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A bill to be entitled
 An act relating to loss run statements; creating ss.
 626.9202 and 627.0622, F.S.; providing definitions;
 requiring insurers to provide loss run statements to
 insureds within a specified timeframe; providing
 notification requirements; providing claims history
 requirements for loss run statements; prohibiting
 insurers from being required to provide loss reserve
 information; prohibiting fees under certain
 circumstances; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 626.9202, Florida Statutes, is created
 to read:

626.9202 Loss run statements for all lines of insurance.-

(1) As used in this section, the term:

(a) "Loss run statement" means a report that contains the
 policy number, the period of coverage, the number of claims, the
 paid losses on all claims, and the date of each loss. The term
 does not include supporting claim file documentation, including,
 but not limited to, copies of claim files, investigation
 reports, evaluation statements, insureds' statements, and
 documents protected by a common law or statutory privilege.

(b) "Provide" means to electronically send a document, or

26 | to allow access through an electronic portal to view or generate
 27 | a document.

28 | (2) Notwithstanding any other law, an insurer shall
 29 | provide a loss run statement to an insured within 15 calendar
 30 | days after receipt of the insured's written request, but in no
 31 | event more frequently than once per policy period.

32 | (3) At the time the loss run statement is provided to the
 33 | insured, the insurer shall notify the agent of record that the
 34 | loss run statement was provided to the insured.

35 | (4) A loss run statement provided pursuant to this section
 36 | must contain a claims history with the insurer for the preceding
 37 | 5 years or, if the claims history is less than 5 years, a
 38 | complete claims history with the insurer.

39 | (5) Notwithstanding any other provision of this section,
 40 | an insurer may not be required to provide loss reserve
 41 | information.

42 | (6) Notwithstanding any other law, an insurer may not
 43 | charge any fee to prepare and provide annually one loss run
 44 | statement in accordance with this section.

45 | Section 2. Section 627.0622, Florida Statutes, is created
 46 | to read:

47 | 627.0622 Loss run statements for all lines of insurance.-

48 | (1) As used in this section, the term:

49 | (a) "Loss run statement" means a report that contains the
 50 | policy number, the period of coverage, the number of claims, the

51 paid losses on all claims, and the date of each loss. The term
52 does not include supporting claim file documentation, including,
53 but not limited to, copies of claim files, investigation
54 reports, evaluation statements, insureds' statements, and
55 documents protected by a common law or statutory privilege.

56 (b) "Provide" means to electronically send a document, or
57 to allow access through an electronic portal to view or generate
58 a document.

59 (2) Notwithstanding any other law, an insurer shall
60 provide a loss run statement to an insured within 15 calendar
61 days after receipt of the insured's written request, but in no
62 event more frequently than once per policy period.

63 (3) At the time the loss run statement is provided to the
64 insured, the insurer shall notify the agent of record that the
65 loss run statement was provided to the insured.

66 (4) A loss run statement provided pursuant to this section
67 must contain a claims history with the insurer for the preceding
68 5 years or, if the claims history is less than 5 years, a
69 complete claims history with the insurer.

70 (5) Notwithstanding any other provision of this section,
71 an insurer may not be required to provide loss reserve
72 information.

73 (6) Notwithstanding any other law, an insurer may not
74 charge any fee to prepare and provide annually one loss run
75 statement in accordance with this section.

76 | Section 3. This act shall take effect January 1, 2021. |