



FLORIDA OFFICE OF INSURANCE REGULATION

FINANCIAL SERVICES
COMMISSION

RON DESANTIS
GOVERNOR

JIMMY PATRONIS
CHIEF FINANCIAL OFFICER

ASHLEY MOODY
ATTORNEY GENERAL

NICOLE "NIKKI" FRIED
COMMISSIONER OF
AGRICULTURE

Financial Services Commission Office of Insurance Regulation Regulatory Plan, FY 2020-21

Plans for FY 2020-21

This regulatory plan has been prepared by the Office of Insurance Regulation ("Office") in accordance with section 120.74, Florida Statutes ("F.S."), for the 2020-21 Fiscal Year.

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

Pursuant to section 120.74, F.S., the Office has reviewed the legislation passed in the 2020 Regular Session and has determined that the following revisions will need to be made to the Florida Administrative Code.

The Office believes that Chapters 2020-51, 2020-54, 2020-63, 2020-87, 2020-155, 2020-159, and 2020-177, 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 2020 Regular Session either mandates or necessitates additional rulemaking by the Financial Services Commission ("Commission").

B. Additional Rulemaking Pursuant to Section 120.74(1)(b), F.S.

| Statute | Rule Number | Title | Reason for Action |
|---------------------------------|--------------------|-------------------------|---|
| 624.307(1), 624.319, 624.324 | 69N-121.066 | Informal Conferences | Delete obsolete, unnecessary, or redundant rule provisions |

| Statute | Rule Number | Title | Reason for Action |
|--|--------------------|--|--|
| 624.307(1), 626.9651 | 69O-128.006 | Annual Privacy Notice to Customers Required. | Clarify and simplify |
| 624.307(1), 624.34, 624.401, 624.404, 624.407, 624.413, 624.422, 624.501, 626.7451(11), 628.161, 628.907 | 69O-136.002 | Foreign and Alien Insurers Filing for a Certificate of Authority | Delete obsolete, unnecessary, or redundant rule provisions |
| 624.307(1), 624.34, 624.422, 624.501, 626.913, 626.918 | 69O-136.004 | Surplus Lines | Clarify and simplify |
| 624.307(1), 624.34, 624.401, 624.404, 624.407, 624.413, 624.422, 624.501, 626.7451(11), 628.051 | 69O-136.006 | Domestic Insurers Filing for an Application for Permit | Delete obsolete, unnecessary, or redundant rule provisions |
| 624.307(1), 624.34, 624.401, 624.404, 624.407, 624.411, 624.413, 624.414(1), 624.422, 624.466, 624.501, 625.306, 628.041, 628.6011, 628.051, 628.061, 628.071, 628.081, 628.091, 628.121, 628.151, 628.161, 628.171, 628.221, 628.231, 628.251, 628.261, 628.451, 628.461, 628.4615, 628.471, 629.071, 629.081, 629.091, | 69O-136.011 | Domestic Insurers Filing for a Certificate of Authority | Clarify and simplify |

| Statute | Rule Number | Title | Reason for Action |
|--|--------------------|--|---|
| 629.101, 629.121, 629.131, 629.181 | | | |
| 624.307(1), 624.34, 624.401, 624.404, 624.413, 624.422, 624.462, 624.466, 624.501, 626.913, 628.6011, 628.051, 628.061 | 69O-136.012 | Forms Adopted | Delete obsolete, unnecessary, or redundant rule provisions |
| 624.09, 624.307(1), 624.404, 624.408, 624.413, 624.414, 624.416(4), 624.501(20), 624.610(11), 627.6488(1) | 69O-136.015 | Procedure to Amend an Existing Certificate of Authority to Add a New Line of Business | Clarify and simplify |
| 624.402(8) | 69O-136.018 | Determination of Eligibility to Operate as an Alien Insurer in Florida Pursuant to Section 624.402(8), F.S. | Clarify and simplify |
| 624.307(1), (3), 624.318, 624.321, 626.611(14), 627.948 | 69O-136.031 | Registration as a Purchasing Group | Clarify and simplify |
| 624.307(1), (3), 624.318, 624.321, 624.404(3)(a), 624.413, 627.943, 627.944, 628.051, 628.061 | 69O-136.032 | Registration as a Risk Retention Group | Clarify and simplify |

| Statute | Rule Number | Title | Reason for Action |
|---|--------------------|--|--------------------------|
| 624.307(1), 624.316(2)(b), 624.321(1)(a), 624.34, 624.401, 624.404, 624.407, 624.413, 624.422, 624.501, 626.9891, 628.161, 628.907 | 69O-136.034 | Uniform Certificate of Authority Expansion Application | Clarify and simplify |
| 624.424(1) | 69O-137.001 | Annual and Quarterly Reporting Requirements | Clarify and simplify |
| 624.307(1), 624.418, 624.4211, 624.424(6), 627.062, 627.171, 627.331 | 69O-137.008 | Filing of Statistical and Quarterly Reports for Individually Rated Risks and Excess Rates | Clarify and simplify |
| 624.307(1), 624.319, 624.424, 627.7019 | 69O-142.015 | Standardized Requirements Applicable to Insurers After Hurricanes or Natural Disasters | 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 | 69O-143.056 | Acquisition of Controlling Stock | Clarify and simplify |

| Statute | Rule Number | Title | Reason for Action |
|--|--------------------|---|--|
| 624.307(1), (2), (3), (5), 624.316, 624.317, 624.318, 624.321, 624.324, 624.34, 624.401, 624.404, 624.413, 624.424(6), 624.501(1)(a), 628.051, 628.061, 628.520, 628.801 | 69O-143.061 | Redomestication Procedure | Clarify and simplify |
| 641.36 | 69O-191.021 | Scope | Delete obsolete, unnecessary, or redundant rule provisions |
| 641.21, 641.22, 641.29(1) | 69O-191.027 | Application for Certificate of Authority | Clarify and simplify |
| 641.21(1)(d) | 69O-191.028 | Standards for Fingerprint Cards for New Applicants and Acquisition Applications | Delete obsolete, unnecessary, or redundant rule provisions |
| 624.424, 641.26(1) | 69O-191.075 | Annual and Quarterly Reports | Clarify and simplify |
| 641.29 | 69O-191.085 | Fees | Clarify and simplify |
| 628.4615 | 69O-191.097 | Change of Ownership | Delete obsolete, unnecessary, or redundant rule provisions |
| 624.424, 627.410(6), (7), 627.413(4), 627.4145, | 69O-191.107 | Prescribed Forms | Delete obsolete, unnecessary, or |

| Statute | Rule Number | Title | Reason for Action |
|--|--------------------|--|--|
| 627.6699(12), 627.6735, 627.682, 627.9407(2), 628.4615, 641.19(13)(d), 641.21(1), 641.26(1), (2), 641.29 | | | redundant rule provisions |
| 624.436 | 69O-192.001 | Purpose and Scope | Delete obsolete, unnecessary, or redundant rule provisions |
| 624.438, 624.439 | 69O-192.008 | General Eligibility | Clarify and simplify |
| 624.442 | 69O-192.048 | Annual Report | Clarify and simplify |
| 624.424, 624.439, 624.442, 628.4615 | 69O-192.058 | Forms Incorporated by Reference | Clarify and simplify |
| 651.0215, 651.022, 651.023, 651.024, 651.0245, 651.0246 | 69O-193.003 | Applications and Management Change | Clarify and simplify |
| 651.026, 651.0261 | 69O-193.005 | Monthly, Quarterly, and Annual Reports | Clarify and simplify |
| 651.026, 651.035 | 69O-193.050 | Minimum Liquid Reserve Requirement | Clarify and simplify |
| 651.023, 651.035 | 69O-193.053 | Waiver of Minimum Liquid Reserves | Clarify and simplify |
| 641.403 | 69O-194.001 | Scope | Delete obsolete, unnecessary, or |

| Statute | Rule Number | Title | Reason for Action |
|--|--------------------|---|--|
| | | | redundant rule provisions |
| 641.402(1), 641.405, 641.406, 641.418, 641.42, 641.441, 641.515 | 69O-194.002 | Definitions | Clarify and simplify |
| 641.405, 641.406 | 69O-194.003 | Application | Clarify and simplify |
| 641.42, 641.405, 641.406, 641.408, 641.421 | 69O-194.005 | Prepaid Health Clinic Contract | Clarify and simplify |
| 641.41 | 69O-194.009 | Reporting Requirements | Clarify and simplify |
| 641.412 | 69O-194.010 | Fees | Clarify and simplify |
| 624.424, 624.501(26), 641.402, 641.405, 641.41, 641.416 | 69O-194.030 | Forms Incorporated by Reference | Delete obsolete, unnecessary, or redundant rule provisions |
| 624.307(1), 627.848 | 69O-196.001 | Standard Cancellation Notice | Clarify and simplify |
| 624.424, 627.828 | 69O-196.005 | Filing Surety Bond in Lieu of Net Worth | Clarify and simplify |
| 624.424, 627.836 | 69O-196.007 | Annual Reports | Clarify and simplify |
| 624.307(1), 624.424, 624.80, 624.81, 627.828, 627.829, 627.832, 627.834, | 69O-196.009 | Other Reports and Corrective Action Plans | Clarify and simplify |

| Statute | Rule Number | Title | Reason for Action |
|---|--------------------|---|---|
| 627.836, 627.849, 628.4615 | | | |
| 624.321(1)(a), 624.424, 627.828, 627.829, 627.836, 627.845, 628.4615 | 69O-196.015 | Forms Incorporated by Reference | Clarify and simplify |
| 624.124, 626.753, 626.794, 626.838, 626.9541, 627.832, 627.8405 | 69O-196.020 | Premium Financing of Products Not Regulated by the Insurance Code and Related Unfair Trade Practices Prohibited. | Clarify and simplify |
| 624.424, 626.9541(1)(a), 627.734, 627.8405 | 69O-196.021 | Disclosure Requirements for Insurance Coverages Financed with Personal Injury Protection | Clarify and simplify |
| 624.307(1), 626.621(12), Ch. 627 Part XV | 69O-196.023 | Insurance Agent Penalties | Delete obsolete, unnecessary, or redundant rule provisions |
| 624.307(1), 624.424, 627.845, 626.9541(1)(a) | 69O-196.025 | Statement of Account; Receipts | Delete obsolete, unnecessary, or redundant rule provisions |
| 624.307(1), 624.424, 627.828, 627.834, 627.836, 627.838, 627.840, 627.8405, 627.841, 627.844, 627.845, 627.848, 627.849 | 69O-196.035 | Required Books and Records | Clarify and simplify |

| Statute | Rule Number | Title | Reason for Action |
|--|--------------------|---|--|
| 634, Part III | 69O-198.001 | Purpose | Delete obsolete, unnecessary, or redundant rule provisions |
| 634.409, 634.413 | 69O-198.002 | Scope | Delete obsolete, unnecessary, or redundant rule provisions |
| 634.406(1), (3), (4), 634.4165 | 69O-198.005 | Financial Requirements | Clarify and simplify |
| 624.424, 634.408 | 69O-198.010 | License Continuance | Delete obsolete, unnecessary, or redundant rule provisions |
| 634.407 | 69O-198.011 | Application for and Issuance of License | Clarify and simplify |
| 624.424, 634.415 | 69O-198.012 | Annual Statement | Clarify and simplify |
| 634.405, 634.407, 634.408, 634.4085, 634.415 | 69O-198.015 | Forms Incorporated by Reference | Delete obsolete, unnecessary, or redundant rule provisions |
| 634, Part II | 69O-199.001 | Purpose and Scope | Delete obsolete, unnecessary, or redundant rule provisions |
| 634.3077 | 69O-199.005 | Financial Requirements Regarding the Funded, Unearned Premium Reserve Account | Clarify and simplify |

| Statute | Rule Number | Title | Reason for Action |
|--|--------------------|--|--|
| 624.424, 634.304, 634.306, 634.3073 | 69O-199.008 | General Eligibility Requirements | Clarify and simplify |
| 624.424, 634.307 | 69O-199.010 | License Renewal | Delete obsolete, unnecessary, or redundant rule provisions |
| 624.307(1), 624.424, 634.313 | 69O-199.012 | Annual Statement | Clarify and simplify |
| 624.424, 634.306, 634.3073, 634.3077, 634.313, 634.315 | 69O-199.015 | Forms Incorporated by Reference | Delete obsolete, unnecessary, or redundant rule provisions |
| 624.307(1), 634, Part I | 69O-200.001 | Purpose and Scope | Delete obsolete, unnecessary, or redundant rule provisions |
| 634.011 | 69O-200.002 | Definitions | Delete obsolete, unnecessary, or redundant rule provisions |
| 634.021 | 69O-200.004 | Qualification to Obtain and Hold a License | Clarify and simplify |
| 634.041 | 69O-200.006 | Contractual Liability Insurers | Clarify and simplify |
| 634.1213 | 69O-200.011 | Disapproval of Forms | Clarify and simplify |
| 634.141, 634.416 | 69O-200.014 | Exemption Financial Examination | Delete obsolete, unnecessary, or redundant rule provisions |

| Statute | Rule Number | Title | Reason for Action |
|--|--------------------|---|---|
| 634.041, 634.061, 634.071, 624.501, 634.161, 634.252 | 69O-200.015 | Forms Incorporated by Reference | Clarify and simplify |
| 624.307(1), 642 | 69O-201.001 | Purpose and Scope | Delete obsolete, unnecessary, or redundant rule provisions |
| 624.307(1), 625.051, 642.023, 642.032 | 69O-201.005 | Financial Requirements Regarding the Unearned Premium Reserve Liability Account and the Deposit or Bond | Clarify and simplify |
| 624.307(1), 624.404, 628.4615, 642.019, 642.032 | 69O-201.008 | General Eligibility Requirements | Clarify and simplify |
| 624.307(1), 624.416, 624.424, 642.0301, 642.032 | 69O-201.010 | License Continuance | Delete obsolete, unnecessary, or redundant rule provisions |
| 624.307(1), 624.416, 624.424, 642.0301, 642.032 | 69O-201.012 | Annual Statement and Quarterly Reports | Clarify and simplify |
| 624.307(1), 642.021, 642.023, 642.032 | 69O-201.015 | Forms Incorporated by Reference | Delete obsolete, unnecessary, or redundant rule provisions |
| 624.307(1), 627.481 | 69O-202.001 | Purpose and Scope | Delete obsolete, unnecessary, or redundant rule provisions |

| Statute | Rule Number | Title | Reason for Action |
|---|--------------------|---|--|
| 624.307(1), 624.321(1), 627.481 | 69O-202.005 | Notification of Acquisition, Merger and Name Change | Delete obsolete, unnecessary, or redundant rule provisions |
| 624.307(1), 627.481 | 69O-202.008 | General Eligibility Requirements | Clarify and simplify |
| 624.307, 624.307(1), 627.481 | 69O-202.012 | Annual Statements | Clarify and simplify |
| 624.307(1), 624.424, 627.481 | 69O-202.015 | Forms Incorporated by Reference | Delete obsolete, unnecessary, or redundant rule provisions |
| 636 | 69O-203.010 | Scope | Delete obsolete, unnecessary, or redundant rule provisions |
| 636.003, 636.008, 636.009, 636.015, 636.016 | 69O-203.013 | Definitions for the Purpose of These Rules | Clarify and simplify |
| 636.007, 636.008, 636.009 | 69O-203.020 | Application for Certificate of Authority | Clarify and simplify |
| 636.007, 636.008 | 69O-203.021 | Standards for Fingerprint Cards for New Applicants and Acquisition Applications | Delete obsolete, unnecessary, or redundant rule provisions |
| 636.009 | 69O-203.065 | Reinsurance (Excess Loss Insurance) | Clarify and simplify |
| 636.009(1)(f), 636.043, 636.058 | 69O-203.070 | Annual and Quarterly Reports | Clarify and simplify |

| Statute | Rule Number | Title | Reason for Action |
|---|-------------|---------------------------------|--|
| 636.057 | 69O-203.078 | Fees | Clarify and simplify |
| 636.065, 628.4615 | 69O-203.093 | Change of Ownership | Delete obsolete, unnecessary, or redundant rule provisions |
| 624.321(1)(a), 624.424, 636.005, 636.008, 636.009, 636.012, 636.043 | 69O-203.100 | Prescribed Forms | Delete obsolete, unnecessary, or redundant rule provisions |
| 624.424, 636.204, 636.218, 636.220, 636.226, 636.228, 636.234, 636.236 | 69O-203.210 | Forms Incorporated by Reference | Clarify and simplify |

C. Update on Rulemaking Necessitated by Changes to the Florida Statutes from the 2019-20 Regulatory Plan Pursuant to Section 120.74(1)(c), F.S.

Chapter 2018-131, Laws of Florida, made substantial changes to section 628.4615, F.S. Section 628.4615(11), F.S., was amended to allow a person to rebut a presumption of control by filing a disclaimer of control with the Office on a form prescribed by the Commission. Initially, the Office planned to develop and incorporate forms in Rule 69O-207.004, Florida Administrative Code (“F.A.C.”), to implement this subsection. The Office published a Notice of Rule Development on November 1, 2018, in Volume 44, No. 214, of the Florida Administrative Register. Subsequently, the Office determined the disclaimer of control should be part of an application to acquire a specialty insurer that will comprise Rule 69O-136.090, F.A.C. The Office plans on publishing a Notice of Rule Development before the end of 2020. The Office anticipates publishing a Notice of Proposed Rule in the beginning of 2021.

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 period during which all rules have most recently been reviewed to determine if the rules remain consistent with the agency's rulemaking authority and the laws implemented: on an ongoing basis.

Anoush Arakalian Brangaccio
ANOUSH ARAKALIAN BRANGACCIO
General Counsel
Office of Insurance Regulation

David Altmaier

DAVID ALTMAIER, Commissioner
Office of Insurance Regulation