

Committee on Banking and Insurance

SB 7016 — OGSR/Information Submitted by Insurers/Department of Financial Services

by Banking and Insurance Committee

The bill removes the scheduled repeal of a public records exemption for certain information submitted to the Department of Financial Services (DFS) related to an insurer's anti-fraud plan or annual fraud report pursuant to s. 626.9891, F.S. The exemption is subject to review pursuant to the Open Government Sunset Review Act five years after enactment. The bill saves the public record exemption from repeal, thereby continuing the confidential and exempt status of the information.

The public records exemption for insurer's anti-fraud plans and annual fraud reports applies to:

- A description of the required anti-fraud education and training;
- A description or chart of the insurer's anti-fraud investigative unit, including the position titles and descriptions of staffing;
- The rationale for the level of staffing and resources being provided for the anti-fraud investigative unit which may include objective criteria, such as the number of policies written, the number of claims received on an annual basis, the volume of suspected fraudulent claims detected on an annual basis, an assessment of the optimal caseload that one investigator can handle on an annual basis, and other factors;
- The number of claims referred to the anti-fraud investigative unit;
- The number of other insurance fraud matters referred to the anti-fraud investigative unit that were not claim related;
- The number of claims investigated or accepted by the anti-fraud investigative unit;
- The number of other insurance fraud matters investigated or accepted by the anti-fraud investigative unit that were not claim related; and
- The estimated dollar amount or range of damages on cases referred to the Division of Investigative and Forensic Services of the DFS or other agencies.

If approved by the Governor, these provisions take effect October 1, 2022.

Vote: Senate 35-0; House 111-0