

Bill No. CS for CS for SB 2994

Amendment No. \_\_\_\_ Barcode 923178

CHAMBER ACTION

Senate

House

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Senator Posey moved the following amendment:

**Senate Amendment (with title amendment)**

On page 77, after line 31,

insert:

Section 78. Paragraph (c) of subsection (4) of section 627.351, Florida Statutes, is amended to read:

627.351 Insurance risk apportionment plans.--

(4) MEDICAL MALPRACTICE RISK APPORTIONMENT.--

(c) The Joint Underwriting Association shall operate subject to the supervision and approval of a board of governors consisting of representatives of five of the insurers participating in the Joint Underwriting Association, an attorney to be named by The Florida Bar, a physician to be named by the Florida Medical Association, a dentist to be named by the Florida Dental Association, and a hospital representative to be named by the Florida Hospital Association. The Chief Financial Officer shall select the representatives of the five insurers. Two ~~One~~ insurer representatives ~~representative~~ shall be selected from

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1 recommendations of the Property and Casualty Insurance  
 2 Association of America ~~American Insurance Association~~. ~~One~~  
 3 ~~insurer representative shall be selected from recommendations~~  
 4 ~~of the Alliance of American Insurers~~. One insurer  
 5 representative shall be selected from recommendations of the  
 6 National Association of Independent Insurers. Two insurer  
 7 representatives shall be selected to represent insurers that  
 8 are not affiliated with these associations. The board of  
 9 governors shall choose, during the first meeting of the board  
 10 after June 30 of each year, one of its members to serve as  
 11 chair of the board and another member to serve as vice chair  
 12 of the board. There shall be no liability on the part of, and  
 13 no cause of action of any nature shall arise against, any  
 14 member insurer, self-insurer, or its agents or employees, the  
 15 Joint Underwriting Association or its agents or employees,  
 16 members of the board of governors, or the office or its  
 17 representatives for any action taken by them in the  
 18 performance of their powers and duties under this subsection.

19 Section 79. Paragraph (a) of subsection (2) of section  
 20 766.315, Florida Statutes, is amended to read:

21 766.315 Florida Birth-Related Neurological Injury  
 22 Compensation Association; board of directors.--

23 (2)(a) The Chief Financial Officer may select the  
 24 representative of the participating physicians from a list of  
 25 at least three names to be recommended by the Florida  
 26 Obstetric and Gynecologic Society; the representative of  
 27 hospitals from a list of at least three names to be  
 28 recommended by the Florida Hospital Association; the  
 29 representative of casualty insurers from a list of at least  
 30 three names, two ~~one~~ of which are ~~is~~ recommended by the  
 31 Property and Casualty Insurance Association of America

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1 ~~American Insurance Association, one by the Alliance of~~  
2 ~~American Insurers~~, and one by the National Association of  
3 Independent Insurers; and the representative of physicians  
4 other than participating physicians from a list of three names  
5 to be recommended by the Florida Medical Association and a  
6 list of three names to be recommended by the Florida  
7 Osteopathic Medical Association. In no case shall the Chief  
8 Financial Officer be bound to make any appointment from among  
9 the nominees of such respective associations.

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11 (Redesignate subsequent sections.)

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

15 And the title is amended as follows:

16 On page 4, line 11, after the semicolon,

17

18 insert:

19 amending ss. 627.351, 766.315, F.S.; providing  
20 for recommendations by the Property and  
21 Casualty Insurance Association of America;

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