

1                                   A bill to be entitled  
 2           An act relating to insurance; amending s. 627.351,  
 3           F.S.; revising membership of the Joint Underwriting  
 4           Association; amending s. 766.315, F.S.; revising  
 5           membership of the Florida Birth-Related Neurological  
 6           Injury Compensation Association; providing an  
 7           effective date.

8  
 9   Be It Enacted by the Legislature of the State of Florida:

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 11           Section 1. Paragraph (c) of subsection (4) of section  
 12   627.351, Florida Statutes, is amended to read:

13           627.351 Insurance risk apportionment plans.—

14           (4) MEDICAL MALPRACTICE RISK APPORTIONMENT.—

15           (c) The Joint Underwriting Association shall operate  
 16   subject to the supervision and approval of a board of governors  
 17   consisting of representatives of six ~~five~~ of the insurers  
 18   participating in the Joint Underwriting Association, an attorney  
 19   to be named by The Florida Bar, a physician to be named by the  
 20   Florida Medical Association, a dentist to be named by the  
 21   Florida Dental Association, and a hospital representative to be  
 22   named by the Florida Hospital Association. The Chief Financial  
 23   Officer shall select the representatives of the six ~~five~~  
 24   insurers. One insurer representative shall be selected from  
 25   recommendations of the Property Casualty Insurers Association of  
 26   America ~~American Insurance Association~~. ~~One insurer~~

27 ~~representative shall be selected from recommendations of the~~  
28 ~~Alliance of American Insurers. Three ~~One~~ insurer representatives~~  
29 ~~representative~~ shall be selected from recommendations of the  
30 National Association of Independent Insurers. Two insurer  
31 representatives shall be selected to represent insurers that are  
32 not affiliated with these associations. The board of governors  
33 shall choose, during the first meeting of the board after June  
34 30 of each year, one of its members to serve as chair of the  
35 board and another member to serve as vice chair of the board.  
36 There shall be no liability on the part of, and no cause of  
37 action of any nature shall arise against, any member insurer,  
38 self-insurer, or its agents or employees, the Joint Underwriting  
39 Association or its agents or employees, members of the board of  
40 governors, or the office or its representatives for any action  
41 taken by them in the performance of their powers and duties  
42 under this subsection.

43 Section 2. Paragraph (a) of subsection (2) of section  
44 766.315, Florida Statutes, is amended to read:

45 766.315 Florida Birth-Related Neurological Injury  
46 Compensation Association; board of directors.—

47 (2) (a) The Chief Financial Officer may select the  
48 representative of the participating physicians from a list of at  
49 least three names to be recommended by the Florida Obstetric and  
50 Gynecologic Society; the representative of hospitals from a list  
51 of at least three names to be recommended by the Florida  
52 Hospital Association; the representative of casualty insurers

53 from a list of at least two ~~three~~ names, one of which is  
54 recommended by the American Insurance Association, ~~one by the~~  
55 ~~Alliance of American Insurers,~~ and one by the Property Casualty  
56 Insurers Association of America ~~National Association of~~  
57 ~~Independent Insurers;~~ and the representative of physicians other  
58 than participating physicians from a list of three names to be  
59 recommended by the Florida Medical Association and a list of  
60 three names to be recommended by the Florida Osteopathic Medical  
61 Association. In no case shall the Chief Financial Officer be  
62 bound to make any appointment from among the nominees of such  
63 respective associations.

64 Section 3. This act shall take effect upon becoming a law.