1 A bill to be entitled 2 An act relating to loss run statements; amending ss. 3 626.9202 and 627.444, F.S.; revising the definition of the term "loss run statement"; specifying the entities 4 5 that must receive requests for loss run statements; 6 specifying that insurers must provide loss run 7 statements within a specified timeframe under certain 8 circumstances; revising the required claims history in 9 loss run statements; providing applicability; limiting loss run statement requests with respect to group 10 11 health insurance policies to group policyholders; repealing s. 627.6647, F.S., relating to release of 12 13 claims experience; providing an effective date. 14 15 Be It Enacted by the Legislature of the State of Florida: 16 Subsections (1), (2), and (4) of section 17 Section 1. 626.9202, Florida Statutes, are amended, and subsections (7) and 18 19 (8) are added to that section, to read: 20 626.9202 Loss run statements for all lines of insurance.-21 (1)As used in this section, the term: "Loss run statement" means a report that contains the 22 (a) policy number, the period of coverage, the number of claims, the 23 24 paid losses on all claims, and the date of each loss. The term does not include supporting claim file documentation, including, 25 Page 1 of 5

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26	but not limited to, copies of claim files, investigation							
27	reports, evaluation statements, insureds' statements, and							
28	documents protected by a common law or statutory privilege. <u>As</u>							
29	applied to group health insurance, the term means a report that							
30	also contains the premiums paid, the number of insureds on a							
31	monthly basis, and the dependent status under the reported							
32	policy.							
33	(b) "Provide" means to electronically send a document or							
34	to allow access through an electronic portal to view or generate							
35	a document.							
36	(2) Notwithstanding any other law, an insurer shall							
37	provide to an insured within 15 calendar days after <u>an</u>							
38	individual or entity designated by the insurer receives receipt							
39	of the insured's written request, either:							
40	(a) A loss run statement; or							
41	(b) For personal lines of insurance, information on how to							
42	obtain a loss run statement at no charge through a consumer							
43	reporting agency. However, this section does not prohibit an							
44	insured from requesting a loss run statement after receiving							
45	information from a consumer reporting agency, in which case the							
46	insurer shall then provide the loss run statement within 15							
47	calendar days after the individual or entity designated by the							
48	insurer receives the insured's subsequent written request.							
49	(4) A loss run statement provided pursuant to this section							
50	must contain a claims history with the insurer for the preceding							
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51 $3 \Rightarrow$ years or, if the claims history is less than $3 \Rightarrow$ years, a 52 complete claims history with the insurer. 53 (7) This section does not apply to a life insurer as 54 defined in s. 624.602. 55 (8) For group health insurance, only the group 56 policyholder may request and be provided a loss run statement 57 pursuant to this section. Section 2. Subsections (1), (2), and (4) of section 58 59 627.444, Florida Statutes, are amended, and subsections (7) and (8) are added to that section, to read: 60 627.444 Loss run statements for all lines of insurance.-61 As used in this section, the term: 62 (1) "Loss run statement" means a report that contains the 63 (a) 64 policy number, the period of coverage, the number of claims, the 65 paid losses on all claims, and the date of each loss. The term 66 does not include supporting claim file documentation, including, but not limited to, copies of claim files, investigation 67 68 reports, evaluation statements, insureds' statements, and 69 documents protected by a common law or statutory privilege. As 70 applied to group health insurance, the term means a report that also contains the premiums paid, the number of insureds on a 71 monthly basis, and the dependent status under the reported 72 73 policy. 74 (b) "Provide" means to electronically send a document or 75 to allow access through an electronic portal to view or generate

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76 a document.

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

81

(a) A loss run statement; or

82 (b) For personal lines of insurance, information on how to 83 obtain a loss run statement at no charge through a consumer 84 reporting agency. However, this section does not prohibit an 85 insured from requesting a loss run statement after receiving 86 information from a consumer reporting agency, in which case the insurer shall then provide the loss run statement within 15 87 calendar days after the individual or entity designated by the 88 89 insurer receives the insured's subsequent written request.

90 (4) A loss run statement provided pursuant to this section 91 must contain a claims history with the insurer for the preceding 92 $\underline{3}$ 5 years or, if the claims history is less than $\underline{3}$ 5 years, a 93 complete claims history with the insurer.

94 <u>(7) This section does not apply to a life insurer as</u> 95 <u>defined in s. 624.602.</u> 96 <u>(8) For group health insurance, only the group</u> 97 policyholder may request and be provided a loss run statement

98 pursuant to this section.

99 Section 3. <u>Section 627.6647</u>, Florida Statutes, is 100 repealed.

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FLORIDA	HOUSE	OF REPF	RESENTA	TIVES
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101	Section	4.	This	act	shall	take	effect	upon	becoming	a	law.
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