

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Fernandez-Barquin offered the following:

2  
3 **Amendment (with title amendment)**

4 Remove lines 61-104 and insert:

5 (4) Except for group health insurance, a loss run  
6 statement provided pursuant to this section must contain a  
7 claims history with the insurer for the preceding 5 years or, if  
8 the claims history is less than 5 years, a complete claims  
9 history with the insurer. For purposes of group health  
10 insurance, a loss run statement provided pursuant to this  
11 section must contain a claims history with the insurer for the  
12 preceding 3 years or, if the claims history is less than 3  
13 years, a complete claims history with the insurer.

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14       (7) This section does not apply to a life insurer as  
15 defined in s. 624.602.

16       (8) For group health insurance, only the group  
17 policyholder may request and be provided a loss run statement  
18 pursuant to this section.

19       Section 2. Subsections (1), (2), and (4) of section  
20 627.444, Florida Statutes, are amended, and subsections (7) and  
21 (8) are added to that section, to read:

22       627.444 Loss run statements for all lines of insurance.—

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

24       (a) "Loss run statement" means a report that contains the  
25 policy number, the period of coverage, the number of claims, the  
26 paid losses on all claims, and the date of each loss. The term  
27 does not include supporting claim file documentation, including,  
28 but not limited to, copies of claim files, investigation  
29 reports, evaluation statements, insureds' statements, and  
30 documents protected by a common law or statutory privilege. As  
31 applied to group health insurance, the term means a report that  
32 also contains the premiums paid, the number of insureds on a  
33 monthly basis, and the dependent status.

34       (b) "Provide" means to electronically send a document or  
35 to allow access through an electronic portal to view or generate  
36 a document.

37       (2) Notwithstanding any other law, an insurer shall  
38 provide to an insured within 15 calendar days after an

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39 individual or entity designated by the insurer receives receipt  
40 of the insured's written request, either:

41 (a) A loss run statement; or

42 (b) For personal lines of insurance, information on how to  
43 obtain a loss run statement at no charge through a consumer  
44 reporting agency. However, this section does not prohibit an  
45 insured from requesting a loss run statement after receiving  
46 information from a consumer reporting agency, in which case the  
47 insurer shall then provide the loss run statement within 15  
48 calendar days after the individual or entity designated by the  
49 insurer receives the insured's subsequent written request.

50 (4) Except for group health insurance, a loss run  
51 statement provided pursuant to this section must contain a  
52 claims history with the insurer for the preceding 5 years or, if  
53 the claims history is less than 5 years, a complete claims  
54 history with the insurer. For purposes of group health  
55 insurance, a loss run statement provided pursuant to this  
56 section must contain a claims history with the insurer for the  
57 preceding 3 years or, if the claims history is less than 3  
58 years, a complete claims history with the insurer.

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61 **T I T L E A M E N D M E N T**

62 Remove lines 8-17 and insert:

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63 construction; specifying the required claims history  
64 in loss run statements for group health insurance;  
65 providing applicability; limiting loss run statement  
66 requests with respect to group health insurance  
67 policies to group policyholders; amending s. 627.444,  
68 F.S.; revising the definition of the term "loss run  
69 statement"; specifying the entities that must receive  
70 requests for loss run statements; specifying that  
71 insurers must provide loss run statements under  
72 certain circumstances; specifying the required claims  
73 history in loss run statements for group health  
74 insurance;

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