

By Senator Bradley

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1 A bill to be entitled
2 An act relating to mandatory human reviews of
3 insurance claim denials; creating s. 627.4263, F.S.;
4 defining the term "qualified human professional";
5 requiring insurers' decisions to deny claims to be
6 reviewed, approved, and signed off on by qualified
7 human professionals; prohibiting artificial
8 intelligence, machine learning algorithms, and
9 automated systems from serving as the basis for
10 denying claims; requiring insurers to maintain certain
11 records of the human review process for denied claims;
12 requiring insurers to include certain information in
13 denial communications to claimants; providing
14 reporting requirements; authorizing the Office of
15 Insurance Regulation to audit claim denials; providing
16 an effective date.

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18 Be It Enacted by the Legislature of the State of Florida:

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20 Section 1. Section 627.4263, Florida Statutes, is created
21 to read:

22 627.4263 Mandatory human reviews of claim denials.—

23 (1) As used in this section, the term "qualified human
24 professional" includes, but is not limited to, a supervisor, a
25 claims manager, or a licensed claims adjuster having authority
26 over a claim.

27 (2) (a) An insurer's decision to deny a claim must be
28 reviewed, approved, and signed off on by a qualified human
29 professional.

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30 (b) Artificial intelligence, a machine learning algorithm,
31 or an automated system may not serve as the basis for
32 determining whether to deny a claim.

33 (3) An insurer shall maintain detailed records of the human
34 review process described in paragraph (2) (a) for all denied
35 claims, including:

36 (a) The name and title of the qualified human professional
37 who reviewed the denial decision.

38 (b) The date and time of the review by the qualified human
39 professional.

40 (c) Documentation of the basis for the denial, including
41 any supplemental information provided by automated tools.

42 (4) In all denial communications to a claimant, an insurer
43 shall:

44 (a) Clearly identify the qualified human professional who
45 reviewed the denial decision.

46 (b) Include a statement affirming that artificial
47 intelligence, a machine learning algorithm, or an automated
48 system did not serve as the basis for determining whether to
49 deny the claim.

50 (5) An insurer shall submit periodic compliance reports to
51 the office detailing the steps taken to comply with this
52 section.

53 (6) The office may audit claim denials to verify compliance
54 with this section.

55 Section 2. This act shall take effect July 1, 2025.