

26 | the system to file specified reports; providing
27 | requirements for the system; revising the list of
28 | entities with which the Chief Financial Officer may
29 | consult with regard to the system; authorizing, rather
30 | than requiring, certain local governmental financial
31 | statements to be filed in a specified format; deleting
32 | certain requirements for such statements; providing
33 | construction; providing exceptions; amending s.
34 | 414.40, F.S.; transferring the Stop Inmate Fraud
35 | Program from the Department of Financial Services to
36 | the Department of Economic Opportunity; authorizing
37 | the program to provide reports of certain data to the
38 | Division of Public Assistance Fraud for a specified
39 | purpose; amending s. 440.02, F.S.; revising the
40 | definition of the term "employer"; amending s. 440.05,
41 | F.S.; revising information that must be submitted with
42 | the notice of election to be exempt from workers'
43 | compensation coverage; requiring the circumstances
44 | under which the Department of Financial Services must
45 | send certain notifications to workers' compensation
46 | carriers; requiring such notifications to be
47 | electronic; requiring certificates of election to be
48 | exempt to contain certain notice; deleting a provision
49 | requiring certain corporation officers to maintain
50 | business records; revising applicability of

51 certificates of election to be exempt; amending s.
52 440.107, F.S.; revising the timeframe for certain
53 employers to produce specified records under certain
54 circumstances; prohibiting employers who have failed
55 to secure payment of workers' compensation from
56 entering a payment agreement schedule with the
57 department unless a specified condition is met;
58 revising circumstances that result in immediate
59 reinstatement of stop-work orders; revising penalty
60 assessments; amending s. 440.13, F.S.; revising
61 statewide schedules of maximum reimbursement
62 allowances for medically necessary treatment, care,
63 and attendance; authorizing the department to adopt
64 rules; amending s. 440.185, F.S.; revising the
65 timeline and methods for workers' compensation
66 carriers to send certain informational brochure to
67 injured workers; revising methods by which such
68 informational brochure is sent to employers; amending
69 s. 440.381, F.S.; specifying new and renewal workers'
70 compensation policies that require physical onsite
71 audits for a specified class; amending s. 497.277,
72 F.S.; deleting a cap on transferring burial rights
73 fees; amending s. 497.369, F.S.; revising requirements
74 for licenses by endorsement to practice embalming;
75 amending s. 497.372, F.S.; revising the scope of

76 funeral directing practice; amending s. 497.374, F.S.;
77 revising requirements for licenses by endorsement to
78 practice funeral directing; amending s. 554.108, F.S.;
79 requiring boilers manufactured after a specified date,
80 rather than boilers of certain heat input, to be
81 stamped with a specified code symbol; revising the
82 boilers' information that must be filed; requiring
83 that specified spaces and rooms be equipped with
84 carbon monoxide detector devices; amending s. 554.111,
85 F.S.; deleting a requirement for a specified fee for a
86 certificate of competency; requiring applications for
87 boiler permits to include a specified report; revising
88 the purpose for special trips that the department is
89 required to make for boiler inspections; amending s.
90 554.114, F.S.; revising the schedules of penalties
91 against boiler insurance companies, inspection
92 agencies, and other persons for specified violations;
93 amending s. 624.423, F.S.; specifying procedures for
94 service of process upon insurers; amending s. 626.015,
95 F.S.; revising the definition of the term
96 "unaffiliated insurance agent"; amending s. 626.171,
97 F.S.; requiring fingerprints for certain licenses to
98 be processed in accordance with specified laws;
99 amending s. 626.172, F.S.; revising the method by
100 which fingerprints for applications for insurance

101 agency licenses are submitted; deleting a fingerprint
102 processing fee; creating s. 626.173, F.S.; requiring
103 insurance agencies' licenses to be immediately
104 cancelled under certain circumstances; providing the
105 method by which such cancellations must be made;
106 providing duties for certain insurance agency persons
107 within a specified timeframe after cessation of
108 insurance transactions; authorizing the department to
109 impose administrative fines against such persons for
110 specified violations; providing a cap on such fines;
111 authorizing the department and the Office of Insurance
112 Regulation to suspend or revoke licenses under certain
113 circumstances; providing requirements for determining
114 penalties and remedies; amending s. 626.201, F.S.;
115 conforming a provision to changes made by the act;
116 providing continuation of jurisdiction of the
117 licensing authority to investigate and prosecute
118 specified violations under certain circumstances;
119 amending s. 626.202, F.S.; conforming provisions to
120 changes made by the act; amending s. 626.221, F.S.;
121 adding a designation to the list of designations that
122 allow applicants for all-lines adjuster license to be
123 exempt from an examination; amending s. 626.311, F.S.;
124 providing an exception to the prohibition against
125 unaffiliated insurance agents' holding appointments

126 from insurers; amending ss. 626.321, 626.601,
127 626.8411, and 626.8412, F.S.; conforming provisions to
128 changes made by the act; amending s. 626.8417, F.S.;
129 revising requirements to qualify for title insurance
130 agent licenses; amending s. 626.8421, F.S.; requiring
131 title agencies to have separate appointments under
132 certain circumstances; amending s. 626.843, F.S.;
133 providing appointments of title insurance agencies;
134 amending s. 626.8433, F.S.; requiring title insurers
135 that terminate appointments of title insurance
136 agencies to file certain information with the
137 department; amending s. 626.8447, F.S.; providing
138 effects of suspension or revocation of title insurance
139 agency licenses; amending s. 626.854, F.S.; providing
140 restrictions on public adjuster compensations;
141 providing exceptions to such restrictions; amending s.
142 626.8561, F.S.; revising the definition of the term
143 "public adjuster apprentice"; amending s. 626.865,
144 F.S.; revising requirements to qualify for public
145 adjuster licenses; requiring that certain bonds remain
146 in effect for a specified period after expiration of
147 the license; amending s. 626.8651, F.S.; requiring
148 that certain bonds remain in effect for a specified
149 period after expiration of the public adjuster
150 apprentice license; revising requirements for public

151 adjuster apprentices to be, act as, or hold themselves
152 out to be public adjust apprentices; amending s.
153 626.8696, F.S.; revising requirements for adjusting
154 firm license applications; amending s. 626.8732, F.S.;
155 requiring applicants for nonresident public adjuster
156 licenses to maintain certain bonds after the
157 expiration or termination of licenses; amending ss.
158 626.8734 and 626.9953, F.S.; conforming provisions to
159 changes made by the act; amending s. 633.135, F.S.;
160 providing additional uses for firefighter funds;
161 amending s. 633.216, F.S.; revising requirements for
162 renewal of firesafety inspector certificates; amending
163 s. 633.408, F.S.; revising requirements for the
164 issuance of a Firefighter Certificate of Compliance
165 and Special Certificate of Compliance; deleting
166 provisions relating to requirements to retain a
167 Special Certificate of Compliance; amending s.
168 633.414, F.S.; providing requirements to retain a
169 Special Certificate of Compliance; revising
170 requirements to retain a Firefighter Certificate of
171 Compliance; providing a definition; amending ss.
172 648.34 and 648.355, F.S.; conforming provisions to
173 changes made by the act; amending s. 648.46, F.S.;
174 providing continuation of jurisdiction of the
175 licensing authority to investigate and prosecute

176 specified violations under certain circumstances;
 177 repealing s. 766.105, F.S., relating to the Florida
 178 Patient's Compensation Fund; amending ss. 945.6041 and
 179 985.6441, F.S.; conforming provisions to changes made
 180 by the act; requiring the Department of Financial
 181 Services to supervise liquidation and dissolution of
 182 the Florida Patient's Compensation Fund and to have
 183 all power granted to it with respect to such
 184 liquidation or dissolution; transferring the Stop
 185 Inmate Fraud Program within the Department of
 186 Financial Services to the Department of Economic
 187 Opportunity by a type two transfer; providing
 188 effective dates.

189
 190 Be It Enacted by the Legislature of the State of Florida:

191
 192 Section 1. Section 17.0315, Florida Statutes, is repealed.

193 Section 2. Subsections (9) through (13) of section
 194 110.123, Florida Statutes, are renumbered as subsection (10)
 195 through (14), respectively, paragraphs (b), (c), (f), (h), (i),
 196 and (o) of subsection (2) and paragraph (i) of subsection (5)
 197 are amended, and a new subsection (9) is added to that section,
 198 to read:

199 110.123 State group insurance program.—

200 (2) DEFINITIONS.—As used in ss. 110.123-110.1239, the

201 term:

202 (b) "Enrollee" means all state officers and employees,
 203 retired state officers and employees, surviving spouses of
 204 deceased state officers and employees, and terminated employees
 205 or individuals with continuation coverage who are enrolled in an
 206 insurance plan offered by the state group insurance program. The
 207 term "Enrollee" includes all state university officers and
 208 employees, retired state university officers and employees,
 209 surviving spouses of deceased state university officers and
 210 employees, and terminated state university employees or
 211 individuals with continuation coverage who are enrolled in an
 212 insurance plan offered by the state group insurance program. As
 213 used in this paragraph, state employees and retired state
 214 employees also include employees and retired employees of the
 215 Division of Rehabilitation and Liquidation.

216 (c) "Full-time state employees" means employees of all
 217 branches or agencies of state government holding salaried
 218 positions who are paid by state warrant or from agency funds and
 219 who work or are expected to work an average of at least 30 ~~or~~
 220 ~~more~~ hours per week; employees of the Division of Rehabilitation
 221 and Liquidation who work or are expected to work an average of
 222 at least 30 hours per week; employees paid from regular salary
 223 appropriations for 8 months' employment, including university
 224 personnel on academic contracts; and employees paid from other-
 225 personal-services (OPS) funds as described in subparagraphs 1.

226 and 2. The term includes all full-time employees of the state
 227 universities. The term does not include seasonal workers who are
 228 paid from OPS funds.

229 1. For persons hired before April 1, 2013, the term
 230 includes any person paid from OPS funds who:

231 a. Has worked an average of at least 30 hours or more per
 232 week during the initial measurement period from April 1, 2013,
 233 through September 30, 2013; or

234 b. Has worked an average of at least 30 hours or more per
 235 week during a subsequent measurement period.

236 2. For persons hired after April 1, 2013, the term
 237 includes any person paid from OPS funds who:

238 a. Is reasonably expected to work an average of at least
 239 30 hours or more per week; or

240 b. Has worked an average of at least 30 hours or more per
 241 week during the person's measurement period.

242 (f) "Part-time state employee" means an employee of any
 243 branch or agency of state government paid by state warrant from
 244 salary appropriations or from agency funds, or an employee of
 245 the Division of Rehabilitation and Liquidation, ~~and~~ who is
 246 employed for less than an average of 30 hours per week or, if on
 247 academic contract or seasonal or other type of employment which
 248 is less than year-round, is employed for less than 8 months
 249 during any 12-month period, but does not include a person paid
 250 from other-personal-services (OPS) funds. The term includes all

251 part-time employees of the state universities.

252 (h) "Retired state officer or employee" or "retiree" means
 253 any state or state university officer or employee, or, beginning
 254 with the 2023 plan year, an employee of the Division of
 255 Rehabilitation and Liquidation, who retires under a state
 256 retirement system or a state optional annuity or retirement
 257 program or is placed on disability retirement, and who was
 258 insured under the state group insurance program or the Division
 259 of Rehabilitation and Liquidation's group insurance program at
 260 the time of retirement, and who begins receiving retirement
 261 benefits immediately after retirement from state or state
 262 university office or employment. The term also includes any
 263 state officer or state employee who retires under the Florida
 264 Retirement System Investment Plan established under part II of
 265 chapter 121 if he or she:

266 1. Meets the age and service requirements to qualify for
 267 normal retirement as set forth in s. 121.021(29); or

268 2. Has attained the age specified by s. 72(t)(2)(A)(i) of
 269 the Internal Revenue Code and has 6 years of creditable service.

270 (i) "State agency" or "agency" means any branch,
 271 department, or agency of state government. "State agency" or
 272 "agency" includes any state university and the Division of
 273 Rehabilitation and Liquidation for purposes of this section
 274 only.

275 (o) "Surviving spouse" means the widow or widower of a

276 deceased state officer, full-time state employee, part-time
277 state employee, or retiree if such widow or widower was covered
278 as a dependent under the state group health insurance plan,
279 TRICARE supplemental insurance plan, ~~or~~ a health maintenance
280 organization plan established pursuant to this section, or the
281 Division of Rehabilitation and Liquidation's group insurance
282 program at the time of the death of the deceased officer,
283 employee, or retiree. "Surviving spouse" also means any widow or
284 widower who is receiving or eligible to receive a monthly state
285 warrant from a state retirement system as the beneficiary of a
286 state officer, full-time state employee, or retiree who died
287 prior to July 1, 1979. For the purposes of this section, any
288 such widow or widower shall cease to be a surviving spouse upon
289 his or her remarriage.

290 (5) DEPARTMENT POWERS AND DUTIES.—The department is
291 responsible for the administration of the state group insurance
292 program. The department shall initiate and supervise the program
293 as established by this section and shall adopt such rules as are
294 necessary to perform its responsibilities. To implement this
295 program, the department shall, with prior approval by the
296 Legislature:

297 (i) Contract with a single custodian to provide services
298 necessary to implement and administer the health savings
299 accounts authorized in subsection (13) ~~(12)~~.

300

301 Final decisions concerning enrollment, the existence of
302 coverage, or covered benefits under the state group insurance
303 program shall not be delegated or deemed to have been delegated
304 by the department.

305 (9) COVERAGE AND ENROLLMENT PERIOD FOR EMPLOYEES,
306 RETIREEES, AND WIDOWS AND WIDOWERS OF EMPLOYEES AND RETIREEES OF
307 THE DIVISION OF REHABILITATION AND LIQUIDATION.—

308 (a) Beginning with the 2023 plan year:

309 1. A retired employee insured under the Division of
310 Rehabilitation and Liquidation's group insurance program, or a
311 widow or widower of an employee or of a retired employee of the
312 Division of Rehabilitation and Liquidation who is covered as a
313 dependent under the Division of Rehabilitation and Liquidation's
314 group insurance program, may purchase coverage in a state group
315 health insurance plan at the same premium cost as that for a
316 retiree or a surviving spouse, respectively, enrolled in the
317 state group insurance program.

318 2. A terminated employee of the Division of Rehabilitation
319 and Liquidation, or an individual with continuing coverage, who
320 is insured under the Division of Rehabilitation and
321 Liquidation's group insurance program, may purchase coverage in
322 a state group health insurance plan at the same premium cost as
323 that for a terminated employee or an individual with
324 continuation coverage, respectively, enrolled in the state group
325 insurance program.

326 (b) The enrollment period for the state group insurance
327 program begins with the 2023 plan year for:

328 1. Current and retired employees of the Division of
329 Rehabilitation and Liquidation.

330 2. Widows and widowers of employees and of retired
331 employees of the Division of Rehabilitation and Liquidation.

332 3. Terminated employees of the Division of Rehabilitation
333 and Liquidation, or individuals with continuation coverage, who
334 are insured under the Division of Rehabilitation and
335 Liquidation's group insurance program.

336 Section 3. Subsection (5) of section 110.131, Florida
337 Statutes, is amended to read:

338 110.131 Other-personal-services employment.—

339 (5) Beginning January 1, 2014, an other-personal-services
340 (OPS) employee who has worked an average of at least 30 or more
341 hours per week during the measurement period described in s.
342 110.123(14)(c) or (d) ~~s. 110.123(13)(c) or (d)~~, or who is
343 reasonably expected to work an average of at least 30 or more
344 hours per week following his or her employment, is eligible to
345 participate in the state group insurance program as provided
346 under s. 110.123.

347 Section 4. Paragraph (d) is added to subsection (4) of
348 section 120.541, Florida Statutes, and paragraph (a) of
349 subsection (2) and subsection (3) of that section are
350 republished, to read:

351 120.541 Statement of estimated regulatory costs.—
 352 (2) A statement of estimated regulatory costs shall
 353 include:
 354 (a) An economic analysis showing whether the rule directly
 355 or indirectly:
 356 1. Is likely to have an adverse impact on economic growth,
 357 private sector job creation or employment, or private sector
 358 investment in excess of \$1 million in the aggregate within 5
 359 years after the implementation of the rule;
 360 2. Is likely to have an adverse impact on business
 361 competitiveness, including the ability of persons doing business
 362 in the state to compete with persons doing business in other
 363 states or domestic markets, productivity, or innovation in
 364 excess of \$1 million in the aggregate within 5 years after the
 365 implementation of the rule; or
 366 3. Is likely to increase regulatory costs, including any
 367 transactional costs, in excess of \$1 million in the aggregate
 368 within 5 years after the implementation of the rule.
 369 (3) If the adverse impact or regulatory costs of the rule
 370 exceed any of the criteria established in paragraph (2) (a), the
 371 rule shall be submitted to the President of the Senate and
 372 Speaker of the House of Representatives no later than 30 days
 373 prior to the next regular legislative session, and the rule may
 374 not take effect until it is ratified by the Legislature.
 375 (4) Subsection (3) does not apply to the adoption of:

376 (d) Schedules of maximum reimbursement allowances by the
 377 three-member panel which are expressly authorized by s. 440.13.

378 Section 5. Subsection (1) of section 215.34, Florida
 379 Statutes, is amended to read:

380 215.34 State funds; noncollectible items; procedure.—

381 (1) Any check, draft, or other order for the payment of
 382 money in payment of any licenses, fees, taxes, commissions, or
 383 charges of any sort authorized to be made under the laws of the
 384 state and deposited in the State Treasury as provided herein,
 385 which may be returned for any reason by the bank or other payor
 386 upon which same shall have been drawn shall be forthwith
 387 returned by the Chief Financial Officer for collection to the
 388 state officer, the state agency, or the entity of the judicial
 389 branch making the deposit. In such case, the Chief Financial
 390 Officer may issue a debit memorandum charging an account of the
 391 agency, officer, or entity of the judicial branch which
 392 originally received the payment. The original of the debit
 393 memorandum shall state the reason for the return of the check,
 394 draft, or other order and shall accompany the item being
 395 returned to the officer, agency, or entity of the judicial
 396 branch being charged. The officer, agency, or entity of the
 397 judicial branch receiving the charged-back item shall ~~prepare a~~
 398 ~~journal transfer which shall~~ debit the charge against the fund
 399 or account to which the same shall have been originally
 400 credited. Such procedure for handling noncollectible items shall

401 not be construed as paying funds out of the State Treasury
 402 without an appropriation, but shall be considered as an
 403 administrative procedure for the efficient handling of state
 404 records and accounts.

405 Section 6. Paragraph (c) of subsection (1) of section
 406 215.93, Florida Statutes, is amended to read:

407 215.93 Florida Financial Management Information System.—

408 (1) To provide the information necessary to carry out the
 409 intent of the Legislature, there shall be a Florida Financial
 410 Management Information System. The Florida Financial Management
 411 Information System shall be fully implemented and shall be
 412 upgraded as necessary to ensure the efficient operation of an
 413 integrated financial management information system and to
 414 provide necessary information for the effective operation of
 415 state government. Upon the recommendation of the coordinating
 416 council and approval of the board, the Florida Financial
 417 Management Information System may require data from any state
 418 agency information system or information subsystem or may
 419 request data from any judicial branch information system or
 420 information subsystem that the coordinating council and board
 421 have determined to have statewide financial management
 422 significance. Each functional owner information subsystem within
 423 the Florida Financial Management Information System shall be
 424 developed in such a fashion as to allow for timely, positive,
 425 preplanned, and prescribed data transfers between the Florida

426 Financial Management Information System functional owner
427 information subsystems and from other information systems. The
428 principal unit of the system shall be the functional owner
429 information subsystem, and the system shall include, but shall
430 not be limited to, the following:

431 (c) Financial ~~Cash~~ Management Subsystem.

432 Section 7. Subsection (3) of section 215.94, Florida
433 Statutes, is amended to read:

434 215.94 Designation, duties, and responsibilities of
435 functional owners.—

436 (3) The Chief Financial Officer shall be the functional
437 owner of the Financial ~~Cash~~ Management Subsystem. The Chief
438 Financial Officer shall design, implement, and operate the
439 subsystem in accordance with the provisions of ss. 215.90-
440 215.96. The subsystem shall include, but shall not be limited
441 to, functions for:

442 (a) Recording and reconciling credits and debits to
443 treasury fund accounts.

444 (b) Monitoring cash levels and activities in state bank
445 accounts.

446 (c) Monitoring short-term investments of idle cash.

447 (d) Administering the provisions of the Federal Cash
448 Management Improvement Act of 1990.

449 Section 8. Subsection (3) of section 216.102, Florida
450 Statutes, is amended to read:

451 216.102 Filing of financial information; handling by Chief
452 Financial Officer; penalty for noncompliance.—

453 (3) The Chief Financial Officer shall:

454 (a) Prepare and furnish to the Auditor General annual
455 financial statements for the state on or before December 31 of
456 each year, using generally accepted accounting principles.

457 (b) Prepare and publish an annual ~~a comprehensive annual~~
458 financial report for the state in accordance with generally
459 accepted accounting principles on or before February 28 of each
460 year.

461 (c) Furnish the Governor, the President of the Senate, and
462 the Speaker of the House of Representatives with a copy of the
463 annual comprehensive ~~annual~~ financial report prepared pursuant
464 to paragraph (b).

465 (d) Notify each agency and the judicial branch of the data
466 that is required to be recorded to enhance accountability for
467 tracking federal financial assistance.

468 (e) Provide reports, as requested, to executive or
469 judicial branch entities, the President of the Senate, the
470 Speaker of the House of Representatives, and the members of the
471 Florida Congressional Delegation, detailing the federal
472 financial assistance received and disbursed by state agencies
473 and the judicial branch.

474 (f) Consult with and elicit comments from the Executive
475 Office of the Governor on changes to the Florida Accounting

476 Information Resource Subsystem which clearly affect the
 477 accounting of federal funds, so as to ensure consistency of
 478 information entered into the Federal Aid Tracking System by
 479 state executive and judicial branch entities. While efforts
 480 shall be made to ensure the compatibility of the Florida
 481 Accounting Information Resource Subsystem and the Federal Aid
 482 Tracking System, any successive systems serving identical or
 483 similar functions shall preserve such compatibility.

484
 485 The Chief Financial Officer may furnish and publish in
 486 electronic form the financial statements and the annual
 487 comprehensive ~~annual~~ financial report required under paragraphs
 488 (a), (b), and (c).

489 Section 9. Paragraph (h) of subsection (1) of section
 490 218.32, Florida Statutes, is amended, and paragraph (i) is added
 491 to subsection (1) of that section, to read:

492 218.32 Annual financial reports; local governmental
 493 entities.—

494 (1)

495 (h) ~~It is the intent of the Legislature to create~~ The
 496 Florida Open Financial Statement System must serve as an
 497 interactive repository for governmental financial statements.
 498 This system serves as the primary reporting location for
 499 government financial information. A local government shall use
 500 the system to file with the department copies of all audit

501 reports compiled pursuant to ss. 11.45 and 218.39. The system
502 must be accessible to the public and must be open to inspection
503 at all times by the Legislature, the Auditor General, and the
504 Chief Inspector General.

505 1. The Chief Financial Officer may consult with
506 stakeholders with regard to, ~~including the department, the~~
507 ~~Auditor General, a representative of a municipality or county, a~~
508 ~~representative of a special district, a municipal bond investor,~~
509 ~~and an information technology professional employed in the~~
510 ~~private sector, for input on the design and implementation of~~
511 the Florida Open Financial Statement System.

512 2. The Chief Financial Officer may choose contractors to
513 build one or more eXtensible Business Reporting Language (XBRL)
514 taxonomies suitable for state, county, municipal, and special
515 district financial filings and to create a software tool that
516 enables financial statement filers to easily create XBRL
517 documents consistent with such taxonomies. The Chief Financial
518 Officer must recruit and select contractors through an open
519 request for proposals process pursuant to chapter 287.

520 3. The Chief Financial Officer must require that all work
521 products be completed no later than December 31, 2021.

522 4. If the Chief Financial Officer deems the work products
523 adequate, all local governmental financial statements for fiscal
524 years ending on or after September 1, 2022, may ~~must~~ be filed in
525 XBRL format prescribed by the Chief Financial Officer ~~and must~~

526 ~~meet the validation requirements of the relevant taxonomy.~~

527 5. A local government that begins filing in XBRL format
528 may not be required to make filings in Portable Document Format.

529 (i) Each local governmental entity that enters all
530 required information in the Florida Open Financial Statement
531 System is deemed to be compliant with this section, except as
532 otherwise provided in this section.

533 Section 10. Section 414.40, Florida Statutes, is amended
534 to read:

535 414.40 Stop Inmate Fraud Program established; guidelines.—

536 (1) There is created within the Department of Economic
537 Opportunity ~~Financial Services~~ a Stop Inmate Fraud Program.

538 (2) The Department of Economic Opportunity ~~Financial~~
539 ~~Services~~ is directed to implement the Stop Inmate Fraud Program
540 in accordance with the following guidelines:

541 (a) The program shall establish procedures for sharing
542 public records not exempt from the public records law among
543 social services agencies regarding the identities of persons
544 incarcerated in state correctional institutions, as defined in
545 s. 944.02, and ~~or~~ in county, municipal, or regional jails or
546 other detention facilities of local governments under chapter
547 950 and ~~or~~ chapter 951 who are wrongfully receiving public
548 assistance benefits or entitlement benefits.

549 (b) Pursuant to these procedures, the program shall have
550 access to records containing correctional information not exempt

551 from the public records law on incarcerated persons which have
552 been generated as criminal justice information. As used in this
553 paragraph, the terms "record" and "criminal justice information"
554 have the same meanings as provided in s. 943.045.

555 (c) Database searches shall be conducted of the inmate
556 population at each correctional institution or other detention
557 facility. A correctional institution or a detention facility
558 shall provide the Stop Inmate Fraud Program with the information
559 necessary to identify persons wrongfully receiving benefits in
560 the medium requested by the Stop Inmate Fraud Program if the
561 correctional institution or detention facility maintains the
562 information in that medium.

563 (d) Data obtained from correctional institutions or other
564 detention facilities shall be compared with the client files of
565 the Department of Children and Families, the Department of
566 Economic Opportunity, and other state or local agencies as
567 needed to identify persons wrongfully obtaining benefits. Data
568 comparisons shall be accomplished during periods of low
569 information demand by agency personnel to minimize inconvenience
570 to the agency.

571 (e) Results of data comparisons shall be furnished to the
572 appropriate office for use in the county in which the data
573 originated. The program may provide reports of the data it
574 obtains to appropriate state, federal, and local government
575 agencies or governmental entities, including, but not limited

576 to:

577 1. The Child Support Enforcement Program of the Department
578 of Revenue, so that the data may be used as locator information
579 on persons being sought for purposes of child support.

580 2. The Social Security Administration, so that the data
581 may be used to reduce federal entitlement fraud within the
582 state.

583 3. The Division of Public Assistance Fraud of the
584 Department of Financial Services, so that an investigation of
585 the fraudulent receipt of public assistance may be facilitated.

586 (f) Reports by the program to another agency or entity
587 shall be generated bimonthly, or as otherwise directed, and
588 shall be designed to accommodate that agency's or entity's
589 particular needs for data.

590 (g) Only those persons with active cases, or with cases
591 that were active during the incarceration period, shall be
592 reported, in order that the funding agency or entity, upon
593 verification of the data, may take whatever action is deemed
594 appropriate.

595 (h) For purposes of program review and analysis, each
596 agency or entity receiving data from the program shall submit
597 reports to the program which indicate the results of how the
598 data was used.

599 Section 11. Paragraph (a) of subsection (16) of section
600 440.02, Florida Statutes, is amended to read:

601 440.02 Definitions.—When used in this chapter, unless the
 602 context clearly requires otherwise, the following terms shall
 603 have the following meanings:

604 (16) (a) "Employer" means the state and all political
 605 subdivisions thereof, all public and quasi-public corporations
 606 therein, every person carrying on any employment, and the legal
 607 representative of a deceased person or the receiver or trustees
 608 of any person. The term "Employer" also includes employment
 609 agencies and, employee leasing companies that, ~~and similar~~
 610 ~~agents who~~ provide employees to other business entities or
 611 persons. If the employer is a corporation, parties in actual
 612 control of the corporation, including, but not limited to, the
 613 president, officers who exercise broad corporate powers,
 614 directors, and all shareholders who directly or indirectly own a
 615 controlling interest in the corporation, are considered the
 616 employer for the purposes of ss. 440.105, 440.106, and 440.107.

617 Section 12. Effective January 1, 2023, subsections (11)
 618 through (15) of section 440.05, Florida Statutes, are renumbered
 619 as subsections (10) through (14), respectively, subsections (3)
 620 and (4) and present subsections (10) and (12) of that section
 621 are amended, to read:

622 440.05 Election of exemption; revocation of election;
 623 notice; certification.—

624 (3) The notice of election to be exempt must be
 625 electronically submitted to the department by the officer of a

626 corporation who is allowed to claim an exemption as provided by
627 this chapter and must list the name, date of birth, valid driver
628 license number or Florida identification card number, and all
629 certified or registered licenses issued pursuant to chapter 489
630 held by the person seeking the exemption, the registration
631 number of the corporation filed with the Division of
632 Corporations of the Department of State, and the percentage of
633 ownership evidencing the required ownership under this chapter.
634 The notice of election to be exempt must identify each
635 corporation that employs the person electing the exemption and
636 must list the ~~social security number or~~ federal tax
637 identification number of each such employer and the additional
638 documentation required by this section. In addition, the notice
639 of election to be exempt must provide that the officer electing
640 an exemption is not entitled to benefits under this chapter,
641 must provide that the election does not exceed exemption limits
642 for officers provided in s. 440.02, ~~and~~ must certify that any
643 employees of the corporation whose officer elects an exemption
644 are covered by workers' compensation insurance, and must certify
645 that the officer electing an exemption has completed an online
646 workers' compensation coverage and compliance tutorial developed
647 by the department. Upon receipt of the notice of the election to
648 be exempt, receipt of all application fees, and a determination
649 by the department that the notice meets the requirements of this
650 subsection, the department shall issue a certification of the

651 election to the officer, unless the department determines that
652 the information contained in the notice is invalid. The
653 department shall revoke a certificate of election to be exempt
654 from coverage upon a determination by the department that the
655 person does not meet the requirements for exemption or that the
656 information contained in the notice of election to be exempt is
657 invalid. The certificate of election must list the name of the
658 corporation listed in the request for exemption. A new
659 certificate of election must be obtained each time the person is
660 employed by a new or different corporation that is not listed on
661 the certificate of election. Upon written request from a
662 workers' compensation carrier, the department shall send
663 thereafter an electronic notification to the carrier identifying
664 each of its policyholders for which a notice of election to be
665 exempt has been issued or for which a notice of revocation to be
666 exempt has been received ~~A notice of the certificate of election~~
667 ~~must be sent to each workers' compensation carrier identified in~~
668 ~~the request for exemption.~~ Upon filing a notice of revocation of
669 election, an officer who is a subcontractor or an officer of a
670 corporate subcontractor must notify her or his contractor. ~~Upon~~
671 ~~revocation of a certificate of election of exemption by the~~
672 ~~department, the department shall notify the workers'~~
673 ~~compensation carriers identified in the request for exemption.~~
674 (4) The notice of election to be exempt from the
675 provisions of this chapter must contain a notice that clearly

676 states in substance the following: "Any person who, knowingly
677 and with intent to injure, defraud, or deceive the department or
678 any employer or employee, insurance company, or any other
679 person, files a notice of election to be exempt containing any
680 false or misleading information is guilty of a felony of the
681 third degree." Each person filing a notice of election to be
682 exempt shall personally sign the notice and attest that he or
683 she has reviewed, understands, and acknowledges the foregoing
684 notice. The certificate of election to be exempt must contain
685 the following notice: "This certificate of election to be exempt
686 is NOT a license issued by the Department of Business and
687 Professional Regulation (DBPR). To determine if the
688 certificateholder is required to have a license to perform work
689 or to verify the license of the certificateholder, go to (insert
690 DBPR's website address for where to find this information)."

691 ~~(10) Each officer of a corporation who is actively engaged~~
692 ~~in the construction industry and who elects an exemption from~~
693 ~~this chapter shall maintain business records as specified by the~~
694 ~~department by rule.~~

695 (11) ~~(12)~~ Certificates of election to be exempt issued
696 under subsection (3) ~~shall~~ apply only to the corporate officer
697 named on the notice of election to be exempt ~~and apply only~~
698 ~~within the scope of the business or trade listed on the notice~~
699 ~~of election to be exempt.~~

700 Section 13. Effective January 1, 2023, paragraphs (a) and

701 (d) of subsection (7) of section 440.107, Florida Statutes, are
702 amended to read:

703 440.107 Department powers to enforce employer compliance
704 with coverage requirements.—

705 (7)(a) Whenever the department determines that an employer
706 who is required to secure the payment to his or her employees of
707 the compensation provided for by this chapter has failed to
708 secure the payment of workers' compensation required by this
709 chapter or to produce the required business records under
710 subsection (5) within 21 ~~10~~ business days after receipt of the
711 written request of the department, such failure shall be deemed
712 an immediate serious danger to public health, safety, or welfare
713 sufficient to justify service by the department of a stop-work
714 order on the employer, requiring the cessation of all business
715 operations. If the department makes such a determination, the
716 department shall issue a stop-work order within 72 hours. The
717 order shall take effect when served upon the employer or, for a
718 particular employer worksite, when served at that worksite. In
719 addition to serving a stop-work order at a particular worksite
720 which shall be effective immediately, the department shall
721 immediately proceed with service upon the employer which shall
722 be effective upon all employer worksites in the state for which
723 the employer is not in compliance. A stop-work order may be
724 served with regard to an employer's worksite by posting a copy
725 of the stop-work order in a conspicuous location at the

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726 | worksite. Information related to an employer's stop-work order
727 | shall be made available on the division's website, ~~be updated~~
728 | ~~daily~~, and remain on the website for at least 5 years. The order
729 | shall remain in effect until the department issues an order
730 | releasing the stop-work order upon a finding that the employer
731 | has come into compliance with the coverage requirements of this
732 | chapter and has paid any penalty assessed under this section.
733 | The department may issue an order of conditional release from a
734 | stop-work order to an employer upon a finding that the employer
735 | has complied with the coverage requirements of this chapter,
736 | paid a penalty of \$1,000 as a down payment, and agreed to remit
737 | periodic payments of the remaining penalty amount pursuant to a
738 | payment agreement schedule with the department or pay the
739 | remaining penalty amount in full. An employer may not enter into
740 | a payment agreement schedule unless the employer has fully paid
741 | any previous penalty assessed under this section. If an order of
742 | conditional release is issued, failure by the employer to pay
743 | the penalty in full or enter into a payment agreement with the
744 | department within 21 ~~28~~ days after service of the first penalty
745 | assessment calculation ~~stop-work order~~ upon the employer, or to
746 | meet any term or condition of such penalty payment agreement,
747 | shall result in the immediate reinstatement of the stop-work
748 | order and the entire unpaid balance of the penalty shall become
749 | immediately due.

750 | (d)1. In addition to any penalty, stop-work order, or

751 injunction, the department shall assess against an ~~any~~ employer
752 who has failed to secure the payment of compensation as required
753 by this chapter a penalty equal to 2 times the amount the
754 employer would have paid in premium when applying approved
755 manual rates to the employer's payroll during periods for which
756 it failed to secure the payment of workers' compensation
757 required by this chapter within the preceding 12-month ~~2-year~~
758 period or \$1,000, whichever is greater. However, for an employer
759 who is issued a stop-work order for materially understating or
760 concealing payroll or has been previously issued a stop-work
761 order or order of penalty assessment, the preceding 24-month
762 period shall be used to calculate the penalty as specified in
763 this subparagraph.

764 a. For an employer ~~employers~~ who has ~~have~~ not been
765 previously issued a stop-work order or order of penalty
766 assessment, the department must allow the employer to receive a
767 credit for the initial payment of the estimated annual workers'
768 compensation policy premium, as determined by the carrier, to be
769 applied to the penalty. Before applying the credit to the
770 penalty, the employer must provide the department with
771 documentation reflecting that the employer has secured the
772 payment of compensation pursuant to s. 440.38 and proof of
773 payment to the carrier. In order for the department to apply a
774 credit for an employer that has secured workers' compensation
775 for leased employees by entering into an employee leasing

776 contract with a licensed employee leasing company, the employer
777 must provide the department with a written confirmation, by a
778 representative from the employee leasing company, of the dollar
779 or percentage amount attributable to the initial estimated
780 workers' compensation expense for leased employees, and proof of
781 payment to the employee leasing company. The credit may not be
782 applied unless the employer provides the documentation and proof
783 of payment to the department within 21 ~~28~~ days after the
784 employer's receipt of the written request to produce business
785 records for calculating the penalty under this subparagraph
786 ~~service of the stop-work order or first order of penalty~~
787 ~~assessment upon the employer.~~

788 b. For an employer ~~employers~~ who has ~~have~~ not been
789 previously issued a stop-work order or order of penalty
790 assessment, the department must reduce the final assessed
791 penalty by 25 percent if the employer has complied with
792 administrative rules adopted pursuant to subsection (5) and has
793 provided such business records to the department within 21 ~~10~~
794 ~~business~~ days after the employer's receipt of the written
795 request to produce business records for calculating the penalty
796 under this subparagraph.

797 c. For an employer who has not been previously issued a
798 stop-work order or order of penalty assessment, the department
799 must reduce the final assessed penalty by 15 percent if the
800 employer correctly answers at least 80 percent of the questions

801 from an online workers' compensation coverage and compliance
 802 tutorial, developed by the department, within 21 days after the
 803 employer's receipt of the written request to produce business
 804 records for calculating the penalty under this subparagraph. The
 805 online tutorial must be taken in a department office location
 806 identified by rule.

807
 808 ~~e.~~ The \$1,000 penalty shall be assessed against the employer
 809 even if the calculated penalty after the credit provided in sub-
 810 subparagraph a., the ~~and~~ 25 percent reduction provided in sub-
 811 subparagraph b., and the 15 percent reduction provided in sub-
 812 subparagraph c., as applicable, have been applied is less than
 813 \$1,000.

814 2. Any subsequent violation within 5 years after the most
 815 recent violation shall, in addition to the penalties set forth
 816 in this subsection, be deemed a knowing act within the meaning
 817 of s. 440.105.

818 Section 14. Subsection (12) of section 440.13, Florida
 819 Statutes, is amended to read:

820 440.13 Medical services and supplies; penalty for
 821 violations; limitations.—

822 (12) CREATION OF THREE-MEMBER PANEL; GUIDES OF MAXIMUM
 823 REIMBURSEMENT ALLOWANCES.—

824 (a) A three-member panel is created, consisting of the
 825 Chief Financial Officer, or the Chief Financial Officer's

826 | designee, and two members to be appointed by the Governor,
827 | subject to confirmation by the Senate, one member who, on
828 | account of present or previous vocation, employment, or
829 | affiliation, shall be classified as a representative of
830 | employers, the other member who, on account of previous
831 | vocation, employment, or affiliation, shall be classified as a
832 | representative of employees. The panel shall determine statewide
833 | schedules of maximum reimbursement allowances for medically
834 | necessary treatment, care, and attendance provided by
835 | physicians, hospitals, ambulatory surgical centers, work-
836 | hardening programs, pain programs, and durable medical
837 | equipment. The maximum reimbursement allowances for inpatient
838 | hospital care shall be based on a schedule of per diem rates, to
839 | be approved by the three-member panel no later than March 1,
840 | 1994, to be used in conjunction with a precertification manual
841 | as determined by the department, including maximum hours in
842 | which an outpatient may remain in observation status, which
843 | shall not exceed 23 hours. All compensable charges for hospital
844 | outpatient care shall be reimbursed at 75 percent of usual and
845 | customary charges, except as otherwise provided by this
846 | subsection. Annually, the three-member panel shall adopt
847 | schedules of maximum reimbursement allowances for physicians,
848 | hospital inpatient care, hospital outpatient care, ambulatory
849 | surgical centers, work-hardening programs, and pain programs. An
850 | individual physician, hospital, ambulatory surgical center, pain

851 program, or work-hardening program shall be reimbursed:

852 1. either The agreed-upon contract price; or

853 2. If there is no agreed-upon contract price, the lesser

854 of the provider's billed charge or the maximum reimbursement

855 allowance in the appropriate schedule.

856 (b) It is the intent of the Legislature to increase the
857 schedule of maximum reimbursement allowances for selected
858 physicians effective January 1, 2004, and to pay for the
859 increases through reductions in payments to hospitals. Revisions
860 developed pursuant to this subsection are limited to the
861 following:

862 1. Payments for outpatient physical, occupational, and
863 speech therapy provided by hospitals shall be reduced to the
864 schedule of maximum reimbursement allowances for these services
865 which applies to nonhospital providers.

866 2. Payments for scheduled outpatient nonemergency
867 radiological and clinical laboratory services that are not
868 provided in conjunction with a surgical procedure shall be
869 reduced to the schedule of maximum reimbursement allowances for
870 these services which applies to nonhospital providers.

871 3. Outpatient reimbursement for scheduled surgeries shall
872 be reduced from 75 percent of charges to 60 percent of charges.

873 4. Maximum reimbursement for a physician licensed under
874 chapter 458 or chapter 459 shall be increased to 110 percent of
875 the reimbursement allowed by Medicare, using appropriate codes

876 and modifiers or the medical reimbursement level adopted by the
 877 three-member panel as of January 1, 2003, whichever is greater.

878 5. Maximum reimbursement for surgical procedures shall be
 879 increased to 140 percent of the reimbursement allowed by
 880 Medicare or the medical reimbursement level adopted by the
 881 three-member panel as of January 1, 2003, whichever is greater.

882 (c) As to reimbursement for a prescription medication, the
 883 reimbursement amount for a prescription shall be the average
 884 wholesale price plus \$4.18 for the dispensing fee. For
 885 repackaged or relabeled prescription medications dispensed by a
 886 dispensing practitioner as provided in s. 465.0276, the fee
 887 schedule for reimbursement shall be 112.5 percent of the average
 888 wholesale price, plus \$8.00 for the dispensing fee. For purposes
 889 of this subsection, the average wholesale price shall be
 890 calculated by multiplying the number of units dispensed times
 891 the per-unit average wholesale price set by the original
 892 manufacturer of the underlying drug dispensed by the
 893 practitioner, based upon the published manufacturer's average
 894 wholesale price published in the Medi-Span Master Drug Database
 895 as of the date of dispensing. All pharmaceutical claims
 896 submitted for repackaged or relabeled prescription medications
 897 must include the National Drug Code of the original
 898 manufacturer. Fees for pharmaceuticals and pharmaceutical
 899 services shall be reimbursable at the applicable fee schedule
 900 amount except where the employer or carrier, or a service

901 company, third party administrator, or any entity acting on
902 behalf of the employer or carrier directly contracts with the
903 provider seeking reimbursement for a lower amount.

904 (d) Reimbursement for all fees and other charges for such
905 treatment, care, and attendance, including treatment, care, and
906 attendance provided by any hospital or other health care
907 provider, ambulatory surgical center, work-hardening program, or
908 pain program, must not exceed the amounts provided by the
909 uniform schedule of maximum reimbursement allowances as
910 determined by the panel or as otherwise provided in this
911 section. This subsection also applies to independent medical
912 examinations performed by health care providers under this
913 chapter. In determining the uniform schedule, the panel shall
914 first approve the data which it finds representative of
915 prevailing charges in the state for similar treatment, care, and
916 attendance of injured persons. Each health care provider, health
917 care facility, ambulatory surgical center, work-hardening
918 program, or pain program receiving workers' compensation
919 payments shall maintain records verifying their usual charges.
920 In establishing the uniform schedule of maximum reimbursement
921 allowances, the panel must consider:

922 1. The levels of reimbursement for similar treatment,
923 care, and attendance made by other health care programs or
924 third-party providers;

925 2. The impact upon cost to employers for providing a level

926 of reimbursement for treatment, care, and attendance which will
927 ensure the availability of treatment, care, and attendance
928 required by injured workers;

929 3. The financial impact of the reimbursement allowances
930 upon health care providers and health care facilities, including
931 trauma centers as defined in s. 395.4001, and its effect upon
932 their ability to make available to injured workers such
933 medically necessary remedial treatment, care, and attendance.
934 The uniform schedule of maximum reimbursement allowances must be
935 reasonable, must promote health care cost containment and
936 efficiency with respect to the workers' compensation health care
937 delivery system, and must be sufficient to ensure availability
938 of such medically necessary remedial treatment, care, and
939 attendance to injured workers; and

940 4. The most recent average maximum allowable rate of
941 increase for hospitals determined by the Health Care Board under
942 chapter 408.

943 (e) In addition to establishing the uniform schedule of
944 maximum reimbursement allowances, the panel shall:

945 1. Take testimony, receive records, and collect data to
946 evaluate the adequacy of the workers' compensation fee schedule,
947 nationally recognized fee schedules and alternative methods of
948 reimbursement to health care providers and health care
949 facilities for inpatient and outpatient treatment and care.

950 2. Survey health care providers and health care facilities

951 to determine the availability and accessibility of workers'
952 compensation health care delivery systems for injured workers.

953 3. Survey carriers to determine the estimated impact on
954 carrier costs and workers' compensation premium rates by
955 implementing changes to the carrier reimbursement schedule or
956 implementing alternative reimbursement methods.

957 4. Submit recommendations on or before January 15, 2017,
958 and biennially thereafter, to the President of the Senate and
959 the Speaker of the House of Representatives on methods to
960 improve the workers' compensation health care delivery system.

961
962 The department, as requested, shall provide data to the panel,
963 including, but not limited to, utilization trends in the
964 workers' compensation health care delivery system. The
965 department shall provide the panel with an annual report
966 regarding the resolution of medical reimbursement disputes and
967 any actions pursuant to subsection (8). The department shall
968 provide administrative support and service to the panel to the
969 extent requested by the panel and may adopt rules necessary to
970 administer this subsection. For prescription medication
971 purchased under the requirements of this subsection, a
972 dispensing practitioner shall not possess such medication unless
973 payment has been made by the practitioner, the practitioner's
974 professional practice, or the practitioner's practice management
975 company or employer to the supplying manufacturer, wholesaler,

976 distributor, or drug repackager within 60 days of the dispensing
 977 practitioner taking possession of that medication.

978 Section 15. Subsection (3) of section 440.185, Florida
 979 Statutes, is amended to read:

980 440.185 Notice of injury or death; reports; penalties for
 981 violations.-

982 (3) Within 3 business days after the employer or the
 983 employee informs the carrier of an injury, the carrier shall
 984 send by regular mail or e-mail to the injured worker an
 985 informational brochure approved by the department which sets
 986 forth in clear and understandable language an explanation of the
 987 rights, benefits, procedures for obtaining benefits and
 988 assistance, criminal penalties, and obligations of injured
 989 workers and their employers under the Florida Workers'
 990 Compensation Law. Annually, the carrier or its third-party
 991 administrator shall send by regular mail or e-mail to the
 992 employer an informational brochure approved by the department
 993 which sets forth in clear and understandable language an
 994 explanation of the rights, benefits, procedures for obtaining
 995 benefits and assistance, criminal penalties, and obligations of
 996 injured workers and their employers under the Florida Workers'
 997 Compensation Law. All such informational brochures shall contain
 998 a notice that clearly states in substance the following: "Any
 999 person who, knowingly and with intent to injure, defraud, or
 1000 deceive any employer or employee, insurance company, or self-

1001 insured program, files a statement of claim containing any false
 1002 or misleading information commits a felony of the third degree."

1003 Section 16. Subsection (3) of section 440.381, Florida
 1004 Statutes, is amended to read:

1005 440.381 Application for coverage; reporting payroll;
 1006 payroll audit procedures; penalties.-

1007 (3) The Financial Services Commission, in consultation
 1008 with the department, shall establish by rule minimum
 1009 requirements for audits of payroll and classifications ~~in order~~
 1010 to ensure that the appropriate premium is charged for workers'
 1011 compensation coverage. The rules must ~~shall~~ ensure that audits
 1012 performed by both carriers and employers are adequate to provide
 1013 that all sources of payments to employees, subcontractors, and
 1014 independent contractors are ~~have been~~ reviewed and that the
 1015 accuracy of classification of employees is ~~has been~~ verified.
 1016 The rules must require ~~shall provide~~ that employers in all
 1017 classes other than the construction class be audited at least
 1018 ~~not less frequently than~~ biennially and may provide for more
 1019 frequent audits of employers in specified classifications based
 1020 on factors such as amount of premium, type of business, loss
 1021 ratios, or other relevant factors. ~~In no event shall~~ Employers
 1022 in the construction class, generating more than the amount of
 1023 premium required to be experience rated must, be audited at
 1024 least ~~less than~~ annually. The annual audits required for
 1025 construction classes must ~~shall~~ consist of physical onsite

1026 audits for new and renewal policies only if the estimated annual
 1027 premium is \$10,000 or more. Payroll verification audit rules
 1028 must include, but need not be limited to, the use of state and
 1029 federal reports of employee income, payroll and other accounting
 1030 records, certificates of insurance maintained by subcontractors,
 1031 and duties of employees. At the completion of an audit, the
 1032 employer or officer of the corporation and the auditor must
 1033 print and sign their names on the audit document and attach
 1034 proof of identification to the audit document.

1035 Section 17. Subsection (2) of section 497.277, Florida
 1036 Statutes, is amended to read:

1037 497.277 Other charges.—Other than the fees for the sale of
 1038 burial rights, burial merchandise, and burial services, no other
 1039 fee may be directly or indirectly charged, contracted for, or
 1040 received by a cemetery company as a condition for a customer to
 1041 use any burial right, burial merchandise, or burial service,
 1042 except for:

1043 (2) Charges paid for transferring burial rights from one
 1044 purchaser to another; ~~however, no such fee may exceed \$50.~~

1045 Section 18. Paragraph (b) of subsection (1) of section
 1046 497.369, Florida Statutes, is amended to read:

1047 497.369 Embalmers; licensure as an embalmer by
 1048 endorsement; licensure of a temporary embalmer.—

1049 (1) The licensing authority shall issue a license by
 1050 endorsement to practice embalming to an applicant who has

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1051 remitted an examination fee set by rule of the licensing
1052 authority not to exceed \$200 and who the licensing authority
1053 certifies:

1054 (b)1. Holds a valid license in good standing to practice
1055 embalming in another state of the United States and has engaged
1056 in the full-time, licensed practice of embalming in that state
1057 for at least 5 years, ~~provided that, when the applicant secured~~
1058 ~~her or his original license, the requirements for licensure were~~
1059 ~~substantially equivalent to or more stringent than those~~
1060 ~~existing in this state; or~~

1061 2. Meets the qualifications for licensure in s. 497.368,
1062 except that the internship requirement shall be deemed to have
1063 been satisfied by 1 year's practice as a licensed embalmer in
1064 another state, and has, within 10 years before ~~prior to~~ the date
1065 of application, successfully completed a state, regional, or
1066 national examination in mortuary science, which, as determined
1067 by rule of the licensing authority, is substantially equivalent
1068 to or more stringent than the examination given by the licensing
1069 authority.

1070 Section 19. Paragraphs (b) and (f) of subsection (1) of
1071 section 497.372, Florida Statutes, are amended to read:

1072 497.372 Funeral directing; conduct constituting practice
1073 of funeral directing.—

1074 (1) The practice of funeral directing shall be construed
1075 to consist of the following functions, which may be performed

1076 only by a licensed funeral director:

1077 (b) Planning or arranging, on an at-need basis, the
 1078 details of funeral services, embalming, cremation, or other
 1079 services relating to the final disposition of human remains, and
 1080 ~~including the removal of such remains from the state; setting~~
 1081 ~~the time of the services;~~ establishing the type of services to
 1082 be rendered; ~~acquiring the services of the clergy; and obtaining~~
 1083 ~~vital information for the filing of death certificates and~~
 1084 ~~obtaining of burial transit permits.~~

1085 (f) Directing, being in charge or apparent charge of, or
 1086 supervising, directly or indirectly, any memorial service ~~held~~
 1087 ~~prior to or within 72 hours of the burial or cremation,~~ if such
 1088 memorial service is sold or arranged by a licensee.

1089 Section 20. Paragraph (b) of subsection (1) of section
 1090 497.374, Florida Statutes, is amended to read:

1091 497.374 Funeral directing; licensure as a funeral director
 1092 by endorsement; licensure of a temporary funeral director.—

1093 (1) The licensing authority shall issue a license by
 1094 endorsement to practice funeral directing to an applicant who
 1095 has remitted a fee set by rule of the licensing authority not to
 1096 exceed \$200 and who:

1097 (b)1. Holds a valid license in good standing to practice
 1098 funeral directing in another state of the United States and has
 1099 engaged in the full-time, licensed practice of funeral directing
 1100 in that state for at least 5 years, ~~provided that, when the~~

1101 ~~applicant secured her or his original license, the requirements~~
 1102 ~~for licensure were substantially equivalent to or more stringent~~
 1103 ~~than those existing in this state; or~~

1104 2. Meets the qualifications for licensure in s. 497.373,
 1105 except that the applicant need not hold an associate degree or
 1106 higher if the applicant holds a diploma or certificate from an
 1107 accredited program of mortuary science, and has successfully
 1108 completed a state, regional, or national examination in mortuary
 1109 science or funeral service arts, which, as determined by rule of
 1110 the licensing authority, is substantially equivalent to or more
 1111 stringent than the examination given by the licensing authority.

1112 Section 21. Subsection (6) of section 554.108, Florida
 1113 Statutes, is renumbered as subsection (7), subsection (1) is
 1114 amended, and a new subsection (6) is added to that section, to
 1115 read:

1116 554.108 Inspection.—

1117 (1) The inspection requirements of this chapter apply only
 1118 to boilers located in public assembly locations. A ~~potable hot~~
 1119 ~~water supply~~ boiler with an ~~a heat~~ input of 200,000 British
 1120 thermal units (Btu) per hour and above, up to an ~~a heat~~ input
 1121 not exceeding 400,000 Btu per hour, is exempt from inspection;
 1122 however, such an exempt boiler, if manufactured after July 1,
 1123 2022, ~~but~~ must be stamped with the A.S.M.E. code symbol.
 1124 Additionally, "HLW" and the boiler's A.S.M.E data report of a
 1125 boiler with an input of 200,000 to 400,000 Btu per hour must be

1126 | filed as required under s. 554.103(2).

1127 | (6) Each enclosed space or room containing a boiler
 1128 | regulated under this chapter which is fired by the direct
 1129 | application of energy from the combustion of fuels and which is
 1130 | located in any portion of a public lodging establishment under
 1131 | s. 509.242 shall be equipped with one or more carbon monoxide
 1132 | detector devices.

1133 | Section 22. Paragraphs (a) and (e) of subsection (1) and
 1134 | paragraph (a) of subsection (2) of section 554.111, Florida
 1135 | Statutes, are amended to read:

1136 | 554.111 Fees.—

1137 | (1) The department shall charge the following fees:

1138 | (a) For an applicant for a certificate of competency, the
 1139 | initial application fee shall be \$50, and the annual renewal fee
 1140 | shall be \$30. ~~The fee for examination shall be \$50.~~

1141 | (e) An application for a boiler permit must include the
 1142 | manufacturer's data report ~~applicable certificate inspection fee~~
 1143 | ~~provided in paragraph (b).~~

1144 | (2) Not more than an amount equal to one certificate
 1145 | inspection fee may be charged or collected for any and all
 1146 | boiler inspections in any inspection period, except as otherwise
 1147 | provided in this chapter.

1148 | (a) When it is necessary to make a special trip for
 1149 | testing and verification inspections ~~to observe the application~~
 1150 | ~~of a hydrostatic test~~, an additional fee equal to the fee for a

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1151 certificate inspection of the boiler must be charged.

1152 Section 23. Subsection (4) of section 554.114, Florida
1153 Statutes, is amended to read:

1154 554.114 Prohibitions; penalties.—

1155 (4) A boiler insurance company, authorized inspection
1156 agency, or other person in violation of this section for more
1157 than 30 days shall pay a fine of \$10 per day for the subsequent
1158 ~~first~~ 10 days of noncompliance, \$50 per day for the subsequent
1159 20 days of noncompliance, and \$100 per day for each subsequent
1160 day ~~over 20 days~~ of noncompliance thereafter.

1161 Section 24. Subsection (3) of section 624.423, Florida
1162 Statutes, is amended to read:

1163 624.423 Serving process.—

1164 (3) Service of process is valid and binding upon the
1165 insurer on the date the process served upon the Chief Financial
1166 Officer is delivered to the insurer and sent or the insurer has
1167 been notified by the department that such information has been
1168 made available on the department's secure online portal in
1169 accordance with this section and s. 624.307(9) shall for all
1170 purposes constitute valid and binding service thereof upon the
1171 insurer.

1172 Section 25. Subsection (20) of section 626.015, Florida
1173 Statutes, is amended to read:

1174 626.015 Definitions.—As used in this part:

1175 (20) "Unaffiliated insurance agent" means a licensed

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1176 insurance agent, except a limited lines agent, who is self-
1177 appointed and who practices as an independent consultant in the
1178 business of analyzing or abstracting insurance policies,
1179 providing insurance advice or counseling, or making specific
1180 recommendations or comparisons of insurance products for a fee
1181 established in advance by written contract signed by the
1182 parties. An unaffiliated insurance agent may not be affiliated
1183 with an insurer, insurer-appointed insurance agent, or insurance
1184 agency contracted with or employing insurer-appointed insurance
1185 agents. A licensed adjuster who is also an unaffiliated
1186 insurance agent may obtain an adjuster appointment in order to
1187 adjust claims while holding an unaffiliated appointment on the
1188 agent license.

1189 Section 26. Subsection (4) of section 626.171, Florida
1190 Statutes, is amended to read:

1191 626.171 Application for license as an agent, customer
1192 representative, adjuster, service representative, or reinsurance
1193 intermediary.—

1194 (4) An applicant for a license under this chapter ~~as an~~
1195 ~~agent, customer representative, adjuster, service~~
1196 ~~representative, or reinsurance intermediary~~ must submit a set of
1197 the individual applicant's fingerprints, or, if the applicant is
1198 not an individual, a set of the fingerprints of the sole
1199 proprietor, majority owner, partners, officers, and directors,
1200 to the department and must pay the fingerprint processing fee

1201 set forth in s. 624.501. Fingerprints must be processed in
1202 accordance with s. 624.34 and used to investigate the
1203 applicant's qualifications pursuant to s. 626.201. The
1204 fingerprints must be taken by a law enforcement agency,
1205 designated examination center, or other department-approved
1206 entity. The department shall require all designated examination
1207 centers to have fingerprinting equipment and to take
1208 fingerprints from any applicant or prospective applicant who
1209 pays the applicable fee. The department may not approve an
1210 application for licensure as an agent, customer service
1211 representative, adjuster, service representative, or reinsurance
1212 intermediary if fingerprints have not been submitted.

1213 Section 27. Subsection (2) of section 626.172, Florida
1214 Statutes, is amended to read:

1215 626.172 Application for insurance agency license.—

1216 (2) An application for an insurance agency license must be
1217 signed by an individual required to be listed in the application
1218 under paragraph (a). An insurance agency may permit a third
1219 party to complete, submit, and sign an application on the
1220 insurance agency's behalf; however, the insurance agency is
1221 responsible for ensuring that the information on the application
1222 is true and correct and is accountable for any misstatements or
1223 misrepresentations. The application for an insurance agency
1224 license must include:

1225 (f) The fingerprints, submitted in accordance with s.

1226 626.171(4), of each of the following:

1227 1. A sole proprietor;

1228 2. Each individual required to be listed in the
1229 application under paragraph (a); and

1230 3. Each individual who directs or participates in the
1231 management or control of an incorporated agency whose shares are
1232 not traded on a securities exchange.

1233

1234 ~~Fingerprints must be taken by a law enforcement agency or other~~
1235 ~~entity approved by the department and must be accompanied by the~~
1236 ~~fingerprint processing fee specified in s. 624.501. Fingerprints~~
1237 ~~must be processed in accordance with s. 624.34. However,~~
1238 Fingerprints need not be filed for an individual who is
1239 currently licensed and appointed under this chapter. This
1240 paragraph does not apply to corporations whose voting shares are
1241 traded on a securities exchange.

1242 Section 28. Section 626.173, Florida Statutes, is created
1243 to read:

1244 626.173 Insurance agency closure; cancellation of
1245 licenses.—

1246 (1) If a licensed insurance agency permanently ceases the
1247 transacting of insurance or ceases the transacting of insurance
1248 for more than 31 days, the agent in charge, director of the
1249 agency, or other officer listed on the original application for
1250 licensure shall immediately cancel the insurance agency's

1251 license by completing and submitting a form to notify the Bureau
1252 of Licensing of the Division of Insurance Agent and Agency
1253 Services within the department of the cancellation of the
1254 license.

1255 (2) Within 30 days after the agency ceases the transacting
1256 of insurance, the agent in charge, director of the agency, or
1257 other officer listed on the original application for licensure
1258 shall:

1259 (a) Notify all insurers by which the agency or agent in
1260 charge is appointed of the agency's cessation of operations, the
1261 date on which operations ceased, the identity of any agency or
1262 agent to which the agency's current book of business has been
1263 transferred, and the method by which agency records may be
1264 obtained during the time periods specified in ss. 626.561 and
1265 626.748.

1266 (b) Notify all policyholders currently insured by a policy
1267 written, produced, or serviced by the agency of the agency's
1268 cessation of operations; the date on which operations ceased;
1269 and the identity of the agency or agent to which the agency's
1270 current book of business has been transferred or, if no transfer
1271 has occurred, a statement directing the policyholder to contact
1272 the insurance company for assistance in locating a licensed
1273 agent to service the policy.

1274 (c) Notify all premium finance companies through which
1275 active policies are financed of the agency's cessation of

1276 operations, the date on which operations ceased, and the
1277 identity of the agency or agent to which the agency's current
1278 book of business has been transferred.

1279 (d) Ensure that all funds held in a fiduciary capacity are
1280 properly distributed to the rightful owners.

1281 (3) (a) The department or office may, in a proceeding
1282 initiated pursuant to chapter 120, impose an administrative fine
1283 against the agent in charge or director or officer of the agency
1284 found in the proceeding to have violated any provision of this
1285 section. A proceeding may not be initiated and a fine may not
1286 accrue until after the person has been notified in writing of
1287 the nature of the violation, has been afforded 10 business days
1288 to correct the violation, and has failed to do so.

1289 (b) A fine imposed under this subsection may not exceed
1290 the amounts specified in s. 626.681 per violation.

1291 (c) The department or office may, in addition to the
1292 imposition of an administrative fine under this subsection, also
1293 suspend or revoke the license of the licensee fined under this
1294 subsection.

1295 (d) In imposing any administrative penalty or remedy
1296 provided under this subsection, the department or office shall
1297 take into account the appropriateness of the penalty with
1298 respect to the size of the financial resources and the good
1299 faith of the person charged, the gravity of the violation, the
1300 history of previous violations, and other matters as justice may

1301 require.

1302 Section 29. Subsection (3) of section 626.201, Florida
 1303 Statutes, is amended, and subsection (4) is added to that
 1304 section, to read:

1305 626.201 Investigation.—

1306 (3) An inquiry or investigation of the applicant's
 1307 qualifications, character, experience, background, and fitness
 1308 must include submission of the applicant's fingerprints, in
 1309 accordance with s. 626.171(4), to the Department of Law
 1310 Enforcement and the Federal Bureau of Investigation and
 1311 consideration of any state criminal records, federal criminal
 1312 records, or local criminal records obtained from these agencies
 1313 or from local law enforcement agencies.

1314 (4) The expiration, nonrenewal, or surrender of a license
 1315 under this chapter does not eliminate jurisdiction of the
 1316 licensing authority to investigate and prosecute for a violation
 1317 committed by the licensee while licensed under this chapter. The
 1318 prosecution of any matter may be initiated or continued
 1319 notwithstanding the withdrawal of a complaint.

1320 Section 30. Section 626.202, Florida Statutes, is amended
 1321 to read:

1322 626.202 Fingerprinting requirements.—

1323 (1) The requirements for completion and submission of
 1324 fingerprints under this chapter in accordance with s. 626.171(4)
 1325 are deemed to be met when an individual currently licensed under

1326 | this chapter seeks additional licensure and has previously
1327 | submitted fingerprints to the department within the past 48
1328 | months. However, the department may require the individual to
1329 | file fingerprints if it has reason to believe that an applicant
1330 | or licensee has been found guilty of, or pleaded guilty or nolo
1331 | contendere to, a felony or a crime related to the business of
1332 | insurance in this state or any other state or jurisdiction.

1333 | (2) If there is a change in ownership or control of any
1334 | entity licensed under this chapter, or if a new partner,
1335 | officer, or director is employed or appointed, a set of
1336 | fingerprints of the new owner, partner, officer, or director
1337 | must be filed with the department or office within 30 days after
1338 | the change. The acquisition of 10 percent or more of the voting
1339 | securities of a licensed entity is considered a change of
1340 | ownership or control. The fingerprints must be submitted in
1341 | accordance with s. 626.171(4) ~~taken by a law enforcement agency~~
1342 | ~~or other department-approved entity and be accompanied by the~~
1343 | ~~fingerprint processing fee in s. 624.501.~~

1344 | Section 31. Paragraph (j) of subsection (2) of section
1345 | 626.221, Florida Statutes, is amended to read:

1346 | 626.221 Examination requirement; exemptions.—

1347 | (2) However, an examination is not necessary for any of
1348 | the following:

1349 | (j) An applicant for license as an all-lines adjuster who
1350 | has the designation of Accredited Claims Adjuster (ACA) from a

1351 regionally accredited postsecondary institution in this state,
 1352 Certified All Lines Adjuster (CALA) from Kaplan Financial
 1353 Education, Associate in Claims (AIC) from the Insurance
 1354 Institute of America, Professional Claims Adjuster (PCA) from
 1355 the Professional Career Institute, Professional Property
 1356 Insurance Adjuster (PPIA) from the HurriClaim Training Academy,
 1357 Certified Adjuster (CA) from ALL LINES Training, Certified
 1358 Claims Adjuster (CCA) from AE21 Incorporated, Claims Adjuster
 1359 Certified Professional (CACP) from WebCE, Inc., Accredited
 1360 Insurance Claims Specialist (AICS) from Encore Claim Services,
 1361 or Universal Claims Certification (UCC) from Claims and
 1362 Litigation Management Alliance (CLM) whose curriculum has been
 1363 approved by the department and which includes comprehensive
 1364 analysis of basic property and casualty lines of insurance and
 1365 testing at least equal to that of standard department testing
 1366 for the all-lines adjuster license. The department shall adopt
 1367 rules establishing standards for the approval of curriculum.

1368 Section 32. Subsection (6) of section 626.311, Florida
 1369 Statutes, is amended to read:

1370 626.311 Scope of license.—

1371 (6) An agent who appoints his or her license as an
 1372 unaffiliated insurance agent may not hold an appointment from an
 1373 insurer for any license he or she holds, with the exception of
 1374 an adjuster license; transact, solicit, or service an insurance
 1375 contract on behalf of an insurer; interfere with commissions

1376 received or to be received by an insurer-appointed insurance
1377 agent or an insurance agency contracted with or employing
1378 insurer-appointed insurance agents; or receive compensation or
1379 any other thing of value from an insurer, an insurer-appointed
1380 insurance agent, or an insurance agency contracted with or
1381 employing insurer-appointed insurance agents for any transaction
1382 or referral occurring after the date of appointment as an
1383 unaffiliated insurance agent. An unaffiliated insurance agent
1384 may continue to receive commissions on sales that occurred
1385 before the date of appointment as an unaffiliated insurance
1386 agent if the receipt of such commissions is disclosed when
1387 making recommendations or evaluating products for a client that
1388 involve products of the entity from which the commissions are
1389 received. An adjuster who holds an adjuster license and who is
1390 also an unaffiliated insurance agent may obtain an adjuster
1391 appointment while maintaining his or her unaffiliated insurance
1392 agent appointment and may adjust claims and receive compensation
1393 in accordance with the authority granted by the adjuster license
1394 and appointment.

1395 Section 33. Paragraph (h) of subsection (1) of section
1396 626.321, Florida Statutes, is amended to read:

1397 626.321 Limited licenses and registration.—

1398 (1) The department shall issue to a qualified applicant a
1399 license as agent authorized to transact a limited class of
1400 business in any of the following categories of limited lines

1401 insurance:

1402 (h) Portable electronics insurance.—License for property
 1403 insurance or inland marine insurance that covers only loss,
 1404 theft, mechanical failure, malfunction, or damage for portable
 1405 electronics.

1406 1. The license may be issued only to:

1407 a. Employees or authorized representatives of a licensed
 1408 general lines agent; or

1409 b. The lead business location of a retail vendor that
 1410 sells portable electronics insurance. The lead business location
 1411 must have a contractual relationship with a general lines agent.

1412 2. Employees or authorized representatives of a licensee
 1413 under subparagraph 1. may sell or offer for sale portable
 1414 electronics coverage without being subject to licensure as an
 1415 insurance agent if:

1416 a. Such insurance is sold or offered for sale at a
 1417 licensed location or at one of the licensee's branch locations
 1418 if the branch location is appointed by the licensed lead
 1419 business location or its appointing insurers;

1420 b. The insurer issuing the insurance directly supervises
 1421 or appoints a general lines agent to supervise the sale of such
 1422 insurance, including the development of a training program for
 1423 the employees and authorized representatives of vendors that are
 1424 directly engaged in the activity of selling or offering the
 1425 insurance; and

1426 c. At each location where the insurance is offered,
1427 brochures or other written materials that provide the
1428 information required by this subparagraph are made available to
1429 all prospective customers. The brochures or written materials
1430 may include information regarding portable electronics
1431 insurance, service warranty agreements, or other incidental
1432 services or benefits offered by a licensee.

1433 3. Individuals not licensed to sell portable electronics
1434 insurance may not be paid commissions based on the sale of such
1435 coverage. However, a licensee who uses a compensation plan for
1436 employees and authorized representatives which includes
1437 supplemental compensation for the sale of noninsurance products,
1438 in addition to a regular salary or hourly wages, may include
1439 incidental compensation for the sale of portable electronics
1440 insurance as a component of the overall compensation plan.

1441 4. Brochures or other written materials related to
1442 portable electronics insurance must:

1443 a. Disclose that such insurance may duplicate coverage
1444 already provided by a customer's homeowners insurance policy,
1445 renters insurance policy, or other source of coverage;

1446 b. State that enrollment in insurance coverage is not
1447 required in order to purchase or lease portable electronics or
1448 services;

1449 c. Summarize the material terms of the insurance coverage,
1450 including the identity of the insurer, the identity of the

1451 supervising entity, the amount of any applicable deductible and
1452 how it is to be paid, the benefits of coverage, and key terms
1453 and conditions of coverage, such as whether portable electronics
1454 may be repaired or replaced with similar make and model
1455 reconditioned or nonoriginal manufacturer parts or equipment;

1456 d. Summarize the process for filing a claim, including a
1457 description of how to return portable electronics and the
1458 maximum fee applicable if the customer fails to comply with
1459 equipment return requirements; and

1460 e. State that an enrolled customer may cancel coverage at
1461 any time and that the person paying the premium will receive a
1462 refund of any unearned premium.

1463 5. A licensed and appointed general lines agent is not
1464 required to obtain a portable electronics insurance license to
1465 offer or sell portable electronics insurance at locations
1466 already licensed as an insurance agency, but may apply for a
1467 portable electronics insurance license for branch locations not
1468 otherwise licensed to sell insurance.

1469 6. A portable electronics license authorizes the sale of
1470 individual policies or certificates under a group or master
1471 insurance policy. The license also authorizes the sale of
1472 service warranty agreements covering only portable electronics
1473 to the same extent as if licensed under s. 634.419 or s.
1474 634.420.

1475 7. A licensee may bill and collect the premium for the

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- 1476 purchase of portable electronics insurance provided that:
- 1477 a. If the insurance is included with the purchase or lease
- 1478 of portable electronics or related services, the licensee
- 1479 clearly and conspicuously discloses that insurance coverage is
- 1480 included with the purchase. Disclosure of the stand-alone cost
- 1481 of the premium for same or similar insurance must be made on the
- 1482 customer's bill and in any marketing materials made available at
- 1483 the point of sale. If the insurance is not included, the charge
- 1484 to the customer for the insurance must be separately itemized on
- 1485 the customer's bill.
- 1486 b. Premiums are incidental to other fees collected, are
- 1487 maintained in a manner that is readily identifiable, and are
- 1488 accounted for and remitted to the insurer or supervising entity
- 1489 within 60 days of receipt. Licensees are not required to
- 1490 maintain such funds in a segregated account.
- 1491 c. All funds received by a licensee from an enrolled
- 1492 customer for the sale of the insurance are considered funds held
- 1493 in trust by the licensee in a fiduciary capacity for the benefit
- 1494 of the insurer. Licensees may receive compensation for billing
- 1495 and collection services.
- 1496 8. Notwithstanding any other provision of law, the terms
- 1497 for the termination or modification of coverage under a policy
- 1498 of portable electronics insurance are those set forth in the
- 1499 policy.
- 1500 9. Notice or correspondence required by the policy, or

1501 otherwise required by law, may be provided by electronic means
1502 if the insurer or licensee maintains proof that the notice or
1503 correspondence was sent. Such notice or correspondence may be
1504 sent on behalf of the insurer or licensee by the general lines
1505 agent appointed by the insurer to supervise the administration
1506 of the program. For purposes of this subparagraph, an enrolled
1507 customer's provision of an electronic mail address to the
1508 insurer or licensee is deemed to be consent to receive notices
1509 and correspondence by electronic means if a conspicuously
1510 located disclosure is provided to the customer indicating the
1511 same.

1512 10. ~~The provisions of this chapter requiring submission of~~
1513 ~~fingerprints~~ requirements in s. 626.171(4) do not apply to
1514 licenses issued to qualified entities under this paragraph.

1515 11. A branch location that sells portable electronics
1516 insurance may, in lieu of obtaining an appointment from an
1517 insurer or warranty association, obtain a single appointment
1518 from the associated lead business location licensee and pay the
1519 prescribed appointment fee under s. 624.501 if the lead business
1520 location has a single appointment from each insurer or warranty
1521 association represented and such appointment applies to the lead
1522 business location and all of its branch locations. Branch
1523 location appointments shall be renewed 24 months after the
1524 initial appointment date of the lead business location and every
1525 24 months thereafter. Notwithstanding s. 624.501, the renewal

1526 fee applicable to such branch location appointments is \$30 per
 1527 appointment.

1528 12. For purposes of this paragraph:

1529 a. "Branch location" means any physical location in this
 1530 state at which a licensee offers its products or services for
 1531 sale.

1532 b. "Portable electronics" means personal, self-contained,
 1533 easily carried by an individual, battery-operated electronic
 1534 communication, viewing, listening, recording, gaming, computing
 1535 or global positioning devices, including cell or satellite
 1536 phones, pagers, personal global positioning satellite units,
 1537 portable computers, portable audio listening, video viewing or
 1538 recording devices, digital cameras, video camcorders, portable
 1539 gaming systems, docking stations, automatic answering devices,
 1540 and other similar devices and their accessories, and service
 1541 related to the use of such devices.

1542 c. "Portable electronics transaction" means the sale or
 1543 lease of portable electronics or a related service, including
 1544 portable electronics insurance.

1545 Section 34. Subsection (5) of section 626.601, Florida
 1546 Statutes, is amended to read:

1547 626.601 Improper conduct; inquiry; fingerprinting.—

1548 (5) If the department or office, after investigation, has
 1549 reason to believe that an individual may have been found guilty
 1550 of or pleaded guilty or nolo contendere to a felony or a crime

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1551 related to the business of insurance in this or any other state
1552 or jurisdiction, the department or office may require the
1553 individual to file with the department or office a complete set
1554 of his or her fingerprints, in accordance with s. 626.171(4),
1555 which shall be accompanied by the fingerprint processing fee set
1556 forth in s. 624.501. The fingerprints shall be taken by an
1557 authorized law enforcement agency or other department-approved
1558 entity.

1559 Section 35. Paragraph (d) of subsection (2) of section
1560 626.8411, Florida Statutes, is amended, and paragraph (f) is
1561 added to subsection (1) of that section, to read:

1562 626.8411 Application of Florida Insurance Code provisions
1563 to title insurance agents or agencies.—

1564 (1) The following provisions applicable to general lines
1565 agents or agencies also apply to title insurance agents or
1566 agencies:

1567 (f) Section 626.172(2)(f), relating to fingerprints.

1568 (2) The following provisions of part I do not apply to
1569 title insurance agents or title insurance agencies:

1570 (d) Section 626.172, except for paragraph (2)(f) of that
1571 section, relating to agent in full-time charge.

1572 Section 36. Paragraph (b) of subsection (1) of section
1573 626.8412, Florida Statutes, is amended to read:

1574 626.8412 License and appointments required.—

1575 (1) Except as otherwise provided in this part:

1576 (b) A title insurance agent may not sell a title insurance
 1577 policy issued by an insurer for which the agent and the agency
 1578 do ~~does~~ not hold a current appointment.

1579 Section 37. Paragraph (a) of subsection (3) of section
 1580 626.8417, Florida Statutes, is amended to read:

1581 626.8417 Title insurance agent licensure; exemptions.—

1582 (3) The department may not grant or issue a license as a
 1583 title insurance agent to an individual who is found by the
 1584 department to be untrustworthy or incompetent, who does not meet
 1585 the qualifications for examination specified in s. 626.8414, or
 1586 who does not meet the following qualifications:

1587 (a) Within the 4 years immediately preceding the date of
 1588 the application for license, the applicant must have completed a
 1589 40-hour ~~classroom~~ course in title insurance, 3 hours of which
 1590 are on the subject matter of ethics, as approved by the
 1591 department, or must have had at least 12 months of experience in
 1592 responsible title insurance duties, under the supervision of a
 1593 licensed title insurance agent, title insurer, or attorney while
 1594 working in the title insurance business as a substantially full-
 1595 time, bona fide employee of a title insurance agency, title
 1596 insurance agent, title insurer, or attorney who conducts real
 1597 estate closing transactions and issues title insurance policies
 1598 but who is exempt from licensure under subsection (4). If an
 1599 applicant's qualifications are based upon the periods of
 1600 employment at responsible title insurance duties, the applicant

1601 must submit, with the license application, an affidavit of the
 1602 applicant and of the employer affirming the period of such
 1603 employment, that the employment was substantially full time, and
 1604 giving a brief abstract of the nature of the duties performed by
 1605 the applicant.

1606 Section 38. Section 626.8421, Florida Statutes, is amended
 1607 to read:

1608 626.8421 Number of appointments permitted or required.—A
 1609 title agent and a title agency shall be required to have a
 1610 separate appointment as to each insurer by which they are ~~he or~~
 1611 ~~she is~~ appointed as agents ~~agent~~. As a part of each appointment
 1612 there shall be a certified statement or affidavit of an
 1613 appropriate officer or official of the appointing insurer
 1614 stating that to the best of the insurer's knowledge and belief
 1615 the applicant, or its principals in the case of a corporation or
 1616 other legal entity, has met the requirements of s. 626.8417.

1617 Section 39. Subsections (1) and (2) of section 626.843,
 1618 Florida Statutes, are amended to read:

1619 626.843 Renewal, continuation, reinstatement, termination
 1620 of title insurance agent's and title insurance agency's
 1621 appointments ~~appointment~~.—

1622 (1) Appointments ~~the appointment~~ of a title insurance
 1623 agent and a title insurance agency shall continue in force until
 1624 suspended, revoked, or otherwise terminated, but subject to a
 1625 renewed request filed by the insurer every 24 months after the

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1626 original issue ~~dates~~ date of the ~~appointments~~ appointment,
1627 accompanied by ~~payments~~ payment of the renewal appointment fees
1628 ~~fee~~ and taxes as prescribed in s. 624.501.

1629 (2) Title insurance agent and title insurance agency
1630 appointments shall be renewed pursuant to s. 626.381 for
1631 insurance representatives in general.

1632 Section 40. Subsection (1) of section 626.8433, Florida
1633 Statutes, is amended to read:

1634 626.8433 Filing of reasons for terminating appointment of
1635 title insurance agent and title insurance agency; confidential
1636 information.—

1637 (1) Any title insurer that is terminating the appointment
1638 of a title insurance agent or title insurance agency, whether
1639 such termination is by direct action of the appointing title
1640 insurer or by failure to renew or continue the appointment as
1641 provided, shall file with the department a statement of the
1642 reasons, if any, for, and the facts relative to, such
1643 termination.

1644 Section 41. Section 626.8447, Florida Statutes, is amended
1645 to read:

1646 626.8447 Effect of suspension or revocation upon other
1647 licensees, appointees.—In case of the suspension or revocation
1648 of the license and appointment of any title insurance agent or
1649 title insurance agency, the licenses and appointments of all
1650 other title insurance agents who knowingly were parties to the

1651 act that ~~which~~ formed the ground for such suspension or
1652 revocation may likewise be suspended or revoked for the same
1653 period as that of the offending title insurance agent or title
1654 insurance agency, but such suspension or revocation does ~~shall~~
1655 not prevent any title insurance agent, except the one whose
1656 license and appointment was first suspended or revoked, from
1657 being issued an appointment for some other title insurer.

1658 Section 42. Paragraph (d) of subsection (10) of section
1659 626.854, Florida Statutes, is redesignated as paragraph (f), and
1660 a new paragraph (d) and paragraph (e) are added to subsection
1661 (10) of that section, to read:

1662 626.854 "Public adjuster" defined; prohibitions.—The
1663 Legislature finds that it is necessary for the protection of the
1664 public to regulate public insurance adjusters and to prevent the
1665 unauthorized practice of law.

1666 (10)

1667 (d) Public adjuster compensation may not be based on
1668 amounts attributable to additional living expenses, unless such
1669 compensation is affirmatively agreed to in a separate agreement
1670 that includes a disclosure in substantially the following form:
1671 "I agree to retain and compensate the public adjuster for
1672 adjusting my additional living expenses and securing payment
1673 from my insurer for amounts attributable to additional living
1674 expenses payable under the policy issued on my (home/mobile
1675 home/condominium unit)."

1676 (e) Public adjuster compensation may not be increased
 1677 based on a claim being resolved by litigation.

1678 Section 43. Section 626.8561, Florida Statutes, is amended
 1679 to read:

1680 626.8561 "Public adjuster apprentice" defined.—The term
 1681 "public adjuster apprentice" means a person licensed as an all-
 1682 lines adjuster who:

1683 (1) Is appointed and employed or contracted by ~~a public~~
 1684 ~~adjuster or~~ a public adjusting firm;

1685 (2) Assists the ~~public adjuster or~~ public adjusting firm
 1686 in ascertaining and determining the amount of any claim, loss,
 1687 or damage payable under an insurance contract, or who undertakes
 1688 to effect settlement of such claim, loss, or damage; and

1689 (3) Satisfies the requirements of s. 626.8651.

1690 Section 44. Paragraph (e) of subsection (1) and subsection
 1691 (2) of section 626.865, Florida Statutes, are amended to read:

1692 626.865 Public adjuster's qualifications, bond.—

1693 (1) The department shall issue a license to an applicant
 1694 for a public adjuster's license upon determining that the
 1695 applicant has paid the applicable fees specified in s. 624.501
 1696 and possesses the following qualifications:

1697 (e) Has been licensed and appointed in this state as a
 1698 nonresident public adjuster on a continual basis for the
 1699 previous 6 months, or has been licensed as an all-lines
 1700 adjuster, and has been appointed on a continual basis for the

1701 previous 6 months as a public adjuster apprentice under s.
 1702 626.8561, as an independent adjuster under s. 626.855, or as a
 1703 company employee adjuster under s. 626.856.

1704 (2) At the time of application for license as a public
 1705 adjuster, the applicant shall file with the department a bond
 1706 executed and issued by a surety insurer authorized to transact
 1707 such business in this state, in the amount of \$50,000,
 1708 conditioned for the faithful performance of his or her duties as
 1709 a public adjuster under the license for which the applicant has
 1710 applied, and thereafter maintain the bond unimpaired throughout
 1711 the existence of the license ~~and for at least 1 year after~~
 1712 ~~termination of the license.~~

1713 (a) The bond must ~~shall~~ be in favor of the department and
 1714 must ~~shall~~ specifically authorize recovery by the department of
 1715 the damages sustained in case the licensee is guilty of fraud or
 1716 unfair practices in connection with his or her business as
 1717 public adjuster.

1718 (b) The bond must remain in effect for 1 year after the
 1719 expiration or termination of the license.

1720 (c) The aggregate liability of the surety for all such
 1721 damages may not ~~shall in no event~~ exceed the amount of the bond.
 1722 The ~~Such~~ bond may ~~shall~~ not be terminated unless at least 30
 1723 days' written notice is given to the licensee and filed with the
 1724 department.

1725 Section 45. Paragraph (a) of subsection (1) and subsection

1726 (3) of section 626.8651, Florida Statutes, are amended to read:
 1727 626.8651 Public adjuster apprentice appointment;
 1728 qualifications.—

1729 (1)(a) The department shall issue an appointment as a
 1730 public adjuster apprentice to a licensee who:

1731 1. Is licensed as an all-lines adjuster under s. 626.866;

1732 2. Has filed with the department a bond executed and
 1733 issued by a surety insurer that is authorized to transact such
 1734 business in this state in the amount of \$50,000, which is
 1735 conditioned upon the faithful performance of his or her duties
 1736 as a public adjuster apprentice; and

1737 3. Maintains such bond unimpaired throughout the existence
 1738 of the appointment. The bond must remain in effect for 1 year
 1739 after the expiration or termination of the license ~~and for at~~
 1740 ~~least 1 year after termination of the appointment.~~

1741 (3) A public adjuster apprentice has the same authority as
 1742 the licensed public adjuster or public adjusting firm that
 1743 employs the apprentice except that an apprentice may not execute
 1744 contracts for the services of a public adjuster or public
 1745 adjusting firm. An individual may not be, act as, or hold
 1746 himself or herself out to be a public adjuster apprentice unless
 1747 the individual is licensed as an all-lines adjuster and holds a
 1748 current appointment by a licensed ~~public all-lines adjuster or a~~
 1749 public adjusting firm that has designated with the department a
 1750 primary ~~employs a licensed public~~ adjuster as required by s.

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1751 626.8695.

1752 Section 46. Section 626.8696, Florida Statutes, is amended
1753 to read:

1754 626.8696 Application for adjusting firm license.—

1755 (1) The application for an adjusting firm license must
1756 include:

1757 (a) The name of each majority owner, partner, officer, and
1758 director of the adjusting firm.

1759 (b) The resident address of each person required to be
1760 listed in the application under paragraph (a).

1761 (c) The name of the adjusting firm and its principal
1762 business address.

1763 (d) The location of each adjusting firm office and the
1764 name under which each office conducts or will conduct business.

1765 (e) The name and license number of the designated primary
1766 adjuster for each adjusting firm location as required in s.
1767 626.8695.

1768 (f) The fingerprints of each individual required to be
1769 listed in the application under paragraph (a), filed in
1770 accordance with s. 626.171(4). However, fingerprints need not be
1771 filed for an individual who is currently licensed and appointed
1772 under this chapter.

1773 (g) ~~(e)~~ Any additional information that the department
1774 requires.

1775 (2) An application for an adjusting firm license must be

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1776 signed by one of the individuals required to be listed in the
1777 application under paragraph (1)(a) ~~each owner of the firm. If~~
1778 ~~the firm is incorporated, the application must be signed by the~~
1779 ~~president and secretary of the corporation.~~

1780 ~~(3) Each application must be accompanied by payment of any~~
1781 ~~applicable fee as prescribed in s. 624.501.~~

1782 ~~(4) License fees are not refundable.~~

1783 ~~(5) An adjusting firm required to be licensed pursuant to~~
1784 ~~s. 626.8695 must remain so licensed for a period of 3 years from~~
1785 ~~the date of licensure, unless the license is suspended or~~
1786 ~~revoked. The department may suspend or revoke the adjusting~~
1787 ~~firm's authority to do business for activities occurring during~~
1788 ~~the time the firm is licensed, regardless of whether the~~
1789 ~~licensing period has terminated.~~

1790 Section 47. Subsection (3) of section 626.8732, Florida
1791 Statutes, is amended to read:

1792 626.8732 Nonresident public adjuster's qualifications,
1793 bond.—

1794 (3) At the time of application for license as a
1795 nonresident public adjuster, the applicant shall file with the
1796 department a bond executed and issued by a surety insurer
1797 authorized to transact surety business in this state, in the
1798 amount of \$50,000, conditioned for the faithful performance of
1799 his or her duties as a nonresident public adjuster under the
1800 license applied for. Thereafter, the applicant shall maintain

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1801 the bond unimpaired throughout the existence of the license and
1802 for 1 year after the expiration or termination of the license.

1803 (a) The bond must be in favor of the department and must
1804 specifically authorize recovery by the department of the damages
1805 sustained if the licensee commits fraud or unfair practices in
1806 connection with his or her business as nonresident public
1807 adjuster.

1808 (b) The aggregate liability of the surety for all the
1809 damages may not exceed the amount of the bond. The bond may not
1810 be terminated unless at least 30 days' written notice is given
1811 to the licensee and filed with the department.

1812 Section 48. Paragraph (a) of subsection (2) of section
1813 626.8734, Florida Statutes, is amended to read:

1814 626.8734 Nonresident all-lines adjuster license
1815 qualifications.—

1816 (2) The applicant must furnish the following with his or
1817 her application:

1818 (a) A complete set of his or her fingerprints in
1819 accordance with s. 626.171(4). ~~The applicant's fingerprints must~~
1820 ~~be certified by an authorized law enforcement officer.~~

1821 Section 49. Subsection (5) of section 626.9953, Florida
1822 Statutes, is amended to read:

1823 626.9953 Qualifications for registration; application
1824 required.—

1825 (5) An applicant must submit a set of his or her

1826 | fingerprints in accordance with s. 626.171(4) ~~to the department~~
 1827 | ~~and pay the processing fee established under s. 624.501(23)~~. The
 1828 | department shall submit the applicant's fingerprints to the
 1829 | Department of Law Enforcement for processing state criminal
 1830 | history records checks and local criminal records checks through
 1831 | local law enforcement agencies and for forwarding to the Federal
 1832 | Bureau of Investigation for national criminal history records
 1833 | checks. The fingerprints shall be taken by a law enforcement
 1834 | agency, a designated examination center, or another department-
 1835 | approved entity. The department may not approve an application
 1836 | for registration as a navigator if fingerprints have not been
 1837 | submitted.

1838 | Section 50. Paragraphs (e) and (f) are added to subsection
 1839 | (4) of section 633.135, Florida Statutes, to read:

1840 | 633.135 Firefighter Assistance Grant Program.—

1841 | (4) Funds shall be used to:

1842 | (e) Purchase other equipment and tools that improve
 1843 | firesafety and fire rescue capabilities for firefighters.

1844 | (f) Purchase protective clothing and equipment compliant
 1845 | with NFPA 1977, "Standard on Protective Clothing and Equipment
 1846 | for Wildland Fire Fighting and Urban Interface Fire Fighting."

1847 | Section 51. Subsections (6) through (9) of section
 1848 | 633.216, Florida Statutes, are renumbered as subsections (5)
 1849 | through (8), respectively, and subsection (4) and present
 1850 | subsection (5) of that section are amended, to read:

1851 633.216 Inspection of buildings and equipment; orders;
1852 firesafety inspection training requirements; certification;
1853 disciplinary action.—The State Fire Marshal and her or his
1854 agents or persons authorized to enforce laws and rules of the
1855 State Fire Marshal shall, at any reasonable hour, when the State
1856 Fire Marshal has reasonable cause to believe that a violation of
1857 this chapter or s. 509.215, or a rule adopted thereunder, or a
1858 minimum firesafety code adopted by the State Fire Marshal or a
1859 local authority, may exist, inspect any and all buildings and
1860 structures which are subject to the requirements of this chapter
1861 or s. 509.215 and rules adopted thereunder. The authority to
1862 inspect shall extend to all equipment, vehicles, and chemicals
1863 which are located on or within the premises of any such building
1864 or structure.

1865 (4) Every firesafety inspector certificate is valid for a
1866 period of 4 years from the date of issuance. Renewal of
1867 certification is subject to the affected person's completing
1868 proper application for renewal and meeting all of the
1869 requirements for renewal as established under this chapter or by
1870 rule adopted under this chapter, which must include completion
1871 of at least 54 hours during the preceding 4-year period of
1872 continuing education as required by the rule of the department
1873 ~~or, in lieu thereof, successful passage of an examination as~~
1874 ~~established by the department.~~

1875 ~~(5) A previously certified firesafety inspector whose~~

1876 ~~certification has lapsed for 8 years or more must repeat the~~
 1877 ~~fire safety inspector training as specified by the division.~~

1878 Section 52. Paragraph (b) of subsection (4) and paragraphs
 1879 (a) and (c) of subsection (6) of section 633.408, Florida
 1880 Statutes, are amended to read:

1881 633.408 Firefighter and volunteer firefighter training and
 1882 certification.—

1883 (4) The division shall issue a Firefighter Certificate of
 1884 Compliance to an individual who does all of the following:

1885 (b) Passes the Minimum Standards Course certification
 1886 ~~examination~~ within 12 months after completing the required
 1887 courses.

1888 (6)(a) The division may issue a Special Certificate of
 1889 Compliance to an individual who does all of the following:

1890 1. Satisfactorily completes the course established by rule
 1891 by the division and successfully passes any examination
 1892 corresponding to such course ~~in paragraph (1)(b)~~ to obtain a
 1893 Special Certificate of Compliance.

1894 ~~2. Passes the examination established in paragraph (1)(b)~~
 1895 ~~to obtain a Special Certificate of Compliance.~~

1896 ~~2.3.~~ Possesses the qualifications in s. 633.412.

1897 ~~(c) In order to retain a Special Certificate of~~
 1898 ~~Compliance, every 4 years an individual must:~~

1899 1. ~~Be active as a firefighter;~~

1900 2. ~~Maintain a current and valid fire service instructor~~

1901 ~~certificate, instruct at least 40 hours during the 4-year~~
 1902 ~~period, and provide proof of such instruction to the division,~~
 1903 ~~which proof must be registered in an electronic database~~
 1904 ~~designated by the division; or~~

1905 ~~3. Within 6 months before the 4-year period expires,~~
 1906 ~~successfully complete a Firefighter Retention Refresher Course~~
 1907 ~~consisting of a minimum of 40 hours of training as prescribed by~~
 1908 ~~rule.~~

1909 Section 53. Subsections (5), (6), and (7) of section
 1910 633.414, Florida Statutes, are renumbered as subsections (4),
 1911 (5), and (6) respectively, and subsection (1) and present
 1912 subsection (4) of that section are amended, to read:

1913 633.414 Retention of firefighter and volunteer firefighter
 1914 certifications.—

1915 (1) In order for a firefighter to retain her or his
 1916 Firefighter Certificate of Compliance or Special Certificate of
 1917 Compliance, every 4 years he or she must meet the requirements
 1918 for renewal provided in this chapter and by rule, which must
 1919 include at least one of the following:

1920 (a) Be active as a firefighter. As used in this section,
 1921 the term "active" means being employed as a firefighter or
 1922 providing service as a volunteer firefighter as evidenced by the
 1923 individual's name appearing on a fire service provider's
 1924 employment roster in the Florida State Fire College database or
 1925 a letter by the fire service provider attesting to dates of

1926 employment.

1927 (b) Maintain a current and valid fire service instructor
 1928 certificate, instruct at least 40 hours during the 4-year
 1929 period, and provide proof of such instruction to the division,
 1930 which proof must be registered in an electronic database
 1931 designated by the division.

1932 (c) Before the expiration of the certificate ~~Within 6~~
 1933 ~~months before the 4-year period expires,~~ successfully complete a
 1934 Firefighter Retention Refresher Course consisting of a minimum
 1935 of 40 hours of training to be prescribed by rule.

1936 (d) Before the expiration of the certificate ~~Within 6~~
 1937 ~~months before the 4-year period expires,~~ successfully retake and
 1938 pass the Minimum Standards Course examination pursuant to s.
 1939 633.408.

1940 ~~(4) For the purposes of this section, the term "active"~~
 1941 ~~means being employed as a firefighter or providing service as a~~
 1942 ~~volunteer firefighter for a cumulative period of 6 months within~~
 1943 ~~a 4-year period.~~

1944
 1945 The 4-year period may, in the discretion of the department, be
 1946 extended to 12 months after discharge from military service if
 1947 the military service does not exceed 3 years, but in no event
 1948 more than 6 years from the date of issue or renewal, if
 1949 applicable, for an honorably discharged veteran of the United
 1950 States Armed Forces or the spouse of such a veteran. A qualified

1951 individual must provide a copy of a military identification
1952 card, military dependent identification card, military service
1953 record, military personnel file, veteran record, discharge
1954 paper, or separation document that indicates such member is
1955 currently in good standing or such veteran is honorably
1956 discharged.

1957 Section 54. Subsection (4) of section 648.34, Florida
1958 Statutes, is amended to read:

1959 648.34 Bail bond agents; qualifications.—

1960 (4) The applicant shall furnish, with his or her
1961 application, a complete set of his or her fingerprints in
1962 accordance with s. 626.171(4) and a recent credential-sized,
1963 fullface photograph of the applicant. ~~The applicant's~~
1964 ~~fingerprints shall be certified by an authorized law enforcement~~
1965 ~~officer.~~ The department shall not authorize an applicant to take
1966 the required examination until the department has received a
1967 report from the Department of Law Enforcement and the Federal
1968 Bureau of Investigation relative to the existence or
1969 nonexistence of a criminal history report based on the
1970 applicant's fingerprints.

1971 Section 55. Subsection (4) of section 648.355, Florida
1972 Statutes, is amended to read:

1973 648.355 Temporary limited license as limited surety agent
1974 or professional bail bond agent; pending examination.—

1975 (4) The applicant shall furnish, with the application for

1976 temporary license, a complete set of the applicant's
 1977 fingerprints in accordance with s. 626.171(4) and a recent
 1978 credential-sized, fullface photograph of the applicant. ~~The~~
 1979 ~~applicant's fingerprints shall be certified by an authorized law~~
 1980 ~~enforcement officer.~~ The department shall not issue a temporary
 1981 license under this section until the department has received a
 1982 report from the Department of Law Enforcement and the Federal
 1983 Bureau of Investigation relative to the existence or
 1984 nonexistence of a criminal history report based on the
 1985 applicant's fingerprints.

1986 Section 56. Subsection (4) is added to section 648.46,
 1987 Florida Statutes, to read:

1988 648.46 Procedure for disciplinary action against
 1989 licensees.—

1990 (4) The expiration, nonrenewal, or surrender of licensure
 1991 under this chapter does not eliminate the jurisdiction of the
 1992 licensing authority to investigate and prosecute for a violation
 1993 committed by a licensee while licensed under this chapter. The
 1994 prosecution of any matter may be initiated or continued
 1995 notwithstanding the withdrawal of a complaint.

1996 Section 57. Section 766.105, Florida Statutes, is
 1997 repealed.

1998 Section 58. Paragraph (b) of subsection (1) of section
 1999 945.6041, Florida Statutes, is amended to read:

2000 945.6041 Inmate medical services.—

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2001 (1) As used in this section, the term:
 2002 (b) "Health care provider" means:
 2003 1. A hospital licensed under chapter 395.
 2004 2. A physician or physician assistant licensed under
 2005 chapter 458.
 2006 3. An osteopathic physician or physician assistant
 2007 licensed under chapter 459.
 2008 4. A podiatric physician licensed under chapter 461.
 2009 5. A health maintenance organization certificated under
 2010 part I of chapter 641.
 2011 6. An ambulatory surgical center licensed under chapter
 2012 395.
 2013 7. "Other medical facility" as defined in paragraph (c).
 2014 8. A professional association, partnership, corporation,
 2015 joint venture, or other association by the individuals set forth
 2016 in subparagraphs 2., 3., and 4. for professional activity ~~has~~
 2017 ~~the same meaning as provided in s. 766.105.~~
 2018 Section 59. Paragraph (a) of subsection (1) of section
 2019 985.6441, Florida Statutes, is amended to read:
 2020 985.6441 Health care services.—
 2021 (1) As used in this section, the term:
 2022 (a) "Health care provider" means:
 2023 1. A hospital licensed under chapter 395.
 2024 2. A physician or physician assistant licensed under
 2025 chapter 458.

- 2026 3. An osteopathic physician or physician assistant
 2027 licensed under chapter 459.
- 2028 4. A podiatric physician licensed under chapter 461.
- 2029 5. A health maintenance organization certificated under
 2030 part I of chapter 641.
- 2031 6. An ambulatory surgical center licensed under chapter
 2032 395.
- 2033 7. "Other medical facility" as defined in paragraph (c).
- 2034 8. A professional association, partnership, corporation,
 2035 joint venture, or other association by the individuals set forth
 2036 in subparagraphs 2., 3., and 4. for professional activity ~~has~~
 2037 the same meaning as provided in s. 766.105.

2038 Section 60. The Department of Financial Services shall
 2039 supervise any liquidation or dissolution of the Florida
 2040 Patient's Compensation Fund and shall have, with respect to such
 2041 liquidation or dissolution, all power granted to it under the
 2042 insurance code.

2043 Section 61. All powers, duties, functions, records,
 2044 offices, personnel, associated administrative support positions,
 2045 property, pending issues, existing contracts, administrative
 2046 authority, and administrative rules relating to the Stop Inmate
 2047 Fraud Program within the Department of Financial Services are
 2048 transferred by a type two transfer, as defined in s. 20.06(2),
 2049 Florida Statutes, to the Department of Economic Opportunity.

2050 Section 62. Except as otherwise expressly provided in this

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2051 | act, this act shall take effect July 1, 2022. |