



FLORIDA OFFICE OF INSURANCE REGULATION

FINANCIAL SERVICES
COMMISSION

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Financial Services Commission **Office of Insurance Regulation** Regulatory Plan, FY 2015-2016

I. Rules Review Project to Date

To promote a more efficient and business-friendly regulatory environment, the Insurance Commissioner has instituted a continuous rule review process. Rules review within the Office of Insurance Regulation (Office) is coordinated between the legal and business units.

In 2011, the Office conducted a comprehensive examination of its rules. In 2012, the Financial Services Commission (Commission) repealed 28 of these rules. In 2014, the Office proposed that the Commission repeal 23 rules.

In the past three years, the Office has repealed 51 rules. During this same time period, the Office proposed only two new rules, both of which were statutorily required. All other rule activity involved amending existing rules to update forms and manuals. In 2014, no new rules were proposed for adoption.

II. Plans for FY 2015-16

A. Laws that Create or Modify the Agency's Duties or Authority

Chapter 2014-101, Laws of Florida modified section 628.801, F.S., regarding Office regulation of Insurance Holding Companies. As a result, the Office must update Rules 690-143.046, 690-143.047 and 690-143.056, F.A.C.

The rule revisions will adopt various NAIC Forms relating to Enterprise Risk Reporting and Insurance Holding Company Regulation Statements. The revisions will also incorporate NAIC Model provisions relating to Insurance Holding Companies and adopt a new form requiring the "Prior Notice of an Affiliated Transaction." Finally, the revisions will delete obsolete filing language and provide for the electronic filing of required information with the Office.

The Office filed a Notice of Proposed Rule Development on July 23, 2015, conducted a rule development workshop on August 12, 2015, and will be holding an additional workshop. The Office intends to publish a Notice of Proposed Rulemaking in October, 2015.

No other legislation from the 2015 Session either mandates or necessitates additional rulemaking by the Commission.

B. Rules for Adoption, Amendment or Repeal in FY 2015-2016

1. Revisions to Reflect Statutory Changes or Updating Rules

Rule Number	Rule Title	Statute	Rulemaking Purpose
690-137.001	Annual and Quarterly Reporting Requirements	624.424(1), F.S.	Amend to adopt 2016 reports
690-138.001	NAIC Financial Condition Examiners Handbook Adopted	624.316(1), F.S.	Amend to adopt 2016 versions of Handbooks
690-138.005	Exams by Non-Employees	624.316, 624.3161, 624.320, 624.321, 624.424, F.S.	Amend rule to not specifically adopt contract to be used by rule to allow flexibility to adjust to unique circumstances
690-154.202,.203	Long Term Disability Morbidity Tables	625.081, 625.121, F.S.	Amend rules to update revised Morbidity Tables adopted by the NAIC
690-220.001,.051 and.201	Adjusters (3 Rules)	626.8732, 626.8734, F.S.	Repeal these rules due to statutory changes. The Department of Financial Services regulates Adjusters in rule chapter 69B-220
69P-5.002-69P-	Surplus Lines	626.913,	Repeal these rules due to

5.012	Rules (7 Rules)	626.914(4), 626.916, 626.918, 626.924, 626.929, 626.930, 626.931, 626.938, 627.944, 627.949, 626.621, F.S.	changes in the governing statutes that revised processes now under the supervision of the Florida Surplus Lines Service Office
69N-3.001- 69N-3.007	Smoking Policy (7 Rules)	386.205, F.S.	Repeal in whole or part. Laws have been amended and portions are obsolete

2. Removal of Obsolete Provisions

The Office intends to amend the following rules to delete obsolete provisions related to the filing of information with the Office to allow only electronic filing of documents. This will improve the efficiency of the Office and bring the listed rules in compliance with existing practice and statutory requirements:

Rule Number	Rule Title	Statute	Rulemaking Purpose
69N-121.007	Public Records and Availability of Forms, Procedures for Inspecting and Copy Public Records and for Obtaining Forms	119.01, 119.031, 119.041, 119.07, 120.53, 624.311, 624.501, 627.919, F.S.	Repeal in whole or part. The rule has become obsolete as the law and procedures have changed due to technology changes
69N-121.010	Indexing, Management and Availability of Final Orders	119.041, 120.53, F.S.	Repeal in whole or part. The rule is obsolete and legislation passed this session has substantially revised the process for indexing Final Orders

The following rules will be amended to provide for the electronic filing of information required in these rules. The authority to require electronic filing is contained in Section 624.424(1) (c), Florida Statutes:

- 690-137.008 Filing of Statistical and Quarterly Reports for Individually Rated Risks and Excess Rates
- 690-137.010 Holocaust Victims Insurance Report and Standards of Proof
- 690-137.011 Reinsurance Summary Statement

- 690-141.020 Procedures for Withdrawal, Surrender of Certificate of Authority or Discontinuance of Writing Insurance in the State Pursuant to Section 624.430
- 690-149.043 Small Employer Health Reinsurance Program
- 690-154.114 Withdrawal From the Individual Market
- 690-154.410 Withdrawal From the Group Market
- 690-154.512 Withdrawal from the Small Group Market
- 690-158.004 Insurer to Provide AHCA with Certain Information; Reimbursement, Failure to Comply
- 690-171.003 Reports by Insurers of Professional Liability Claims and Actions Required
- 690-171.005 Annual Claims Report by Liability Insurers
- 690-171.006 Claims Report by Directors and Officers Liability Insurers
- 690-187.007 Continuing Requirements Including Filing of Reports and Rates
- 690-191.003 Applications- Continuing Care Contracts
- 690-191.051 Filing Approval of Subscriber and Related Forms
- 690-191.054 Rates (HMOs)
- 690-191.075 Annual and Quarterly Reports
- 690-203.042 Filing Approval of Subscriber Contracts and Related Forms
- 690-203.045 Rates- Prepaid Limited Health Service Organizations
- 690-207.001 Late Filed Reports-Fine Schedule

Financial Services Commission
Office of Insurance Regulation

Regulatory Plan Certification

By execution of this Certification, the undersigned hereby certifies that this Regulatory Plan has been reviewed. Further, the undersigned verifies that the Office of Insurance Regulation regularly reviews all of its rules to determine if they are consistent with the Office's rulemaking authority and the laws implemented. The most recent review of all rules took place June 30, 2015.

Anoush Brangaccio

ANOUSH BRANGACCIO
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Office of Insurance Regulation



KEVIN M. McCarty, Commissioner
Office of Insurance Regulation