

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Kriseman offered the following:

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3 **Amendment (with title amendment)**

4 Remove lines 312-325 and insert:

5 (b)1. Except as provided in subparagraph 2., a clause
6 authorizing the insurer or self-insurer to determine, to make,
7 and to conclude, without the permission of the insured, any
8 ~~offer of admission of liability and for arbitration pursuant to~~
9 ~~s. 766.106,~~ settlement offer, or offer of judgment, if the offer
10 is within the policy limits. It is against public policy for any
11 insurance or self-insurance policy to contain a clause giving
12 the insured the exclusive right to veto any ~~offer for admission~~
13 ~~of liability and for arbitration made pursuant to s. 766.106,~~
14 settlement offer, or offer of judgment, when such offer is
15 within the policy limits. However, any ~~offer of admission of~~
16 ~~liability,~~ settlement offer, or offer of judgment made by an
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17 insurer or self-insurer shall be made in good faith and in the
18 best interests of the insured.

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

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Remove lines 25-28 and insert:

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627.4147, F.S.; revising a requirement that medical malpractice
26 insurance contracts contain a clause authorizing the insurer to
27 make and conclude certain offers within policy limits over the
28 insured's veto;

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