



FLORIDA OFFICE OF INSURANCE REGULATION

FINANCIAL SERVICES
COMMISSION

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Financial Services Commission **Office of Insurance Regulation** Regulatory Plan, FY 2017-18

I. Plans for FY 2017-18

This regulatory plan has been prepared by the Office of Insurance Regulation (“Office”) in accordance with Section 120.74, Florida Statutes, for the 2017-18 Fiscal Year.

A. Rulemaking Necessitated by Changes to the Florida Statutes Pursuant to Section 120.74(1)(a), Florida Statutes

Pursuant to Section 120.74, Florida Statutes, the Office has reviewed the legislation passed in the 2017 Regular Session and has determined that the following revisions will need to be made to the Florida Administrative Code. Notices of rule development will be published by November 1, 2017.

Chapter 2017-112, Laws of Florida, made substantial changes to the statutes governing discount medical plan organizations, including changing the name. The Office will develop or repeal rules as needed to conform to these statutory changes.

Chapter 2017-178, Laws of Florida, created new requirements for a health maintenance organization licensed to exclusively market Medicare Advantage plans. Rule 690-191.029, F.A.C., will be updated to reflect these new requirements.

The Office believes that Chapters 2017-012, 2017-019, 2017-094, 2017-099, 2017-132, and 2017-142, Laws of Florida, can be implemented without additional rulemaking. The text of the chapters provides sufficient clarity to allow for implementation.

No other legislation from the 2017 Regular Session either mandates or necessitates additional rulemaking by the Commission.

B. Additional Rulemaking Pursuant to Section 120.74(1)(b), Florida Statutes

Statute	Rule Number	Title	Reason for Action
626.9541(1)(dd)	<u>690-125.003</u>	Unfair Discrimination Because of Travel Plans	Delete unnecessary rule provisions and reduce regulatory costs
624.424(8)(a)	<u>690-137.002</u>	Annual Audited Financial Reports	Clarify and simplify
624.32	<u>690-138.002(4)</u>	Financial, Rate, and Market Conduct Examination Reimbursement Expenses	Clarify and simplify
624.307(1), 624.307(3), 624.317, 624.321, 624.34, 624.404, 624.413, 624.424(6), 624.501, 624.5091, 628.051, 628.061, 628.461 FS.	<u>690-143.056</u>	Acquisition of Controlling Stock	Clarify and simplify
624.308, 627.062, 627.0651	<u>690-170.014, 690- 170.0141, 690- 170.0155, 690- 175.003</u>	Homeowners Insurance Ratemaking and Rate Filing Procedures, Dwelling Insurance Ratemaking and Rate Filing Procedures, Forms, Motor Vehicle Insurance Ratemaking and Rate Filing Procedures	Clarify and simplify

Statute	Rule Number	Title	Reason for Action
627.736(4)(e)	690-176.005	Personal Injury Protection Benefits; Exclusions; Interpretation	Clarify and simplify
641.27	690-191.074	Records Retention	Clarify and simplify
641.23(3)	690-191.076	Corrective Action Plan	Clarify and simplify
641.412	690-194.010	Fees	Clarify and simplify
Part XV, 627	690-196.015	Forms Incorporated by Reference	Clarify and simplify
Part VII, 626	690-197.006	Insurance Administrator Annual Report	Clarify and simplify
Part III, 634	690-198.011 and .015	Service Warranty Associations	Clarify and simplify
Part II, 634	690-199.008 and .015	Home Warranty Associations	Clarify and simplify
Part I, 634	690-200.004 and .015	Motor Vehicle Service Agreement Companies	Clarify and simplify
642	690-201.008 and .015	Legal Expense Insurance Corporations	Clarify and simplify

C. Update from the 2016-17 Regulatory Plan Pursuant to Section 120.74(1)(c), Florida Statutes

The Insurance Commissioner has instituted a continuous rule review process. Rules review within the Office is coordinated between the legal and business units.

In 2017, the Office has again reviewed all existing rules and determined those that are obsolete or need to be updated and amended. The continuous review process also identified rules for repeal that are listed in this plan.

The 2016-17 Regulatory Plan contained thirty-six items for amendment or repeal. Twenty-six of these items have been completed as of October 1, 2017. Four items from last year's regulatory plan have been published, but have not yet been presented for final adoption. An additional six items have not yet been published; however, the Office anticipates completing the rulemaking process for those items in 2018.

Additional rules were identified for action subsequent to the publication of the 2016-17 Regulatory Plan. In total, twenty-four rules were repealed and eighty-six rules were amended.

Status of Rules Included in the 2016-17 Regulatory Plan

Rulemaking Completed

- 69O-137.001 Annual and Quarterly Reporting Requirements
- 69O-138.001 NAIC Financial Condition Examiners Handbook Adopted
- 69O-138.005 Exams By Non Employees
- 69O-125.002 Unfair Discrimination in Insurance Rates - Multi-policy Discounts
- 69O-128.025 Confidentiality of Personal Financial and Health Information Pursuant to Section 624.23, F.S
- 69O-167.011 Homeowner's Policies: Offer of Replacement Cost Coverage and Law and Ordinance Coverage
- 69P-5.002-69P-5.012 Surplus
- 69O-137.008 Filing of Statistical and Quarterly Reports for Individually Rated Risks and Excess Rates
- 69O-137.010 Holocaust Victims Insurance Report and Standards of Proof
- 69O-137.011 Reinsurance Summary Statement
- 69O-149.043 Small Employer Health Reinsurance Program
- 69O-154.114 Withdrawal from the Individual Market
- 69O-154.410 Withdrawal from the Group Market
- 69O-154.512 Withdrawal from the Small Group Market
- 69O-175.021 Insurer Experience Reporting-Excessive Profits, Automobile Insurance
- 69O-187.007 Continuing Requirements Including Filing of Reports and Rates
- 69O-191.051 Filing Approval of Subscriber and Related Forms
- 69O-191.054 Rates (HMOs)
- 69O-191.075 Annual and Quarterly Reports

- 69O-203.042 Filing, Approval of Subscriber Contract and Related Forms
- 69O-203.045 Rates- Prepaid Limited Health Service Organizations
- 69O-207.001 Late Filed Reports-Fine Schedule
- 69O-191.030 Applications- Continuing Care Contracts
- 69O-171.003 Reports by Insurers of Professional Liability Claims and Actions Required
- 69O-171.005 Annual Claims Report by Liability Insurers
- 69O-171.006 Claims Report by Directors and Officers Liability Insurers

Pending Adoption

- 69O-136.018 Determination of Eligibility to Operate as an Alien Insurer in Florida pursuant to Subsection
- 69O-162.008 Contract Provision; Expense, Mortality and Investment Increment Factor
- 69O-162.012 Valuation of Account Assets; Reserve Liability
- 69O-175.032 Review Procedures

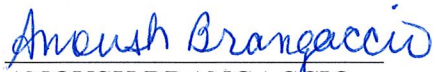
In Development

- 69N-121.066 Informal Conferences
- 69O-170.0142 Ratemaking and Rate Filing Procedures for Commercial Residential Insurance and All Other Lines
- 69O-141.020 Procedures for Withdrawal, Surrender of Certificate of Authority or Discontinuance of Writing Insurance in the State Pursuant to Section 624.430
- 69O-158.004 Insurer to Provide AHCA with Certain Information; Reimbursement, Failure to Comply
- 69O-170.021 Rating Organizations
- 69O-170.022 Advisory Organizations

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, 2017.



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General Counsel

Office of Insurance Regulation



DAVID ALTMAIER, Commissioner

Office of Insurance Regulation