

Amendment No.

CHAMBER ACTION

Senate

House

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Representative Nelson offered the following:

**Amendment (with title amendment)**

Between lines 1833 and 1834, insert:

Section 31. Section 627.9403, Florida Statutes, is amended to read:

627.9403 Scope.—The provisions of this part shall apply to long-term care insurance policies delivered or issued for delivery in this state, and to policies delivered or issued for delivery outside this state to the extent provided in s. 627.9406, by an insurer, a fraternal benefit society as defined in s. 632.601, a health maintenance organization as defined in s. 641.19, a prepaid health clinic as defined in s. 641.402, or a multiple-employer welfare arrangement as defined in s.

624.437. A policy which is advertised, marketed, or offered as a long-term care policy and as a Medicare supplement policy shall

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17 meet the requirements of this part and the requirements of ss.  
18 627.671-627.675 and, to the extent of a conflict, be subject to  
19 the requirement that is more favorable to the policyholder or  
20 certificateholder. Except as provided with respect to the  
21 definition of the term "guaranteed renewable" in this section,  
22 the provisions of this part shall not apply to a continuing care  
23 contract issued pursuant to chapter 651 and shall not apply to  
24 guaranteed renewable policies issued prior to October 1, 1988.  
25 With respect to all policies of insurance covered under this part  
26 whenever issued, the term "guaranteed renewable" means the insured  
27 has the right to continue the policy in force by the timely payment  
28 of premiums and the insurer has no unilateral right to make any  
29 change in any provision of the policy while the insurance is in force  
30 and cannot decline to renew the policy, except that rates may be  
31 revised by the insurer on a class basis. The continuation or renewal  
32 of a guaranteed renewable policy of insurance by the timely payment  
33 of required premiums does not constitute making or issuing a new  
34 policy of insurance for any purpose, including, but not limited to,  
35 for purposes of incorporating into the policy changes in the rules  
36 or provisions of law governing insurance policies. Any limited  
37 benefit policy that limits coverage to care in a nursing home or  
38 to one or more lower levels of care required or authorized to be  
39 provided by this part or by commission rule is a type of long-  
40 term care insurance policy that must meet all requirements of  
41 this part that apply to long-term care insurance policies,  
42 except ss. 627.9407(3)(c), (9), (10)(f), and (12) and  
43 627.94073(2).

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Approved For Filing: 4/21/2010 4:54:54 PM

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**T I T L E   A M E N D M E N T**

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Remove line 181 and insert:

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certain purposes; amending s. 627.9403, F.S.; revising

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application of provisions to certain policies of insurance;

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providing a definition; providing an effective date.