

By Senator Wise

6-1577-02

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A bill to be entitled

An act relating to workers' compensation and employer's liability insurances; amending s. 627.291, F.S.; providing that reimbursement or recovery from the Special Disability Trust Fund will not result in a modification of an insured employer's experience-modification factor for policies in effect before a specified date; providing an effective date.

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

Section 1. Section 627.291, Florida Statutes, is amended to read:

627.291 Information to be furnished insureds; appeal by insureds; workers' compensation and employer's liability insurances; experience-modification factor.--

(1) As to workers' compensation and employer's liability insurances, every rating organization and every insurer which makes its own rates shall, within a reasonable time after receiving written request therefor and upon payment of such reasonable charge as it may make, furnish to any insured affected by a rate made by it, or to the authorized representative of such insured, all pertinent information as to such rate.

(2) As to workers' compensation and employer's liability insurances, every rating organization and every insurer which makes its own rates shall provide within this state reasonable means whereby any person aggrieved by the application of its rating system may be heard, in person or by his or her authorized representative, on his or her written

1 request to review the manner in which such rating system has
2 been applied in connection with the insurance afforded him or
3 her. If the rating organization or insurer fails to grant or
4 rejects such request within 30 days after it is made, the
5 applicant may proceed in the same manner as if his or her
6 application had been rejected. Any party affected by the
7 action of such rating organization or insurer on such request
8 may, within 30 days after written notice of such action,
9 appeal to the department, which may affirm or reverse such
10 action.

11 (3) As to workers' compensation and employer's
12 liability insurances, every rating organization and every
13 insurer that makes its own rates shall provide that any
14 reimbursement or recovery from the Special Disability Trust
15 Fund created in s. 440.49 will not result in the alteration,
16 correction, or modification of an insured employer's
17 experience-modification factor for policies in effect before
18 January 1, 1998.

19 Section 2. This act shall take effect July 1, 2002.
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22 SENATE SUMMARY

23 Provides that reimbursement or recovery from the Special
24 Disability Trust Fund will not result in a modification
25 of an insured employer's experience-modification factor
26 for workers' compensation and employer's liability
27 insurance policies that were in effect before January 1,
28 1998.
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