

Amendment No. 10 (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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ORIGINAL STAMP BELOW

11 Representative(s) Bainter offered the following:

13 **Amendment (with title amendment)**

14 On page 23, between lines 13 & 14 of the bill

16 insert:

17 Section 18. Workers' Compensation Rating Law Study  
18 Commission; duties and responsibilities; appropriation.--

19 (1) CREATION OF THE WORKERS' COMPENSATION RATING LAW  
20 STUDY COMMISSION.--

21 (a) There is created the Workers' Compensation Rating  
22 Law Study Commission consisting of nine members:

23 1. Four members appointed by the President of the  
24 Senate, including:

25 a. Two members of the Florida Senate;

26 b. A member of an association representing employers;

27 and

28 c. A member of a domestic workers' compensation  
29 insurer or self-insurance fund.

30 2. Four members appointed by the Speaker of the House,  
31 including:

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- 1           a. Two members of the Florida House of  
2 Representatives;
- 3           b. A member of an association representing employers;  
4 and
- 5           c. A member of a national workers' compensation  
6 insurer.
- 7           3. The Insurance Commissioner or a designee of the  
8 Insurance Commissioner from within the Department of  
9 Insurance.
- 10           (b) Each member may receive per diem and expenses for  
11 travel, as provided in s. 112.061, while carrying out official  
12 business of the commission.
- 13           (c) Appointments must be made by July 1, 1999, and the  
14 commission's first meeting must be held by August 15, 1999.  
15 The commission shall continue to exist until December 1, 1999.  
16 The chairman shall be designated from the membership.
- 17           (2) DUTIES AND RESPONSIBILITIES OF THE COMMISSION.--
- 18           (a) The commission shall:
- 19           1. Perform a study of Florida's workers' compensation  
20 rating law and the workers' compensation rating laws of other  
21 states as possible alternatives. The study shall include an  
22 analysis of the various ways Florida's rating law could be  
23 changed to make the workers' compensation ratemaking process  
24 more market driven and increase the opportunity for  
25 competitive pricing, including, but not limited to, an  
26 analysis of loss cost-based rating, open competitive rating,  
27 deviations, and schedule rating. The study shall include an  
28 analysis of how the various competitive approaches might  
29 impact:
- 30           a. Workers' compensation rates and premiums in  
31 Florida;

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1           b. The availability of workers' compensation  
2 insurance, in particular for small employers in Florida;

3           c. The composition of Florida's workers' compensation  
4 insurance market, including Florida's domestic workers'  
5 compensation insurance carriers and self-insurance funds and  
6 the relative size of the residual market;

7           d. The solvency of workers' compensation insurance  
8 carriers doing business in Florida; and

9           e. The services provided by workers' compensation  
10 insurance carriers, including, but not limited to, loss  
11 prevention programs and claims handling.

12           2. Hold a minimum of three public hearings, including  
13 at least one in Tallahassee, to receive public comment and  
14 input relative to Florida's workers' compensation rating law.

15           3. Make recommendations concerning the most  
16 appropriate method for establishing rates and premiums for  
17 workers' compensation in Florida.

18           4. Report its findings and recommendations to the  
19 President of the Senate and the Speaker of the House of  
20 Representatives by December 1, 1999.

21           (b) The study shall be limited in scope to workers'  
22 compensation rating laws. The commission shall not study  
23 other aspects of the workers' compensation system under  
24 Chapter 440.

25           (c) The commission is authorized to employ personnel  
26 and incur expenses related to the operation of the commission.  
27 The commission may also contract with independent parties for  
28 information in furtherance of the work of the commission.

29           (3) APPROPRIATION.--There is appropriated \$100,000  
30 from the Insurance Commissioner's Regulatory Trust Fund to  
31 implement the provisions of this section.

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1 ===== T I T L E A M E N D M E N T =====  
2 And the title is amended as follows:  
3       On page 2, line 14  
4  
5 after the semicolon insert:  
6       creating the Workers' Compensation Rating Law  
7       Study Commission;  
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