

Bill No. CS for CS for SB 362, 1st Eng.

Amendment No. Barcode 162446

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
---------------	----------------	--------------

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

·
·
·
·
·

Senator Campbell moved the following amendment:

Senate Amendment (with title amendment)

On page 5, between lines 4 and 5,

insert:

Section 2. Subsection (1) of section 626.88, Florida Statutes, is amended to read:

626.88 Definitions of "administrator" and "insurer".--

(1) For the purposes of this part, an "administrator" is any person who directly or indirectly solicits or effects coverage of, collects charges or premiums from, or adjusts or settles claims on residents of this state in connection with authorized commercial self-insurance funds or with insured or self-insured programs which provide life or health insurance coverage or coverage of any other expenses described in s. 624.33(1) or any person who provides billing and collection services to health insurers and health maintenance organizations on behalf of health care providers, other than any of the following persons:

(a) An employer on behalf of such employer's employees

Bill No. CS for CS for SB 362, 1st Eng.

Amendment No. ____ Barcode 162446

1 or the employees of one or more subsidiary or affiliated
2 corporations of such employer.

3 (b) A union on behalf of its members.

4 (c) An insurance company which is either authorized to
5 transact insurance in this state or is acting as an insurer
6 with respect to a policy lawfully issued and delivered by such
7 company in and pursuant to the laws of a state in which the
8 insurer was authorized to transact an insurance business.

9 (d) A health care services plan, health maintenance
10 organization, professional service plan corporation, or person
11 in the business of providing continuing care, possessing a
12 valid certificate of authority issued by the department, and
13 the sales representatives thereof, if the activities of such
14 entity are limited to the activities permitted under the
15 certificate of authority.

16 (e) An insurance agent licensed in this state whose
17 activities are limited exclusively to the sale of insurance.

18 (f) An adjuster licensed in this state whose
19 activities are limited to the adjustment of claims.

20 (g) A creditor on behalf of such creditor's debtors
21 with respect to insurance covering a debt between the creditor
22 and its debtors.

23 (h) A trust and its trustees, agents, and employees
24 acting pursuant to such trust established in conformity with
25 29 U.S.C. s. 186.

26 (i) A trust exempt from taxation under s. 501(a) of
27 the Internal Revenue Code, a trust satisfying the requirements
28 of ss. 624.438 and 624.439, or any governmental trust as
29 defined in s. 624.33(3), and the trustees and employees acting
30 pursuant to such trust, or a custodian and its agents and
31 employees, including individuals representing the trustees in

Bill No. CS for CS for SB 362, 1st Eng.

Amendment No. ____ Barcode 162446

1 overseeing the activities of a service company or
2 administrator, acting pursuant to a custodial account which
3 meets the requirements of s. 401(f) of the Internal Revenue
4 Code.

5 (j) A financial institution which is subject to
6 supervision or examination by federal or state authorities or
7 a mortgage lender licensed under chapter 494 who collects and
8 remits premiums to licensed insurance agents or authorized
9 insurers concurrently or in connection with mortgage loan
10 payments.

11 (k) A credit card issuing company which advances for
12 and collects premiums or charges from its credit card holders
13 who have authorized such collection if such company does not
14 adjust or settle claims.

15 (l) A person who adjusts or settles claims in the
16 normal course of such person's practice or employment as an
17 attorney at law and who does not collect charges or premiums
18 in connection with life or health insurance coverage.

19 (m) A person approved by the Division of Workers'
20 Compensation of the Department of Labor and Employment
21 Security who administers only self-insured workers'
22 compensation plans.

23 (n) A service company or service agent and its
24 employees, authorized in accordance with ss. 626.895-626.899,
25 serving only a single employer plan, multiple-employer welfare
26 arrangements, or a combination thereof.

27
28 A person who provides billing and collection services to
29 health insurers and health maintenance organizations on behalf
30 of health care providers shall comply with the provisions of
31 ss. 627.6131, 641.3155, and 641.51(4).

Bill No. CS for CS for SB 362, 1st Eng.

Amendment No. ____ Barcode 162446

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

(Redesignate subsequent sections.)

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

On page 1, line 11, following the semicolon

insert:

amending s. 626.88, F.S.; redefining the term
"administrator," with respect to regulation of
insurance administrators;