nonpayment of premium				
		Must permit a curing opportunity for a dishonored check representing the initial premium payment; earlier of 5 days after actual notice by certified mail is received by the applicant or 15 days after notice is sent to the applicant by certified or registered mail				
<a href="#">627.4133(2)(b)2.*</a>		Advance written notice of at least 20 days must be given during the first 90 days policy is in force, if cancelled for other than nonpayment (some exceptions apply - see statute)				
<a href="#">690-170.010(1) &amp; (3)</a>		The inclusion of fully earned premium provisions in insurance contracts or endorsements is prohibited (see rule for exceptions)				
<a href="#">627.4133(2)(b)3.*</a>		Limited reasons for cancellation after the policy is in effect for 90 days				
<a href="#">690-167.001(1)</a>	Cancellation Notice	Refund of unearned premium must be sent within 15 working days after the effective date of cancellation. This should be stated in the Cancellation Notice and/or in the policy's cancellation provision.				
<a href="#">627.4265</a>		Claim payment must be tendered within 20 days after claimant and insurer have agreed to a settlement				
<a href="#">627.4133(2)(b) &amp; 627.4091</a>		Must include reason(s) for cancellation				
<a href="#">627.427</a>	Claims	Payment of court judgment within 60 days				
<a href="#">627.413</a>	Contents of Policies	Every policy shall specify: parties to the contract, subject of insurance, insured risks, effective date and time, the premium, conditions and form numbers of all endorsements attached to the policy				
<a href="#">624.425</a>	Declarations Page	Policy must be signed by Florida licensed agent				
<a href="#">627.413</a>	(If applicable, also see Renewal Premium Notice comments)	Every policy shall specify: parties to the contract, subject of insurance, effective date and time, the premium, and form numbers of all endorsements attached to the policy				

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<a href="#">627.4131</a>		Phone number and its purpose must be made available to present inquiries or obtain information about coverage and to provide assistance in resolving complaints				
<a href="#">627.4145</a>	Flesch Readability	Every policy (and any endorsement thereto) shall be readable as required (see statute for exceptions)				
<a href="#">627.413(4)</a>	Form Number and Edition Date	Each form requires unique identifiers				
		Any form change requires identifier change				
<a href="#">627.4145(1)(f)</a>	Index	For readability the policy shall contain an index (or table of contents) of the principal sections of the policy				
<a href="#">627.4133(1)</a> & <a href="#">627.4091</a>	Nonrenewal Notice	Must include reason(s) for nonrenewal				
<a href="#">627.43141(2)</a>	Notice of Change in Policy Terms	Required written notice if renewal contains a change in policy terms (only the template is subject to OIR review and approval - not the completed form)				
		Such notice shall be entitled "Notice of Change in Policy Terms"				
<a href="#">627.4143</a>	Outline of Coverage	Not subject to OIR review or approval				
<a href="#">627.4131</a>	Phone Number	Phone number and its purpose must be made available to present inquiries or obtain information about coverage and to provide assistance in resolving complaints				
<a href="#">627.4133(1)</a>	Renewal Premium Notice	45 days' advance written notice to insured is required				
<a href="#">95.11(2)</a>	Statute of Limitations	Action against insurer must be commenced within 5 years from the date of loss				
<b>The section below provides additional statute references for Medical Malpractice only.</b>						
<a href="#">627.4147(1)(a)</a>	Medical Malpractice Forms (In addition to the above)	A clause requiring the insured to cooperate fully in the review process prescribed in the statute				
<a href="#">627.4147(1)(b)1.</a>		A clause clearly stating whether or not the insured has the exclusive right to veto any offer of admission of liability and for arbitration				
<a href="#">627.4147(1)(c)</a>		A 10-day notice of for nonpayment of premium or loss of license. 90-day notice for any other reason.				

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<a href="#">627.4147(1)(d)</a>		A clause requiring the insurer or self-insurer to notify the insured no less than 60 days prior to the effective date of a rate increase				
<a href="#">95.11(4)(b)</a>	Statute of Limitations (Medical Malpractice)	Action against the insurer shall be commenced within 2 years from the time the incident giving rise to the action occurred or within 2 years from the time the incident is discovered, or should have been discovered with the exercise of due diligence				