

1 A bill to be entitled
2 An act relating to insurance; creating s.
3 626.9651, F.S.; directing the department to
4 adopt rules to govern the use of a consumer's
5 nonpublic personal financial and health
6 information by health insurers and health
7 maintenance organizations; providing standards
8 governing the rules; amending s. 624.318, F.S.;
9 requiring maintenance of separate records
10 relating to insurance products and
11 transactions; amending s. 626.112, F.S.;
12 describing activities which constitute the
13 solicitation of insurance requiring licensure
14 as an insurance agent; prohibiting certain
15 referral payments or receipts of payments;
16 amending s. 626.171, F.S.; revising agent
17 application requirements; amending s. 626.181,
18 F.S.; extending a period of eligibility for
19 reappointment; creating s. 626.202, F.S.;
20 requiring fingerprinting of certain persons;
21 amending s. 626.431, F.S.; extending a period
22 of eligibility for reappointment; amending s.
23 626.5715, F.S.; applying requirements of the
24 Florida Insurance Code equally to all insurance
25 transactions; creating s. 626.9531, F.S.;
26 requiring identification of insurers, agents,
27 and insurance contracts; amending s. 626.541,
28 F.S.; revising requirements for notification of
29 name and information change; amending s.
30 626.601, F.S.; deleting a limitation on a
31 confidentiality provision; amending 626.611,

1 F.S.; prohibiting the sale of certain
2 unregistered securities; amending ss. 626.741,
3 626.792, and 626.835, F.S.; limiting authority
4 of certain nonresident licenses; amending ss.
5 626.927 and 626.8427, F.S.; revising certain
6 time provisions relating to licensure; amending
7 s. 626.872, F.S.; clarifying a temporary
8 license loss adjustment provision; amending s.
9 626.856, F.S.; revising a definition; amending
10 s. 626.873, F.S.; clarifying application of
11 certain adjuster provisions; amending s.
12 626.521, F.S.; revising certain information
13 reporting requirements; amending ss. 648.315,
14 648.38, and 648.384, F.S.; extending a period
15 of eligibility for reappointment; repealing s.
16 624.501(11) and (23), F.S., relating to
17 appointment fees for vending machines and
18 health care risk managers; providing an
19 effective date.
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21 Be It Enacted by the Legislature of the State of Florida:
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23 Section 1. Subsection (2) of section 624.318, Florida
24 Statutes, is amended to read:

25 624.318 Conduct of examination or investigation;
26 access to records; correction of accounts; appraisals.--

27 (2) Every person being examined or investigated, and
28 its officers, attorneys, employees, agents, and
29 representatives, shall make freely available to the department
30 or its examiners or investigators the accounts, records,
31 documents, files, information, assets, and matters in their

1 possession or control relating to the subject of the
2 examination or investigation. If the licensed insurance agent
3 markets other products, provides other services, or maintains
4 other information regarding the customer which relates to
5 other than insurance transactions, all records relating to
6 insurance products and transactions shall be separately
7 maintained, if separation is necessary to enable the
8 department to access and review the records relating to
9 insurance transactions. If records relating to the insurance
10 transactions are maintained by the agent on premises owned or
11 operated by a third party, the agent and the third party shall
12 provide access to the records by the department.

13 Section 2. Subsection (1) of section 626.112, Florida
14 Statutes, is amended, and subsection (8) is added to said
15 section, to read:

16 626.112 License and appointment required; agents,
17 customer representatives, solicitors, adjusters, insurance
18 agencies, service representatives, managing general agents.--

19 (1)(a) No person shall be, act as, or advertise or
20 hold himself or herself out to be an insurance agent, customer
21 representative, solicitor, or adjuster unless he or she is
22 currently licensed and appointed.

23 (b) Except as provided in subsection (6) or in
24 applicable department rules, and in addition to other conduct
25 described in this chapter with respect to particular types of
26 agents, a license as an insurance agent, service
27 representative, solicitor, customer representative, or limited
28 customer representative is required in order to engage in the
29 solicitation of insurance. For purposes of this requirement,
30 as applicable to any of the license types described in this
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1 paragraph, the solicitation of insurance is the attempt to
2 persuade any person to purchase an insurance product by:

3 1. Describing the benefits or terms of insurance
4 coverage, including premiums or rates of return;

5 2. Distributing an invitation to contract to
6 prospective purchasers;

7 3. Making general or specific recommendations as to
8 insurance products;

9 4. Completing orders or applications for insurance
10 products; or

11 5. Comparing insurance products, advising as to
12 insurance matters, or interpreting policies or coverages.

13
14 However, an employee leasing company licensed pursuant to
15 chapter 468, which is seeking to enter into a contract with an
16 employer which identifies products and services offered to
17 employees, may deliver proposals for the purchase of employee
18 leasing services to prospective clients of the employee
19 leasing company setting forth the terms and conditions of
20 doing business; classify employees as permitted by s. 468.529;
21 collect information from prospective clients and other sources
22 as necessary to perform due diligence on the prospective
23 client and to prepare a proposal for services; provide and
24 receive enrollment forms, plans, and other documents; and
25 discuss or explain in general terms the conditions,
26 limitations, options, and exclusions of insurance benefit
27 plans available to the client or employees of the employee
28 leasing company if the client were to contract with the
29 employee leasing company. Any advertising materials or other
30 documents describing specific insurance coverages must
31 identify and be from a licensed insurer or its licensed agent

1 or a licensed and appointed agent employed by the employee
2 leasing company. The employee leasing company may not advise
3 or inform the prospective business client or individual
4 employees of specific coverage provisions, exclusions, or
5 limitations of particular plans. As to clients for which the
6 employee leasing company is providing services pursuant to s.
7 468.525(4), the employee leasing company may engage in
8 activities permitted by ss. 626.041, 626.051, and 626.062,
9 subject to the restrictions specified in those sections. If a
10 prospective client requests more specific information about
11 the insurance provided by the employee leasing company, the
12 employee leasing company must refer the prospective business
13 client to the insurer or its licensed agent or to a licensed
14 and appointed agent employed by the employee leasing company.

15 (8) No insurance agent, insurance agency, or other
16 person licensed under the Florida Insurance Code may pay any
17 fee or other consideration to an unlicensed person other than
18 an insurance agency for the referral of prospective purchasers
19 to an insurance agent which is in any way dependent upon
20 whether the referral results in the purchase of an insurance
21 product.

22 Section 3. Subsections (2) and (5) of section 626.171,
23 Florida Statutes, are amended to read:

24 626.171 Application for license.--

25 (2) In the application, the applicant shall set forth:

26 (a) His or her full name, age, social security number,
27 residence, and place of business, ~~and occupation for the~~
28 ~~5-year period preceding the date of application.~~

29 (b) Proof that the applicant ~~His or her qualifications~~
30 ~~for the license, as follows:~~

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1 ~~1. What efforts he or she has made or intends to make~~
2 ~~to become familiar with the insurance laws of this state and~~
3 ~~with the provisions of the contracts to be negotiated.~~

4 ~~2. What insurance experience he or she has had, if~~
5 ~~any.~~

6 ~~3. What insurance instruction he or she has had or~~
7 ~~expects to receive.~~

8 ~~4. What approved insurance courses he or she has~~
9 ~~completed or is in the process of completing any prelicensing~~
10 ~~course, if required which may be used to meet any educational~~
11 ~~requirements.~~

12 (c) Whether he or she has been refused or has
13 voluntarily surrendered or has had suspended or revoked a
14 license to solicit insurance by the department or by the
15 supervising officials of any state.

16 (d) Whether any insurer or any managing general agent
17 claims the applicant is indebted under any agency contract or
18 otherwise and, if so, the name of the claimant, the nature of
19 the claim, and the applicant's defense thereto, if any.

20 (e) Proof that the applicant meets the requirements
21 for the type of license as provided in this chapter ~~whether~~
22 ~~the applicant will devote all or part of his or her efforts to~~
23 ~~acting as an insurance representative and, if part only, how~~
24 ~~much time will be devoted to such work and in what other~~
25 ~~business or businesses he or she is engaged or employed.~~

26 (f) Such other or additional information as the
27 department may deem proper to enable it to determine the
28 character, experience, ability, and other qualifications of
29 the applicant to hold himself or herself out to the public as
30 an insurance representative.

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1 (5) An application for a license as an agent, customer
2 representative, solicitor, adjuster, insurance agency, service
3 representative, managing general agent, or reinsurance
4 intermediary, ~~or claims investigator~~ shall be accompanied by a
5 set of the individual applicant's fingerprints, or, if the
6 applicant is not an individual, by a set of the fingerprints
7 of the sole proprietor, majority owner, partners, officers, or
8 directors, on a form adopted by rule of the department and
9 accompanied by the fingerprint processing fee set forth in s.
10 624.501. The fingerprints shall be certified by a law
11 enforcement officer.

12 Section 4. Subsection (2) of section 626.181, Florida
13 Statutes, is amended to read:

14 626.181 Number of applications for licensure
15 required.--After a license as agent, customer representative,
16 or adjuster has been issued to an individual, the same
17 individual shall not be required to take another examination
18 for a similar license, regardless, in the case of an agent, of
19 the number of insurers to be represented by him or her as
20 agent, unless:

21 (2) During any period of 48 ~~24~~ months since the filing
22 of the original license application, such individual was not
23 appointed as an agent, customer representative, or adjuster,
24 unless the failure to be so appointed was due to military
25 service, in which event the period within which a new
26 application is not required may, in the discretion of the
27 department, be extended to 12 months following the date of
28 discharge from military service if the military service does
29 not exceed 3 years, but in no event to extend under this
30 clause for a period of more than 6 ~~4~~ years from the date of
31 filing of the original application for license.

1 Section 5. Section 626.202, Florida Statutes, is
2 created to read:

3 626.202 Fingerprinting; owner; officers, directors, or
4 partners.--If there is a change in ownership or control of any
5 entity licensed under the provisions of this chapter, or if
6 any new partner, officer, or director is employed or
7 appointed, a set of fingerprints of any new owner, partner,
8 officer, or director must be filed with the department within
9 30 days after such change. Finally acquiring 10 percent or
10 more of the voting securities of a licensed entity is deemed a
11 change of ownership or control. The fingerprints shall be
12 certified by a law enforcement officer and be accompanied by
13 the fingerprint processing fee set forth in s. 624.501.

14 Section 6. Subsections (2) and (3) of section 626.431,
15 Florida Statutes, are amended to read:

16 626.431 Effect of expiration of license and
17 appointment.--

18 (2) When a licensee's last appointment for a
19 particular class of insurance has been terminated or not
20 renewed, the department must notify the licensee that his or
21 her eligibility for appointment as such an appointee will
22 expire unless he or she is appointed prior to expiration of
23 the 48-month ~~24-month~~ period referred to in subsection (3).

24 (3) An individual who fails to maintain an appointment
25 with an appointing entity writing the class of business listed
26 on his or her license during any 48-month ~~24-month~~ period
27 shall not be granted an appointment for that class of
28 insurance until he or she qualifies as a first-time applicant.

29 Section 7. Section 626.5715, Florida Statutes, is
30 amended to read:

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1 626.5715 Parity of regulation of insurance agents and
 2 agencies.--The requirements of the insurance code shall apply
 3 equally to all department shall adopt rules to assure the
 4 ~~parity of regulation in this state of insurance transactions~~
 5 as between an insurance agency owned by or an agent associated
 6 with a federally chartered financial institution, an insurance
 7 agency owned by or an agent associated with a state-chartered
 8 financial institution, and an insurance agency owned by or an
 9 agent associated with an entity that is not a financial
 10 institution. Except as may be expressly provided in the
 11 insurance code,~~Such rules shall be limited to assuring that~~
 12 no insurance agency or agent shall be ~~is~~ subject to more
 13 stringent or less stringent regulation than another insurance
 14 agency or agent on the basis of the regulatory status of the
 15 entity that owns the agency or is associated with the agent.
 16 For the purposes of this section, a person is "associated
 17 with" another entity if the person is employed by, retained
 18 by, under contract to, or owned or controlled by the entity
 19 directly or indirectly. This section does not apply with
 20 respect to a financial institution that is prohibited from
 21 owning an insurance agency or that is prohibited from being
 22 associated with an insurance agent under state or federal law.

23 Section 8. Section 626.9531, Florida Statutes, is
 24 created to read:

25 626.9531 Identification of insurers, agents, and
 26 insurance contracts.--Advertising materials and other
 27 communications developed by insurers regarding insurance
 28 products shall clearly indicate that the communication relates
 29 to insurance products. When soliciting or selling insurance
 30 products, agents shall clearly indicate to prospective
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1 insureds that they are acting as insurance agents with regard
2 to insurance products and identified insurers.

3 Section 9. Section 626.541, Florida Statutes, is
4 amended to read:

5 626.541 Firm, corporate, and business names; officers;
6 associates; notice of changes.--

7 (1) Any licensed agent or adjuster doing business
8 under a firm or corporate name or under any business name
9 other than his or her own individual name shall, within 30
10 days after the initial transaction of insurance under such
11 business name, annually on or before January 1 file with the
12 department, on forms furnished by it, a written statement of
13 the firm, corporate, or business name being so used, the
14 address of any office or offices or places of business making
15 use of such name, and the name and social security number of
16 each officer and director of the corporation and of each
17 individual associated in such firm or corporation as to the
18 insurance transactions thereof or in the use of such business
19 name.

20 (2) In the event of any change of such name, or of any
21 of the officers and directors, or of any of such addresses, or
22 in the personnel so associated, written notice of such change
23 shall be filed with the department within 30 ~~60~~ days by or on
24 behalf of those licensees terminating any such firm,
25 corporate, or business name or continuing to operate
26 thereunder.

27 (3) Any licensed insurance agency shall promptly, but
28 in no event later than 30 days ~~annually on or before January~~
29 ~~1~~, notify the department of any change in the information
30 contained in the application filed pursuant to s. 626.172.

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1 Section 10. Subsection (6) of section 626.601, Florida
2 Statutes, is amended to read:

3 626.601 Improper conduct; inquiry; fingerprinting.--

4 (6) The complaint and any information obtained
5 pursuant to the investigation by the department are
6 confidential and are exempt from the provisions of s. 119.07,
7 unless the department files a formal administrative complaint,
8 emergency order, or consent order against the licensee,~~or~~
9 ~~unless the licensee waives confidentiality~~. Nothing in this
10 subsection shall be construed to prevent the department from
11 disclosing the complaint or such information as it deems
12 necessary to conduct the investigation, to update the
13 complainant as to the status and outcome of the complaint, or
14 to share such information with any law enforcement agency.

15 Section 11. Subsection (16) is added to section
16 626.611, Florida Statutes, to read:

17 626.611 Grounds for compulsory refusal, suspension, or
18 revocation of agent's, title agency's, solicitor's,
19 adjuster's, customer representative's, service
20 representative's, or managing general agent's license or
21 appointment.--The department shall deny an application for,
22 suspend, revoke, or refuse to renew or continue the license or
23 appointment of any applicant, agent, title agency, solicitor,
24 adjuster, customer representative, service representative, or
25 managing general agent, and it shall suspend or revoke the
26 eligibility to hold a license or appointment of any such
27 person, if it finds that as to the applicant, licensee, or
28 appointee any one or more of the following applicable grounds
29 exist:

30 (16) Having sold a security which was not registered
31 but which was required to be registered under chapter 517.

1 Section 12. Subsection (2) of section 626.741, Florida
2 Statutes, is amended to read:

3 626.741 Nonresident agents; licensing and
4 restrictions.--

5 (2) The department shall not, however, issue any
6 license and appointment to any nonresident who has an office
7 or place of business in this state, or who has any direct or
8 indirect pecuniary interest in any insurance agent, insurance
9 agency, or in any solicitor licensed as a resident of this
10 state; nor to any individual who does not, at the time of
11 issuance and throughout the existence of the Florida license,
12 hold a license as agent or broker issued by the state of his
13 or her residence; nor to any individual who is employed by any
14 insurer as a service representative or who is a managing
15 general agent in any state, whether or not also licensed in
16 another state as an agent or broker. The foregoing
17 requirement to hold a similar license in the applicant's state
18 of residence does not apply to customer representatives unless
19 the home state licenses residents of that state in a like
20 manner. The prohibition against having an office or place of
21 business in this state does not apply to customer
22 representatives who are required to conduct business solely
23 within the confines of the office of a licensed and appointed
24 Florida resident general lines agent in this state. The
25 authority of such nonresident license, if issued, is limited
26 to the specific lines of authority granted the agent by the
27 license issued in the state of residence and further limited
28 to the specific lines authorized under the nonresident license
29 issued by this state.The department shall have discretion to
30 refuse to issue any license or appointment to a nonresident
31 when it has reason to believe that the applicant by ruse or

1 subterfuge is attempting to avoid the intent and prohibitions
2 contained in this subsection or to believe that any of the
3 grounds exist as for suspension or revocation of license as
4 set forth in ss. 626.611 and 626.621.

5 Section 13. Subsection (6) of section 626.792, Florida
6 Statutes, is amended to read:

7 626.792 Nonresident agents.--

8 (6) The licensee shall, throughout the existence of
9 the Florida nonresident life license and appointment, hold a
10 license as a resident life agent in his or her state of
11 residence. The authority of such nonresident license, if
12 issued, is limited to the specific lines of authority granted
13 the agent by the license issued in the state of residence and
14 further limited to the specific lines authorized under the
15 nonresident license issued by this state.

16 Section 14. Subsection (6) of section 626.835, Florida
17 Statutes, is amended to read:

18 626.835 Nonresident agents.--

19 (6) The licensee shall, throughout the existence of
20 his or her Florida nonresident health license and appointment,
21 hold a license as a resident health agent in his or her state
22 of residence. The authority of such nonresident license, if
23 issued, is limited to the specific lines of authority granted
24 the agent by the license issued in the state of residence and
25 further limited to the specific lines authorized under the
26 nonresident license issued by this state.

27 Section 15. Subsections (1) and (7) of section
28 626.927, Florida Statutes, are amended to read:

29 626.927 Licensing of surplus lines agent.--

30 (1) Any individual while licensed and appointed as a
31 resident general lines agent as to property, casualty, and

1 surety insurances, and who is deemed by the department to have
2 had sufficient experience in the insurance business to be
3 competent for the purpose, and who, within the 4 years
4 immediately preceding the date the application for license as
5 a surplus lines agent is filed with the department, has a
6 minimum of 1 year's experience working for a licensed surplus
7 lines agent or who has successfully completed 60 class hours
8 in surplus and excess lines in a course approved by the
9 department, may be licensed as a surplus lines agent, upon
10 taking and successfully passing a written examination as to
11 surplus lines, as given by the department.

12 (7) Any individual who has been licensed by the
13 department as a surplus lines agent as provided in this
14 section may be subsequently appointed without additional
15 written examination if his or her application for appointment
16 is filed with the department within 48 ~~24~~ months next
17 following the date of cancellation or expiration of the prior
18 appointment. The department may, in its discretion, require
19 any individual to take and successfully pass an examination as
20 for original issuance of license as a condition precedent to
21 the reinstatement or continuation of the licensee's current
22 license or reinstatement or continuation of the licensee's
23 appointment.

24 Section 16. Subsection (3) of section 626.872, Florida
25 Statutes, is amended to read:

26 626.872 Temporary license.--

27 (3) In no event shall an adjuster licensed under this
28 section adjust losses in this state after expiration of the
29 temporary license without having been issued ~~passed the~~
30 ~~written examination as for~~ a regular adjuster's license.

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1 Section 17. Section 626.8427, Florida Statutes, is
2 amended to read:

3 626.8427 Number of applications for licensure
4 required; exemption; effect of expiration of license.--

5 (1) After a license as a title insurance agent has
6 been issued to a title insurance agent, the agent is not
7 required to file another license application for a similar
8 license, irrespective of the number of insurers to be
9 represented by the agent, unless:

10 (a) The agent is specifically ordered by the
11 department to complete a new application; or

12 (b) During any period of 48 ~~24~~ months since the filing
13 of the original license application, the agent was not
14 appointed, unless in the case of individuals the failure to be
15 so appointed was due to military service, in which event the
16 period within which a new application is not required may, in
17 the discretion of the Department of Insurance, be extended for
18 12 months following the date of discharge from military
19 service if the military service does not exceed 3 years, but
20 in no event shall the period be extended under this clause for
21 a period of more than 6 ~~4~~ years from the date of filing the
22 original application.

23 (2) The department shall not charge a fee for filing
24 an application for license with respect to any applicant for
25 license who is exempted under this section from filing an
26 application.

27 (3) Upon the expiration or termination of a title
28 insurance agent's appointment, the title insurance agent is
29 without authority conferred by the license and shall not
30 engage or attempt to engage in any activity requiring a title
31 insurance agent's license and appointment. The agent shall

1 not again be granted an appointment until he or she fully
2 qualifies therefor as provided in this chapter. An
3 application shall be required in all cases for qualification
4 of a new title insurance agent's license when application is
5 made after the expiration of 4 2 years from the date of the
6 expiration or termination of the last appointment held by a
7 licensee.

8 Section 18. Section 626.856, Florida Statutes, is
9 amended to read:

10 626.856 "Company employee adjuster" defined.--A
11 "company employee adjuster" is a person employed on an
12 insurer's staff of adjusters or by a wholly owned subsidiary
13 of an insurer, and who undertakes on behalf of such insurer or
14 other insurers under common control or ownership to ascertain
15 and determine the amount of any claim, loss, or damage payable
16 under a contract of insurance, or undertakes to effect
17 settlement of such claim, loss, or damage.

18 Section 19. Section 626.873, Florida Statutes, is
19 amended to read:

20 626.873 Nonresident ~~adjusters and nonresident~~ company
21 employee adjusters.--

22 (1) The department shall, upon application therefor,
23 issue a license to an applicant for a nonresident adjuster's
24 license upon determining that the applicant has paid the
25 applicable license fees required under s. 624.501 and:

26 (a) Is a currently licensed insurance adjuster in his
27 or her home state, if such state requires a license.

28 (b) Is an employee of an insurer, or a wholly owned
29 subsidiary of an insurer, admitted to do business in this
30 state.

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1 (c) Has filed a certificate or letter of authorization
2 from the insurance department of his or her home state, if
3 such state requires an adjuster to be licensed, stating that
4 he or she holds a current license or authorization to adjust
5 insurance losses. Such certificate or authorization must be
6 signed by the insurance commissioner, or his or her deputy, of
7 the adjuster's home state and must reflect whether or not the
8 adjuster has ever had his or her license or authorization in
9 the adjuster's home state suspended or revoked and, if such is
10 the case, the reason for such action.

11 (2) Any individual who holds a Florida nonresident
12 adjuster's license, upon becoming a resident of this state
13 may, for a period not to exceed 90 days, continue to adjust
14 claims in this state under his or her nonresident license and
15 appointment. Such individual must make application for
16 resident licensure and must become licensed as a resident
17 adjuster within 90 days of becoming a resident of this state.

18 (3) Upon becoming a resident of this state, an
19 individual who holds a Florida nonresident adjuster's license
20 is no longer eligible for licensure as a nonresident adjuster
21 if such individual fails to make application for a resident
22 license and become licensed as a resident adjuster within 90
23 days. Such individual may apply for a resident license
24 pursuant to s. 626.865, s. 626.866, or s. 626.867.

25 Section 20. Subsection (2) of section 626.521, Florida
26 Statutes, is amended to read:

27 626.521 Character, credit reports.--

28 (2) If requested by the department ~~within 60 days~~
29 ~~after such appointment or employment has been made or~~
30 ~~commenced~~, the insurer, manager, general agent, general lines
31 agent, or employer, as the case may be, shall furnish to the

1 department on a form furnished by the department, such
2 information as it may reasonably require relative to such
3 individual and investigation.

4 Section 21. Subsection (2) of section 648.315, Florida
5 Statutes, is amended to read:

6 648.315 Number of applications for licensure
7 required.--After a license as a bail bond agent has been
8 issued to an individual, the same individual is not required
9 to file another application for a similar license unless:

10 (2) A period of 48 ~~24~~ months transpires between the
11 time the licensee's last limited surety agent or professional
12 bail bond agent's appointment is terminated and the date an
13 application for a similar appointment is received by the
14 department.

15 Section 22. Subsection (10) of section 648.38, Florida
16 Statutes, is amended to read:

17 648.38 Licensure examination for bail bond agents;
18 time; place; fees; scope.--

19 (10) Any bail bond agent who successfully passes an
20 examination and is subsequently licensed as a bail bond agent
21 must be appointed within 48 ~~24~~ months after the date of
22 licensure or be subject to another examination unless failure
23 to be so appointed was due to military service, in which case
24 the period of time in which another examination is not
25 required may, in the department's discretion, be extended to
26 12 months following the date of discharge from military
27 service, if the military service does not exceed 3 years. An
28 extension of more than 6 ~~4~~ years may not be granted under this
29 subsection.

30 Section 23. Subsection (2) of section 648.384, Florida
31 Statutes, is amended to read:

1 648.384 Effect of expiration of appointment; bail bond
2 agents and runners.--

3 (2) If a bail bond agent fails to maintain an
4 appointment with an insurer or if a runner fails to maintain
5 an appointment with an insurer, managing general agent, or
6 bail bond agent during any 48-month ~~24-month~~ period, the bail
7 bond agent or runner may not be granted a reappointment until
8 he or she qualifies as a first-time applicant.

9 Section 24. Subsections (11) and (23) of section
10 624.501, Florida Statutes, are repealed.

11 Section 25. Section 626.9651, Florida Statutes, is
12 created to read:

13 626.9651 Privacy.--The department shall adopt rules
14 consistent with other provisions of the Insurance Code to
15 govern the use of a consumer's nonpublic personal financial
16 and health information. These rules shall be based on,
17 consistent with, and not more restrictive than the National
18 Association of Insurance Commissioners' Privacy of Consumer
19 Financial and Health Information Regulation adopted September
20 26, 2000, by the National Association of Insurance
21 Commissioners, provided, however, the rules shall permit the
22 use and disclosure of nonpublic personal health information
23 for scientific, medical, or public policy research in
24 accordance with federal law. In addition, these rules shall
25 be consistent with, and not more restrictive than, the
26 standards contained in Title V of the Gramm-Leach-Bliley Act
27 of 1999 (Pub. L. No. 106-102). Any health insurer or health
28 maintenance organization determined by the department to be in
29 compliance with, or to be actively undertaking compliance
30 with, the consumer privacy protection rules promulgated by the
31 United States Department of Health and Human Services, in

1 conformance with the Health Insurance Portability and
2 Affordability Act, shall be deemed in compliance with this
3 section. This section shall take effect July 1, 2001.

4 Section 26. This act shall take effect July 1, 2001.
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