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1
2 An act relating to pet insurance and wellness
3 programs; amending s. 624.604, F.S.; revising the
4 definition of the term "property insurance" to include
5 a pet insurance option; amending s. 626.9541, F.S.;
6 providing that certain practices relating to pet
7 wellness programs are unfair methods of competition
8 and unfair or deceptive acts or practices; creating s.
9 627.71545, F.S.; providing a short title; providing
10 purpose; providing applicability; providing
11 construction; providing definitions; requiring pet
12 insurers that use such defined terms in their pet
13 insurance policies to use and include the statutory
14 definitions in their policies; requiring pet insurers
15 to also make such definitions available on their
16 websites or their program administrators' websites;
17 requiring pet insurers to make certain disclosures to
18 pet insurance applicants and policyholders; requiring
19 pet insurers to provide a summary of their bases or
20 formulas for determination of claim payments under a
21 pet insurance policy on their websites or their
22 program administrators' websites; requiring pet
23 insurers to disclose certain requirements for required
24 medical examinations of a pet by a veterinarian;
25 requiring pet insurers to create a document with a

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summary of certain disclosures, to post such document on their websites or their program administrators' websites, and, upon issuance or delivery of a policy to a policyholder, to provide such document to the policyholder; requiring additional written disclosures; providing that certain required disclosures are in addition to disclosures required by the Florida Insurance Code or the Financial Services Commission rules; authorizing pet insurance applicants and policyholders to examine and return insurance policies and riders under certain circumstances; requiring that premiums be refunded under certain circumstances; requiring that pet insurance policies and riders have a specified notice printed on or attached to the first page; authorizing pet insurers to issue policies that exclude coverage on the basis of preexisting conditions with appropriate written disclosure to the applicant or policyholder; providing that the pet insurer has a specified burden of proof with regard to such exclusions; authorizing pet insurers to issue new policies that impose a waiting period of up to a specified period of time for specified illnesses, diseases, or conditions; prohibiting pet insurers from issuing policies imposing a waiting period for accidents; requiring pet

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51 insurers who issue a policy that imposes a waiting
52 period to include a provision allowing for waiver of
53 the waiting period upon completion of a medical
54 examination of the covered pet by a veterinarian;
55 authorizing pet insurers to require an examination to
56 be conducted by a veterinarian after the purchase of
57 the policy; providing requirements and authorizations
58 relating to such examination; prohibiting a pet
59 insurer from requiring a medical examination of the
60 covered pet to renew a policy; requiring that certain
61 benefits comply with certain provisions of the Florida
62 Insurance Code; prohibiting insurance applicants'
63 eligibility from being based on participation or lack
64 of participation in wellness programs; requiring pet
65 insurers to ensure that their agents are trained on
66 specified topics; providing rulemaking authority;
67 providing an effective date.

68
69 Be It Enacted by the Legislature of the State of Florida:

70
71 Section 1. Section 624.604, Florida Statutes, is amended
72 to read:

73 624.604 "Property insurance" defined.—"Property insurance"
74 is insurance on real or personal property of every kind and of
75 every interest therein, whether on land, water, or in the air,

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76 against loss or damage from any and all hazard or cause, and
77 against loss consequential upon such loss or damage, other than
78 noncontractual legal liability for any such loss or damage.
79 Property insurance may include pet insurance that provides
80 coverage for accidents and for illnesses of pets. Property
81 insurance may contain a provision for accidental death or injury
82 as part of a multiple peril homeowner's policy. Such insurance,
83 which is incidental to the property insurance, is not subject to
84 the provisions of this code applicable to life or health
85 insurance. Property insurance does not include title insurance,
86 as defined in s. 624.608.

87 Section 2. Paragraph (hh) is added to subsection (1) of
88 section 626.9541, Florida Statutes, to read:

89 626.9541 Unfair methods of competition and unfair or
90 deceptive acts or practices defined.—

91 (1) UNFAIR METHODS OF COMPETITION AND UNFAIR OR DECEPTIVE
92 ACTS.—The following are defined as unfair methods of competition
93 and unfair or deceptive acts or practices:

94 (hh) Sales practices for pet wellness programs.—

95 1. A pet insurance agent may not market a wellness program
96 as pet insurance.

97 2. If a wellness program is sold by a pet insurance agent:

98 a. The purchase of the wellness program may not be a
99 prerequisite to the purchase of pet insurance;

100 b. The costs of the wellness program must be separate and

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identifiable from any pet insurance policy sold by the pet insurance agent;

c. The terms and conditions of the wellness program must be separate from any pet insurance policy sold by the agent;

d. The products or coverages available through the wellness program may not duplicate the products or coverages available through the pet insurance policy; and

e. The advertising of the wellness program must not be misleading.

Section 3. Section 627.71545, Florida Statutes, is created to read:

627.71545 Pet insurance; noninsurance wellness programs.—

(1) This section may be cited as the "Pet Insurance Act."

(2) The purpose of this section is to promote the public welfare by creating a comprehensive regulatory framework within which pet insurance may be sold in this state.

(3) This section applies to all of the following:

(a) Pet insurance policies that are issued to any resident of this state or that are sold, solicited, negotiated, or offered in this state.

(b) Pet insurance policies or certificates that are delivered or issued for delivery in this state.

(4) (a) This section may not be construed to prohibit or limit the types of exclusions pet insurers may use in their policies or to require pet insurers to include in such policies

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126 any of the limitations or exclusions specified in subsection
127 (9).

128 (b) All other applicable provisions of the Florida
129 Insurance Code apply to pet insurance, except that this section
130 supersedes any general provisions of the Florida Insurance Code
131 which otherwise apply to pet insurance.

132 (5) (a) As used in this section, the term:

133 1. "Chronic condition" means a condition that can be
134 treated or managed, but not cured.

135 2. "Congenital anomaly or disorder" means a condition that
136 is present from birth, whether inherited or caused by the
137 environment, and that may cause or contribute to illness or
138 disease.

139 3. "Hereditary disorder" means an abnormality that is
140 genetically transmitted from parent to offspring and may cause
141 illness or disease.

142 4. "Orthopedic conditions" means a condition that affects
143 the bones, skeletal muscle, cartilage, tendons, ligaments, or
144 joints. The term includes, but is not limited to, elbow
145 dysplasia, hip dysplasia, intervertebral disc degeneration,
146 patellar luxation, and cranial cruciate ligament rupture, but
147 does not include any cancer or any metabolic, hematopoietic, or
148 autoimmune disease.

149 5. "Pet insurance" means an insurance policy that provides
150 coverage for accidents and for illnesses and diseases of pets.

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151 Such insurance reimburses a policyholder for expenses associated
152 with medical advice, diagnosis, care, or treatment provided by a
153 veterinarian, including, but not limited to, the cost of drugs
154 prescribed by the veterinarian.

155 6. "Pet insurance policy" or "policy" includes pet
156 insurance certificates.

157 7. "Preexisting condition" means a condition for which any
158 of the following is true before the effective date of or during
159 a waiting period applicable to a pet insurance policy:

160 a. A veterinarian provided medical advice.

161 b. The pet received previous treatment.

162 c. Based on information from verifiable sources, the pet
163 had signs or symptoms directly related to the condition for
164 which a claim is being made.

165
166 A condition for which coverage is afforded on a policy is not
167 deemed to be a preexisting condition on any renewal of the
168 policy.

169 8. "Renewal" means the issuance and delivery at the end of
170 an insurance policy period of a policy that supersedes the
171 policy previously issued and delivered by the same pet insurer
172 or affiliated pet insurer and that provides types and limits of
173 coverage substantially similar to those contained in the policy
174 being superseded.

175 9. "Veterinarian" means a health care practitioner who is

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176 licensed to engage in the practice of veterinary medicine in
177 this state under chapter 474.

178 10. "Waiting period" means the period of time specified in
179 a pet insurance policy which is required to run before some or
180 all of the coverage in the policy may begin. This period may not
181 be applied to renewals of existing coverage.

182 11. "Wellness program" means a subscription or
183 reimbursement-based program that is separate from an insurance
184 policy and that provides goods and services to promote the
185 general health, safety, or well-being of the covered pet. If the
186 subscription or program includes language such as "undertakes to
187 indemnify another," "pays a specified amount upon determinable
188 contingencies," or "provides coverage for a fortuitous event,"
189 the subscription or program is transacting in the business of
190 insurance and is subject to the Florida Insurance Code. This
191 definition is not intended to classify a contract directly
192 between a service provider and a pet owner which involves only
193 the two parties as being the business of insurance, unless other
194 indications of insurance also exist.

195 (b) If a pet insurer uses any of the terms defined in
196 paragraph (a) in a pet insurance policy, the pet insurer must
197 use the definition of each term as provided in paragraph (a) and
198 must include each such definition in the policy. The pet insurer
199 must also make such definitions available through a clear and
200 conspicuous link on the main page of the website of the pet

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insurer or the pet insurer's program administrator.

(6) (a) A pet insurer transacting pet insurance must disclose the following to pet insurance applicants and policyholders:

1. Whether the policy excludes coverage due to any of the following:

a. A chronic condition;

b. A congenital anomaly or disorder;

c. A hereditary disorder; or

d. A preexisting condition.

2. If the policy includes any other exclusions not listed in subparagraph 1., the following information in a statement in the disclosure: "Other exclusions may apply. Please refer to the exclusions section of the policy for more information."

3. Any policy provision that limits coverage through a waiting period, a deductible, a coinsurance payment, or an annual or lifetime policy limit. Waiting periods and applicable requirements must be clearly and prominently disclosed to applicants before the policy purchase.

4. Whether the pet insurer reduces coverage or increases premium based on the policyholder's claims history, the age of the covered pet, or a change in the geographic location of the policyholder.

5. Whether the underwriting company differs from the brand name used to market and sell the pet insurance.

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226 (b) Before issuing a pet insurance policy, a pet insurer
227 shall, through a clear and conspicuous link on the main page of
228 the pet insurer's or the pet insurer's program administrator's
229 website, provide a summary description of the basis or formula
230 for the pet insurer's determination of claim payments under the
231 policy.

232 1. A pet insurer that uses a benefit schedule to determine
233 claim payments under a pet insurance policy must clearly
234 disclose both of the following:

235 a. The applicable benefit schedule in the policy.

236 b. All benefit schedules used by the pet insurer under its
237 pet insurance policies through a clear and conspicuous link on
238 the main page of the pet insurer's or pet insurer's program
239 administrator's website.

240 2. A pet insurer that determines claim payments under a
241 pet insurance policy based on usual and customary fees, or any
242 other reimbursement limitation based on prevailing veterinary
243 service provider charges, shall do both of the following:

244 a. Include a usual and customary fee limitation provision
245 in the policy which clearly describes the pet insurer's basis or
246 formula for determining usual and customary fees and the manner
247 in which that basis or formula is applied in calculating claim
248 payments.

249 b. Disclose the pet insurer's basis for determining usual
250 and customary fees through a clear and conspicuous link on the

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251 main page of the pet insurer's or pet insurer's program
252 administrator's website.

253 (c) If any medical examination of the pet by a
254 veterinarian is required to effectuate coverage, the pet insurer
255 must clearly and conspicuously disclose any requirement for the
256 examination before the policy is purchased and must disclose
257 that examination documentation may result in a preexisting
258 condition exclusion.

259 (d) A pet insurer shall create a summary of all policy
260 disclosures required in paragraphs (a), (b), and (c) in a
261 separate document entitled "Insurer Disclosure of Important
262 Policy Provisions." The pet insurer shall post the document
263 through a clear and conspicuous link on the main page of the pet
264 insurer's or pet insurer's program administrator's website.

265 (e) At the time a pet insurance policy is issued or
266 delivered to a policyholder, the pet insurer shall provide the
267 policyholder with a copy of the Insurer Disclosure of Important
268 Policy Provisions document required under paragraph (d), in at
269 least 12-point type. At such time, the pet insurer shall also
270 include a written disclosure with all of the following:

271 1. Contact information for the Division of Consumer
272 Services of the department, including a link and toll-free
273 telephone number, for consumers to submit inquiries and
274 complaints relating to pet insurance products regulated by the
275 department or office.

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276 2. The address and customer service telephone number of
277 the pet insurance agent.

278 (f) The disclosures required in this subsection are in
279 addition to any other disclosures required by the Florida
280 Insurance Code or rules prescribed by the commission.

281 (7) Unless the policyholder has filed a claim under the
282 pet insurance policy, a pet insurance applicant or policyholder
283 may examine and return the policy or rider to the pet insurer or
284 pet insurance agent or broker within 30 days after the applicant
285 or policyholder obtains the receipt and is entitled to the
286 premium refunded if, after examining the policy or rider, he or
287 she is not satisfied for any reason.

288 (8) A pet insurance policy and rider must have a notice
289 prominently printed on or attached to the first page which
290 includes specific instructions to accomplish a return, in type
291 at least as large as any type appearing on the policy or rider
292 contract and in substantially the following language:

293
294 You have 30 days after the date you receive this
295 policy, certificate, or rider to review and return it
296 to the company if you decide not to keep it. You do
297 not have to tell the company why you are returning it.
298 If you decide not to keep policy, certificate, or
299 rider, simply return it to the company at the
300 company's administrative office, or to the insurance

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301 agent or broker from whom you bought it, as long as
302 you have not filed a claim. You must return the
303 policy, certificate, or rider within 30 days after the
304 day you first receive it in order to receive a refund.
305 The company must refund the full amount of any premium
306 paid within 30 days after it receives the returned
307 policy, certificate, or rider. The premium refund will
308 be sent directly to the person who paid it. The
309 policy, certificate, or rider will be void as if it
310 had never been issued.

311
312 (9) (a) A pet insurer may issue a policy that excludes
313 coverage on the basis of one or more preexisting conditions with
314 appropriate written disclosure to the applicant or policyholder.
315 The pet insurer has the burden of proving that the preexisting
316 condition exclusion applies to the condition for which a claim
317 is being made.

318 (b)1. A pet insurer may issue a new policy imposing a
319 waiting period that does not exceed 30 days after effectuation
320 of coverage for illnesses or diseases or for orthopedic
321 conditions not resulting from an accident. A pet insurer may not
322 issue a policy imposing a waiting period for accidents.

323 2. A pet insurer issuing a policy that imposes a waiting
324 period must include a provision in its contract which allows the
325 waiting period to be waived upon completion of a medical

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326 examination of the pet by a veterinarian. The pet insurer may
327 require the examination to be conducted by a veterinarian after
328 the purchase of the policy.

329 a. A medical examination required under this subparagraph
330 must be paid for by the policyholder, unless the policy
331 specifies that the pet insurer will pay for the examination.

332 b. A pet insurer may specify requirements for the
333 examination and require documentation that the requirements have
334 been satisfied, provided that the specifications do not
335 unreasonably restrict the ability of the applicant or
336 policyholder to waive the waiting period.

337 (c) A pet insurer may not require a medical examination of
338 the covered pet for the policyholder to renew a policy.

339 (d) If a pet insurer includes any prescriptive, wellness,
340 or noninsurance benefit in the policy form, the benefit is made
341 part of the policy contract and must comply with all of the
342 applicable provisions of the Florida Insurance Code.

343 (e) An applicant's eligibility to purchase a pet insurance
344 policy may not be based on his or her participation, or lack of
345 participation, in a separate wellness program.

346 (10) (a) A pet insurer must ensure that its agents are
347 trained on the topics specified in paragraph (b) and that its
348 agents have been appropriately trained on the coverages and
349 conditions of its pet insurance products.

350 (b) The training required under this subsection must

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351 include information on all of the following topics:

352 1. Preexisting conditions and waiting periods.

353 2. The differences between pet insurance and noninsurance
354 wellness programs.

355 3. Chronic conditions, congenital anomalies or disorders,
356 and hereditary disorders and the way pet insurance policies
357 address those conditions or disorders.

358 4. Rating, underwriting, renewal, and other related
359 administrative topics.

360 (11) The commission may adopt rules necessary to
361 administer this section.

362 Section 4. This act shall take effect January 1, 2026.