



774698

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
11/30/2021	.	
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The Committee on Judiciary (Broxson) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 35 - 93  
and insert:

(2) Notwithstanding any other law, an insurer or surplus  
lines agent shall provide to an insured within 15 calendar days  
after an individual or entity designated by the insurer receives  
~~receipt of~~ the insured's written request, either:

- (a) A loss run statement; or
- (b) For personal lines of insurance, information on how to  
obtain a loss run statement at no charge through a consumer



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12 reporting agency. However, this section does not prohibit an  
13 insured from requesting a loss run statement after receiving  
14 information from a consumer reporting agency, in which case the  
15 insurer or surplus lines agent shall then provide the loss run  
16 statement within 15 calendar days after the individual or entity  
17 designated by the insurer receives the insured's subsequent  
18 written request.

19 (4) A loss run statement provided pursuant to this section  
20 must contain a claims history with the insurer for the preceding  
21 3 5 years or, if the claims history is less than 3 5 years, a  
22 complete claims history with the insurer.

23 (7) This section does not apply to life insurance as  
24 defined in s. 624.602.

25 (8) For group health insurance, only the group policyholder  
26 may request and be provided a loss run statement pursuant to  
27 this section.

28 Section 2. Subsections (1), (2), and (4) of section  
29 627.444, Florida Statutes, are amended, and subsections (7) and  
30 (8) are added to that section, to read:

31 627.444 Loss run statements for all lines of insurance.—

32 (1) As used in this section, the term:

33 (a) "Loss run statement" means a report that contains the  
34 policy number, the period of coverage, the number of claims, the  
35 paid losses on all claims, and the date of each loss. The term  
36 does not include supporting claim file documentation, including,  
37 but not limited to, copies of claim files, investigation  
38 reports, evaluation statements, insureds' statements, and  
39 documents protected by a common law or statutory privilege. As  
40 applied to group health insurance, the term means a report that



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41 also contains the premiums paid, the number of insureds on a  
42 monthly basis, and the dependent status.

43 (b) "Provide" means to electronically send a document or to  
44 allow access through an electronic portal to view or generate a  
45 document.

46 (2) Notwithstanding any other law, an insurer shall provide  
47 to an insured within 15 calendar days after an individual or  
48 entity designated by the insurer receives ~~receipt of~~ the  
49 insured's written request, either:

50 (a) A loss run statement; or

51 (b) For personal lines of insurance, information on how to  
52 obtain a loss run statement at no charge through a consumer  
53 reporting agency. However, this section does not prohibit an  
54 insured from requesting a loss run statement after receiving  
55 information from a consumer reporting agency, in which case the  
56 insurer shall then provide the loss run statement within 15  
57 calendar days after the individual or entity designated by the  
58 insurer receives the insured's subsequent written request.

59 (4) A loss run statement provided pursuant to this section  
60 must contain a claims history with the insurer for the preceding  
61 3 5 years or, if the claims history is less than 3 5 years, a  
62 complete claims history with the insurer.

63 (7) This section does not apply to:

64 (a) Life insurance as defined in s. 624.602.

65 (b) A workers' compensation or employer's liability  
66 insurance policy subject to s. 627.291.

67  
68 ===== T I T L E A M E N D M E N T =====

69 And the title is amended as follows:



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70           Delete line 3  
71 and insert:  
72           626.9202, F.S.; revising the definition of the term  
73           "loss run statement"; revising the entities which must  
74           provide certain information to insureds after  
75           receiving requests for loss run statements; specifying  
76           the entities that must receive requests for loss run  
77           statements; specifying that insurers or surplus lines  
78           agents must provide loss run statements under certain  
79           circumstances; revising the required claims history in  
80           loss run statements; providing applicability; limiting  
81           loss run statement requests with respect to group  
82           health insurance policies to group policyholders;  
83           amending s. 627.444, F.S.; revising the definition of