| 1 | A bill to be entitled |
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| ⊥ 2 | |
| | An act relating to insurance; amending s. |
| 3 | 284.33, F.S.; authorizing the Department of |
| 4 | Insurance to directly purchase annuities |
| 5 | through a structured settlement insurance |
| 6 | services consultant; providing procedures and |
| 7 | requirements; amending s. 625.121, F.S.; |
| 8 | deleting a reference to deficiency reserves for |
| 9 | certain term life insurance policies; |
| 10 | authorizing the Department of Insurance to |
| 11 | adopt a certain valuation of life insurance |
| 12 | policies model regulation; amending s. 626.99, |
| 13 | F.S.; revising a reference to a more current |
| 14 | edition of a cited buyer's guide; amending s. |
| 15 | 627.6487, F.S.; clarifying that creditable |
| 16 | coverage must have been in effect in this |
| 17 | state; amending s. 627.901, F.S.; increasing |
| 18 | maximum service charge for financing insurance |
| 19 | premiums; amending s. 627.902, F.S.; revising |
| 20 | applicability of premium finance rate of |
| 21 | interest; creating a study commission on the |
| 22 | availability of health care coverage for the |
| 23 | employee leasing industry; providing an |
| 24 | effective date. |
| 25 | |
| 26 | Be It Enacted by the Legislature of the State of Florida: |
| 27 | |
| 28 | Section 1. Subsection (1) of section 284.33, Florida |
| 29 | Statutes, is amended to read: |
| 30 | 284.33 Purchase of insurance, reinsurance, and |
| 31 | services |
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| 1 | (1) The Department of Insurance is authorized to |
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| 2 | provide insurance, specific excess insurance, and aggregate |
| 3 | excess insurance through the Department of Management |
| 4 | Services, pursuant to the provisions of part I of chapter 287, |
| 5 | as necessary to provide insurance coverages authorized by this |
| 6 | part, consistent with market availability. <u>However, the</u> |
| 7 | Department of Insurance may directly purchase annuities by |
| 8 | using a structured settlement insurance consulting firm |
| 9 | selected by the department to assist in the settlement of |
| 10 | claims being handled by the Division of Risk Management. The |
| 11 | selection of the structured settlement insurance services |
| 12 | consultant shall be made by using competitive sealed |
| 13 | proposals. The consulting firm shall act as an agent of record |
| 14 | for the department in procuring the best annuity products |
| 15 | available to facilitate structured settlement of claims, |
| 16 | considering price, insurer financial strength, and the best |
| 17 | interests of the state risk management program. Purchase of |
| 18 | annuities by the department using a structured settlement |
| 19 | method is excepted from competitive sealed bidding or proposal |
| 20 | requirements. The Department of Insurance is further |
| 21 | authorized to purchase such risk management services, |
| 22 | including, but not limited to, risk and claims control; safety |
| 23 | management; and legal, investigative, and adjustment services, |
| 24 | as may be required and pay claims. The department may contract |
| 25 | with a service organization for such services and advance |
| 26 | money to such service organization for deposit in a special |
| 27 | checking account for paying claims made against the state |
| 28 | under the provisions of this part. The special checking |
| 29 | account shall be maintained in this state in a bank or savings |
| 30 | association organized under the laws of this state or of the |
| 31 | United States. The department may replenish such account as |
| | |

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often as necessary upon the presentation by the service 1 organization of documentation for payments of claims equal to 2 3 the amount of the requested reimbursement. 4 Section 2. Subsections (5), (7), and (11) of section 5 625.121, Florida Statutes, are amended to read: 6 625.121 Standard Valuation Law; life insurance.--7 (5) MINIMUM STANDARD FOR VALUATION OF POLICIES AND 8 CONTRACTS ISSUED ON OR AFTER OPERATIVE DATE OF STANDARD 9 NONFORFEITURE LAW .-- Except as otherwise provided in paragraph 10 (h) and subsections (6), (11), and (14), the minimum standard for the valuation of all such policies and contracts issued on 11 12 or after the operative date of s. 627.476 (Standard Nonforfeiture Law for Life Insurance) shall be the 13 14 commissioners' reserve valuation method defined in subsections 15 (7), (11), and (14); 5 percent interest for group annuity and pure endowment contracts and 3.5 percent interest for all 16 17 other such policies and contracts, or in the case of life insurance policies and contracts, other than annuity and pure 18 19 endowment contracts, issued on or after July 1, 1973, 4 percent interest for such policies issued prior to October 1, 20 1979, and 4.5 percent interest for such policies issued on or 21 after October 1, 1979; and the following tables: 22 23 (a) For all ordinary policies of life insurance issued 24 on the standard basis, excluding any disability and accidental death benefits in such policies: 25 26 1. For policies issued prior to the operative date of 27 s. 627.476(9), the commissioners' 1958 Standard Ordinary Mortality Table; except that, for any category of such 28 29 policies issued on female risks, modified net premiums and present values, referred to in subsection (7), may be 30 31 3 CODING: Words stricken are deletions; words underlined are additions.

calculated according to an age not more than 6 years younger 1 than the actual age of the insured; and 2 2. For policies issued on or after the operative date 3 4 of s. 627.476(9), the commissioners' 1980 Standard Ordinary 5 Mortality Table or, at the election of the insurer for any one or more specified plans of life insurance, the commissioners' 6 7 1980 Standard Ordinary Mortality Table with Ten-Year Select Mortality Factors. 8 9 (b) For all industrial life insurance policies issued on the standard basis, excluding any disability and accidental 10 death benefits in such policies: 11 12 1. For policies issued prior to the first date to which the commissioners' 1961 Standard Industrial Mortality 13 14 Table is applicable according to s. 627.476, the 1941 Standard 15 Industrial Mortality Table; and For such policies issued on or after that date, the 16 2. 17 commissioners' 1961 Standard Industrial Mortality Table. 18 (c) For individual annuity and pure endowment 19 contracts, excluding any disability and accidental death benefits in such policies, the 1937 Standard Annuity Mortality 20 Table or, at the option of the insurer, the Annuity Mortality 21 Table for 1949, Ultimate, or any modification of either of 22 these tables approved by the department. 23 (d) For group annuity and pure endowment contracts, 24 excluding any disability and accidental death benefits in such 25 26 policies, the Group Annuity Mortality Table for 1951; any 27 modification of such table approved by the department; or, at the option of the insurer, any of the tables or modifications 28 29 of tables specified for individual annuity and pure endowment contracts. 30 31 4

(e) For total and permanent disability benefits in or 1 2 supplementary to ordinary policies or contracts: 3 1. For policies or contracts issued on or after 4 January 1, 1966, the tables of period 2 disablement rates and 5 the 1930 to 1950 termination rates of the 1952 disability study of the Society of Actuaries, with due regard to the type б 7 of benefit; 8 2. For policies or contracts issued on or after 9 January 1, 1961, and prior to January 1, 1966, either those tables or, at the option of the insurer, the class three 10 disability table (1926); and 11 12 3. For policies issued prior to January 1, 1961, the class three disability table (1926). 13 14 15 Any such table for active lives shall be combined with a mortality table permitted for calculating the reserves for 16 17 life insurance policies. 18 (f) For accidental death benefits in or supplementary 19 to policies: 20 1. For policies issued on or after January 1, 1966, 21 the 1959 Accidental Death Benefits Table; 22 2. For policies issued on or after January 1, 1961, 23 and prior to January 1, 1966, either that table or, at the option of the insurer, the Intercompany Double Indemnity 24 Mortality Table; and 25 26 3. For policies issued prior to January 1, 1961, the 27 Intercompany Double Indemnity Mortality Table. 28 29 Either table shall be combined with a mortality table permitted for calculating the reserves for life insurance 30 policies. 31 5 CODING: Words stricken are deletions; words underlined are additions.

| 1 | (g) For group life insurance, life insurance issued on | |
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| 2 | the substandard basis, and other special benefits, such tables | |
| 3 | as may be approved by the department as being sufficient with | |
| 4 | relation to the benefits provided by such policies. | |
| 5 | (h) Except as provided in subsection (6), the minimum | |
| 6 | standard for the valuation of all individual annuity and pure | |
| 7 | endowment contracts issued on or after the operative date of | |
| 8 | this paragraph and for all annuities and pure endowments | |
| 9 | purchased on or after such operative date under group annuity | |
| 10 | and pure endowment contracts shall be the commissioners' | |
| 11 | reserve valuation method defined in subsection (7) and the | |
| 12 | following tables and interest rates: | |
| 13 | 1. For individual annuity and pure endowment contracts | |
| 14 | issued prior to October 1, 1979, excluding any disability and | |
| 15 | accidental death benefits in such contracts, the 1971 | |
| 16 | Individual Annuity Mortality Table, or any modification of | |
| 17 | this table approved by the department, and 6 percent interest | |
| 18 | for single-premium immediate annuity contracts and 4 percent | |
| 19 | interest for all other individual annuity and pure endowment | |
| 20 | contracts. | |
| 21 | 2. For individual single-premium immediate annuity | |
| 22 | contracts issued on or after October 1, 1979, and prior to | |
| 23 | October 1, 1986, excluding any disability and accidental death | |
| 24 | benefits in such contracts, the 1971 Individual Annuity | |
| 25 | Mortality Table, or any modification of this table approved by | |
| 26 | the department, and 7.5 percent interest. For such contracts | |
| 27 | issued on or after October 1, 1986, the 1983 Individual Annual | |
| 28 | Mortality Table, or any modification of such table approved by | |
| 29 | the department, and the applicable calendar year statutory | |
| 30 | valuation interest rate as described in subsection (6). | |
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For individual annuity and pure endowment contracts 1 3. 2 issued on or after October 1, 1979, and prior to October 1, 3 1986, other than single-premium immediate annuity contracts, 4 excluding any disability and accidental death benefits in such 5 contracts, the 1971 Individual Annuity Mortality Table, or any modification of this table approved by the department, and 5.5 б 7 percent interest for single-premium deferred annuity and pure endowment contracts and 4.5 percent interest for all other 8 9 such individual annuity and pure endowment contracts. For such 10 contracts issued on or after October 1, 1986, the 1983 Individual Annual Mortality Table, or any modification of such 11 12 table approved by the department, and the applicable calendar year statutory valuation interest rate as described in 13 14 subsection (6). 15 4. For all annuities and pure endowments purchased 16 prior to October 1, 1979, under group annuity and pure 17 endowment contracts, excluding any disability and accidental death benefits purchased under such contracts, the 1971 Group 18 19 Annuity Mortality Table, or any modification of this table approved by the department, and 6 percent interest. 20 5. For all annuities and pure endowments purchased on 21 or after October 1, 1979, and prior to October 1, 1986, under 22 23 group annuity and pure endowment contracts, excluding any disability and accidental death benefits purchased under such 24 contracts, the 1971 Group Annuity Mortality Table, or any 25 26 modification of this table approved by the department, and 7.5 27 percent interest. For such contracts purchased on or after October 1, 1986, the 1983 Group Annuity Mortality Table, or 28 any modification of such table approved by the department, and 29 the applicable calendar year statutory valuation interest rate 30 as described in subsection (6). 31

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1 2 After July 1, 1973, any insurer may file with the department a 3 written notice of its election to comply with the provisions 4 of this paragraph after a specified date before January 1, 1979, which shall be the operative date of this paragraph for 5 such insurer. However, an insurer may elect a different 6 7 operative date for individual annuity and pure endowment 8 contracts from that elected for group annuity and pure 9 endowment contracts. If an insurer makes no such election, 10 the operative date of this paragraph for such insurer shall be January 1, 1979. 11 12 (i) In lieu of the mortality tables specified in this 13 subsection, and subject to rules adopted by the department, the insurance company may, at its option: 14 15 Substitute the applicable 1958 CSO or CET Smoker 1. and Nonsmoker Mortality Tables, in lieu of the 1980 CSO or CET 16 17 mortality table standard, for policies issued on or after the 18 operative date of s. 627.476(9) and before January 1, 1989. 19 2. Substitute the applicable 1980 CSO or CET Smoker 20 and Nonsmoker Mortality Tables in lieu of the 1980 CSO or CET 21 mortality table standard; 22 3. Use the Annuity 2000 Mortality Table for 23 determining the minimum standard of valuation for individual annuity and pure endowment contracts issued on or after the 24 operative date of this section until the department, on a date 25 26 certain that is on or after January 1, 1998, adopts by rule 27 that table for determining the minimum standard for valuation 28 purposes. 29 Use the 1994 GAR Table for determining the minimum 4. 30 standard of valuation for annuities and pure endowments purchased on or after the operative date of this section under 31 8 CODING: Words stricken are deletions; words underlined are additions.

group annuity and pure endowment contracts until the 1 department, on a date certain that is on or after January 1, 2 3 1998, adopts by rule that table for determining the minimum 4 standard for valuation purposes. 5 (j) The department may adopt by rule the model 6 regulation for valuation of life insurance policies as 7 approved by the National Association of Insurance 8 Commissioners in March 1999, including tables of select 9 mortality factors, and may make the regulation effective January 1, 2000. 10 (7) COMMISSIONERS' RESERVE VALUATION METHOD. --11 12 (a)1. Except as otherwise provided in this subsection 13 and subsections (11) and (14), reserves according to the 14 commissioners' reserve valuation method, for the life insurance and endowment benefits of policies providing for a 15 16 uniform amount of insurance and requiring the payment of 17 uniform premiums, shall be the excess, if any, of the present value, at the date of valuation, of such future guaranteed 18 19 benefits provided for by such policies, over the then-present value of any future modified net premiums therefor. The 20 modified net premiums for any such policy shall be such 21 22 uniform percentage of the respective contract premiums for 23 such benefits that the present value, at the date of issue of the policy, of all such modified net premiums shall be equal 24 to the sum of the then-present value of such benefits provided 25 26 for by the policy and the excess of sub-subparagraph a. over 27 sub-subparagraph b. as follows: A net-level annual premium equal to the present 28 a. value, at the date of issue, of such benefits provided for 29 after the first policy year, divided by the present value, at 30 the date of issue, of an annuity of one per annum payable on 31 9 CODING: Words stricken are deletions; words underlined are additions.

| 1 the first and each subsequent anniversary of such policy on |
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| 2 which a premium falls due; provided, however, that such |
| 3 net-level annual premium shall not exceed the net-level annual |
| 4 premium on the 19-year premium whole life plan for insurance |
| 5 of the same amount at an age 1 year higher than the age at |
| 6 issue of such policy. |
| 7 b. A net-1-year-term premium for such benefits |
| 8 provided for in the first policy year. |
| 9 2. For any life insurance policy which is issued on or |
| 10 after January 1, 1985, for which the contract premium in the |
| 11 first policy year exceeds that of the second year and for |
| 12 which no comparable additional benefit is provided in the |
| 13 first year for such excess, and which provides an endowment |
| 14 benefit, a cash surrender value, or a combination thereof in |
| 15 an amount greater than such excess premium, the reserve |
| 16 according to the commissioners' reserve valuation method as of |
| 17 any policy anniversary occurring on or before the assumed |
| 18 ending date, defined herein as the first policy anniversary on |
| 19 which the sum of any endowment benefit and any cash surrender |
| 20 value then available is greater than such excess premium, |
| 21 shall, except as otherwise provided in subsection (11), be the |
| 22 greater of the reserve as of such policy anniversary |
| 23 calculated as described in subparagraph 1. and the reserve as |
| 24 of such policy anniversary calculated as described in |
| 25 subparagraph 1. but with: |
| a. The value defined in subparagraph 1. being reduced |
| 27 by 15 percent of the amount of such excess first year premium; |
| 28 b. All present values of benefits and premiums being |
| 29 determined without reference to premiums or benefits provided |
| 30 for by the policy after the assumed ending date; |
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The policy being assumed to mature on such date as 1 c. 2 an endowment; and d. 3 The cash surrender value provided on such date 4 being considered as an endowment benefit. 5 б In making the above comparison, the mortality and interest 7 bases stated in subsections (5) and (6) shall be used. 8 (b) Reserves according to the commissioners' reserve 9 valuation method for: 10 1. Life insurance policies providing for a varying amount of insurance or requiring the payment of varying 11 12 premiums; 13 2. Group annuity and pure endowment contracts, 14 purchased under a retirement plan or plan of deferred 15 compensation, established or maintained by an employer, 16 including a partnership or sole proprietorship, or by an 17 employee organization, or by both, other than a plan providing individual retirement accounts or individual retirement 18 19 annuities under s. 408 of the Internal Revenue Code, as now or hereafter amended; 20 21 3. Disability and accidental death benefits in all 22 policies and contracts; and 23 4. All other benefits, except life insurance and endowment benefits in life insurance policies, and benefits 24 provided by all other annuity and pure endowment contracts, 25 26 27 shall be calculated by a method which is consistent with and 28 yields results consistent with the principles of paragraph 29 (a), except that any extra premiums charged because of 30 impairments, nonrecurring expense factors, or special hazards 31 11

1 shall be disregarded in the determination of modified net
2 premiums.

3 This subsection shall apply to all annuity and (C) 4 pure endowment contracts other than group annuity and pure 5 endowment contracts purchased under a retirement plan or plan of deferred compensation, established or maintained by an 6 7 employer, including a partnership or sole proprietorship, or by an employee organization, or by both, other than a plan 8 9 providing individual retirement accounts or individual retirement annuities under s. 408 of the Internal Revenue 10 Code, as now or hereafter amended. Reserves according to the 11 12 commissioners' annuity reserve method for benefits under 13 annuity or pure endowment contracts, excluding any disability 14 and accidental death benefits in such contracts, shall be the 15 greatest of the respective excesses of the present values, at the date of valuation, of the future guaranteed benefits, 16 17 including guaranteed nonforfeiture benefits, provided for by such contracts at the end of each respective contract year, 18 19 over the present value, at the date of valuation, of any future valuation considerations derived from future gross 20 considerations, required by the terms of such contract, that 21 22 become payable prior to the end of such respective contract 23 year. The future guaranteed benefits shall be determined by using the mortality table, if any, and the interest rate or 24 rates specified in such contracts for determining guaranteed 25 26 benefits. The valuation considerations are the portions of 27 the respective gross considerations applied under the terms of such contracts to determine nonforfeiture values. 28

(11) DEFICIENCY RESERVE.--If in any contract year the
gross premium charged by any life insurer on any policy or
contract is less than the valuation net premium for the policy

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or contract calculated by the method used in calculating the 1 reserve thereon but using the minimum valuation standards of 2 3 mortality and rate of interest, there shall be maintained on 4 such policy or contract a deficiency reserve in addition to 5 the reserve defined by subsections (7) and (12). For each such policy or contract, the deficiency reserve shall be the б 7 present value, according to the minimum valuation standards of mortality and rate of interest, of the differences between all 8 9 such valuation net premiums and the corresponding premiums 10 charged for such policy or contract during the remainder of the premium-paying period. As regards renewable term life 11 12 insurance, the policy reserve and foregoing deficiency reserve 13 shall be calculated using the current term period only.For 14 any category of policies, contracts, or benefits specified in subsections (5) and (6), issued on or after the operative date 15 of s. 627.476 (the Standard Nonforfeiture Law for Life 16 17 Insurance), the aggregate deficiency reserves may be reduced by the amount, if any, by which the aggregate reserves 18 19 actually calculated in accordance with subsection (9) exceed 20 the minimum aggregate reserves prescribed by subsection (8). The minimum valuation standards of mortality and rate of 21 interest referred to in this subsection are those standards 22 23 stated in subsections (5) and (6). However, for any life insurance policy which is issued on or after January 1, 1985, 24 for which the gross premium in the first policy year exceeds 25 26 that of the second year and for which no comparable additional 27 benefit is provided in the first year for such excess, and which provides an endowment benefit, a cash surrender value, 28 29 or a combination thereof in an amount greater than such excess premium, the foregoing provisions of this subsection shall be 30 applied as if the method actually used in calculating the 31

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reserve for such policy were the method described in 1 subsection (7), the provisions of subparagraph (7)(a)2. being 2 3 ignored. The amount of the deficiency reserve, if any, at 4 each policy anniversary of such a policy shall be the excess, 5 if any, of the amount determined by the foregoing provisions of this subsection plus the reserve calculated by the method 6 7 described in subsection (7), the provisions of subparagraph (7)(a)2. being ignored, over the reserve actually calculated 8 9 by the method described in subsection (7), the provisions of subparagraph (7)(a)2. being taken into account. 10 Section 3. Subsection (6) of section 626.99, Florida 11 12 Statutes, is amended to read: 626.99 Life insurance solicitation.--13 14 (6) ADOPTION OF BUYER'S GUIDE; REQUIREMENTS. -- Any 15 insurer soliciting life insurance in this state on or after 16 October 1, 1980, shall adopt and use a buyer's guide, and the 17 adoption and use by an insurer of the buyer's guide adopted October 1, 1996, May 4, 1976, by the National Association of 18 19 Insurance Commissioners in the NAIC Life Insurance Disclosure Solicitation Model Regulation shall be in compliance with the 20 requirements of this section. 21 Section 4. Subsection (3) of section 627.6487, Florida 22 23 Statutes, is amended to read: 627.6487 Guaranteed availability of individual health 24 insurance coverage to eligible individuals .--25 26 (3) For the purposes of this section, the term 27 "eligible individual" means an individual: 28 (a)1. For whom, as of the date on which the individual 29 seeks coverage under this section, the aggregate of the periods of creditable coverage, as defined in s. 627.6561(5) 30 and (6), is 18 or more months; and 31 14

| 1 | 2.a. Whose most recent prior creditable coverage was |
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| 2 | under a group health plan, governmental plan, or church plan, |
| 3 | or health insurance coverage offered in connection with any |
| 4 | such plan; or |
| 5 | b. Whose most recent prior creditable coverage was |
| 6 | under an individual plan issued in this state by a health |
| 7 | insurer or health maintenance organization, which coverage is |
| 8 | terminated due to the insurer or health maintenance |
| 9 | organization becoming insolvent or discontinuing the offering |
| 10 | of all individual coverage in the State <u>of Florida</u> , or due to |
| 11 | the insured no longer living in the service area in the State |
| 12 | of Florida of the insurer or health maintenance organization |
| 13 | that provides coverage through a network plan in the State of |
| 14 | <u>Florida</u> ; |
| 15 | (b) Who is not eligible for coverage under: |
| 16 | 1. A group health plan, as defined in s. 2791 of the |
| 17 | Public Health Service Act; |
| 18 | 2. A conversion policy or contract issued by an |
| 19 | authorized insurer or health maintenance organization under s. |
| 20 | 627.6675 or s. 641.3921, respectively, offered to an |
| 21 | individual who is no longer eligible for coverage under either |
| 22 | an insured or self-insured employer plan; |
| 23 | 3. Part A or part B of Title XVIII of the Social |
| 24 | Security Act; or |
| 25 | 4. A state plan under Title XIX of such act, or any |
| 26 | successor program, and does not have other health insurance |
| 27 | coverage; |
| 28 | (c) With respect to whom the most recent coverage |
| 29 | within the coverage period described in paragraph (a) was not |
| 30 | terminated based on a factor described in s. 627.6571(2)(a) or |
| 31 | (b), relating to nonpayment of premiums or fraud, unless such |
| | 15 |
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nonpayment of premiums or fraud was due to acts of an employer 1 or person other than the individual; 2 3 (d) Who, having been offered the option of 4 continuation coverage under a COBRA continuation provision or 5 under s. 627.6692, elected such coverage; and 6 (e) Who, if the individual elected such continuation 7 provision, has exhausted such continuation coverage under such 8 provision or program. 9 Section 5. Section 627.901, Florida Statutes, is amended to read: 10 11 627.901 Premium financing by an insurance agent or 12 agency.--13 A general lines agent may make reasonable service (1)14 charges for financing insurance premiums on policies issued or 15 business produced by such an agent or agency, s. 626.9541 notwithstanding. The service charge shall not exceed \$1 per 16 17 installment, or a \$6 total service charge per year, for any premium balance of \$120 or less. For any premium balance 18 19 greater than \$120 but not more than \$220, the service charge 20 shall not exceed \$9 per year. The maximum service charge of 21 \$1 per installment for any premium balance greater than \$220 22 shall not exceed \$12 per year. In lieu of such service 23 charges, an insurance agent or agency may charge a rate of 24 interest not to exceed 18 percent simple interest per year on the unpaid balance. 25 26 (2) Every such agent or agency engaging in premium 27 financing whose total service charge per year or rate of interest is more than as provided in subsection (1) shall be 28 29 subject to part XV of this chapter. Section 6. Section 627.902, Florida Statutes, is 30 amended to read: 31 16

| 1 | 627.902 Premium financing by an insurer or |
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| 2 | subsidiaryAn insurer, a subsidiary of an insurer, or a |
| 3 | corporation under substantially the same management or control |
| 4 | as an authorized insurer or group of authorized insurers may |
| 5 | finance property, casualty, surety, and marine insurance |
| 6 | premiums on policies issued or business produced by such |
| 7 | insurer or insurers; however, any such insurer, subsidiary, or |
| 8 | corporation or group of insurers the total service charge per |
| 9 | year or rate of interest of which is substantially more than |
| 10 | that provided in s. 627.901 shall be subject to part XV of |
| 11 | this chapter. |
| 12 | Section 7. There is created the Commission for Health |
| 13 | Care for the Employee Leasing Industry. The purpose of the |
| 14 | commission is to study the availability and affordability of |
| 15 | health care and the delivery methods for providing health |
| 16 | care. The study shall include, but is not limited to, health |
| 17 | care provided by standard carriers, partial self-insurance, |
| 18 | self-insurance under Pub. L. No. 93-406, the Employee |
| 19 | Retirement Income Security Act as amended, association |
| 20 | self-insurance trusts, and the cost and value of those |
| 21 | delivery methods. |
| 22 | (1) The commission shall submit a report on the |
| 23 | results of the study to both Houses of the Legislature and the |
| 24 | Governor by January 1, 2001. |
| 25 | (2) The commission shall be created with the following |
| 26 | membership: two members of the Senate appointed by the Senate |
| 27 | President; two members of the House of Representatives |
| 28 | appointed by the Speaker of the House of Representatives; |
| 29 | three members of industry regulated and licensed under |
| 30 | sections 468.520-468.535, Florida Statutes, appointed by the |
| 31 | President of the Senate; three members of industry regulated |
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and licensed under sections 468.520-468.535, Florida Statutes, appointed by the Speaker of the House of Representatives; the Treasurer or his designee; and the Secretary of Business and Professional Regulation or his designee. The members of the industry appointed to serve on the commission shall serve without pay or travel reimbursement. (3) All meetings of the commission shall be held at the Capitol. Meetings shall be called by the chairperson, who shall be selected by vote of the Senate and House of Representative members of the commission. Staff support shall be provided by the Senate Committee on Banking and Insurance and the House of Representatives Committee on Insurance. Section 8. This act shall take effect upon becoming a law. CODING: Words stricken are deletions; words underlined are additions.