

Bill No. CS for CS for CS for SB 2910

Amendment No. \_\_\_\_ Barcode 125118

CHAMBER ACTION

Senate

House

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Senator Peaden moved the following amendment:

**Senate Amendment (with title amendment)**

On page 123, line 14, through  
page 124, line 20, delete those lines

and insert:

Section 40. Section 626.191, Florida Statutes, is amended to read:

626.191 Repeated applications.--The failure of an applicant to secure a license upon an application shall not preclude the applicant ~~him or her~~ from applying again as many times as desired, but the department or office shall not give consideration to or accept any further application by the same individual for a similar license dated or filed within 30 days subsequent to the date the department or office denied the last application, except as provided in s. 626.281.

Section 41. Subsection (1) of section 626.201, Florida Statutes, is amended to read:

626.201 Investigation.--

(1) The department or office may propound any

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1 reasonable interrogatories in addition to those contained in  
2 the application, to any applicant for license or appointment,  
3 or on any renewal, reinstatement, or continuation thereof,  
4 relating to the applicant's ~~his or her~~ qualifications,  
5 residence, prospective place of business, and any other matter  
6 which, in the opinion of the department or office, is deemed  
7 necessary or advisable for the protection of the public and to  
8 ascertain the applicant's qualifications.

9 Section 42. Section 626.593, Florida Statutes, is  
10 created to read:

11 626.593 Insurance agent; written contract for  
12 compensation.--

13 (1) No person licensed as an insurance agent may  
14 receive any fee or commission or any other thing of value in  
15 addition to the rates filed pursuant to chapter 627 for  
16 examining any group health insurance or any group health  
17 benefit plan for the purpose of giving or offering advice,  
18 counsel, recommendation, or information in respect to terms,  
19 conditions, benefits, coverage, or premium of any such policy  
20 or contract unless such compensation is based upon a written  
21 contract signed by the party to be charged and specifying or  
22 clearly defining the amount or extent of such compensation and  
23 informing the party to be charged that any commission received  
24 from an insurer will be rebated to the party in accordance  
25 with subsection (3). In addition, all compensation to be paid  
26 to the insurance agent must be disclosed in the contract.

27 (2) A copy of every such contract shall be retained by  
28 the licensee for not less than 3 years after such services  
29 have been fully performed.

30 (3) Notwithstanding the provisions of s. 626.572, all  
31 commissions received by an insurance agent from an insurer in

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1 connection with the issuance of a policy, when a separate fee  
 2 or other consideration has been paid to the insurance agent by  
 3 an insured, shall be rebated to the insured or other party  
 4 being charged within 30 days after receipt of such commission  
 5 by the insurance agent.

6 (4) This section is subject to the unfair insurance  
 7 trade practices provisions of s. 626.9541(1)(g).

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

11 And the title is amended as follows:

12 On page 11, lines 24-31, delete those lines

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14 and insert:

15 Agency for Health Care Administration; amending  
 16 ss. 626.191 and 626.201, F.S.; clarifying  
 17 certain application requirements; preserving  
 18 certain rights to enrollment in certain health  
 19 benefit coverage programs for certain groups  
 20 under certain circumstances; requiring the  
 21 Auditor

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