

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Banking and Insurance Committee

BILL: SB 140

INTRODUCER: Senator Bennett

SUBJECT: Repeal of a Workers' Compensation Reporting Requirement

DATE: September 20, 2011      REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Johnson	Burgess	BI	<b>Pre-meeting</b>
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

**I. Summary:**

The bill repeals s. 440.59, F.S., which requires the Department of Financial Services (DFS) to compile an annual written report on the administration of Florida's Workers' Compensation Law<sup>1</sup> and submit copies of the annual report to the Legislature and the Governor. The Division of Workers' Compensation within the DFS is responsible for preparing this report. Information contained in the annual report is available at the DFS website.

This bill repeals Florida Statute: 440.59.

**II. Present Situation:**

Pursuant to s. 440.015, F.S., the Department of Financial Services, the Office of Insurance Regulation, the Department of Education, and the Division of Administrative Hearings administer various provisions of the Workers' Compensation Law. The Division of Workers' Compensation within the Department of Financial Services is organized into the following program or functional units: Employee Assistance, Compliance, Monitoring and Audit, Data Quality and Collection, Office of the Special Disability Trust Fund, Office of Assessments, and the Office of Medical Services.

Section 440.59, F.S., requires the DFS to prepare an annual report of the administration of ch. 440, F.S., for the preceding calendar year, including a detailed statement of the receipts of and expenditures from the Workers' Compensation Administration Trust Fund and a statement of the causes of the accidents leading to the injuries for which the awards were made. On or

<sup>1</sup> Chapter 440, F.S.

before September 15 of each year, the DFS is required to submit a copy of the report to the Governor, the President of the Senate, the Speaker of the House of Representatives, the Democratic and Republican Leaders of the Senate and the House of Representatives, and the chairs of the legislative committees having jurisdiction over workers' compensation.

The *2011 Annual Report of the Florida Division of Workers' Compensation* contains narrative, charts, and graphs depicting the accomplishments and activities of the division. In addition, the report includes information regarding claims, the nature, cause, and body location of workplace injuries, and medical data.

The Division of Workers' Compensation maintains a website that provides data, forms, publications, and other information to assist injured workers, employers, carriers, health care providers, and other interested parties.<sup>2</sup> Information concerning the division's program areas and claims data is also available at the website.

The expenses associated with the administration of ch. 440, F.S., are funded primarily by assessments on the net premiums of workers' compensation carriers and self-insurers pursuant to s. 440.51, F.S.

### III. Effect of Proposed Changes:

**Section 1** repeals s. 440.59, F.S., which would eliminate the workers' compensation annual report of the DFS.

**Section 2** provides that this act will take effect July 1, 2012.

### IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

### V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

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<sup>2</sup> The website can be accessed at <http://www.myfloridacfo.com/wc/index.htm>. (Last visited on September 21, 2011.)

B. Private Sector Impact:

Insignificant.

C. Government Sector Impact:

The Department of Financial Services has indicated that the elimination of this written report would result in an annual savings of \$291 in printing costs.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Additional Information:**

A. Committee Substitute – Statement of Substantial Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.