

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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1 Representative(s) Ross offered the following:

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3 **Amendment (with title amendment)**

4 Between lines 517 and 518, and insert:

5 Section 16. Subsection (4) of section 627.912, Florida
6 Statutes, is amended to read:

7 627.912 Professional liability claims and actions; reports
8 by insurers and health care providers; annual report by
9 office.--

10 (4) There shall be no liability on the part of, and no
11 cause of action of any nature shall arise against, any person or
12 entity reporting hereunder or its agents or employees or the
13 office or its employees for any action taken by them under this
14 section. The office may ~~shall~~ impose a fine of up to \$250 per
15 day per case, but not to exceed a total of \$10,000 per case,
16 against an insurer, commercial self-insurance fund, medical
17 malpractice self-insurance fund, or risk retention group that

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18 | violates the requirements of this section, except that the
19 | office may impose a fine of \$250 per day per case, not to exceed
20 | a total of \$1,000 per case, against an insurer providing
21 | professional liability insurance to a member of The Florida Bar,
22 | which insurer violates the provisions of this section. If a
23 | health care practitioner or health care facility violates the
24 | requirements of this section, it shall be considered a violation
25 | of the chapter or act under which the practitioner or facility
26 | is licensed and shall be grounds for a fine or disciplinary
27 | action as such other violations of the chapter or act. The
28 | office may adjust a fine imposed under this subsection by
29 | considering the financial condition of the licensee, premium
30 | volume written, ratio of violations to compliancy, and other
31 | mitigating factors as determined by the office.
32 |
33 |

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

35 | Remove line 71 and insert:
36 | Commission notification of an insured's rights; amending
37 | s. 627.912, F.S.; authorizing the office to impose fines;
38 | authorizing the office to adjust such fines under certain
39 | circumstances; amending