



496816

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/11/2026	.	
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The Committee on Children, Families, and Elder Affairs
(Yarborough) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Subsection (5) is added to section 409.993,
Florida Statutes, to read:

409.993 Lead agencies and subcontractor liability.—

(5) (a) The Office of Insurance Regulation, in collaboration
with the Department of Children and Families and community-based
care lead agencies and their subcontracted providers must review



496816

all available, relevant, and appropriate data from the previous five fiscal years related to liability insurance coverage and availability to analyze the following:

1. Access to and availability of liability insurance through authorized insurance companies, surplus lines companies, and self-insurance funds;

2. Factors affecting the ability to obtain and maintain liability insurance;

3. Cost of general liability insurance based on insurance premium documentation;

4. Claims data;

5. Settlement and judicial disposition data;

6. Community-based care lead agency operating budget and expenses;

7. Impact of insurance costs on the financial condition of community-based care lead agencies and their subcontractors; and

8. Consistency of statutory insurance requirements with the general insurance market.

(b) The Office of Insurance Regulation must develop a report on the findings of its review and analysis, including, but not limited to:

1. Summary of the methods used and data obtained for review and analysis;

2. Trends in insurance premium rates;

3. Trends in claims and settlements;

4. Trends in liability coverage affordability and availability;

5. Actionable recommendations for agency and legislative changes to ensure affordable and available liability insurance



496816

for community-based care lead agencies and their subcontractors.

(c) The report must be provided to the Governor, President of the Senate, and Speaker of the House of Representatives by January 1, 2027.

(d) The Office of Insurance Regulation is authorized to levy fines or otherwise penalize an insurance company for failure to reply to any request for information within 30 calendar days of such request. Any fine schedule set by the Office shall not exceed \$500 per day for the first 3 days late and \$1000 per day for each late day thereafter, which shall be transferred to the General Revenue Fund.

(e) The Department of Children and Families is authorized to levy fines or otherwise penalize a community-based care lead agency or subcontractor for failure to reply to any request for information within 30 calendar days of such request. Any fine schedule set by the Department shall not exceed \$500 per day for the first 3 days late and \$1000 for each late day thereafter, which shall be transferred to the General Revenue Fund.

(f) This subsection of law shall stand repealed on July 1, 2027, unless reviewed and saved from repeal through reenactment by the Legislature.

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

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

And the title is amended as follows:

Delete everything before the enacting clause
and insert:

A bill to be entitled

An act relating to community-based care lead agency



496816

69 liability insurance; amending s. 409.993, F.S.;

70 requiring the Office of Insurance Regulation and the

71 Department of Children and Families to review and

72 analyze certain data; requiring the Office of

73 Insurance Regulation to provide a report to the

74 Governor and Legislature; allowing for the provision

75 of fines or other penalties by the Office of Insurance

76 Regulation or the Department of Children and Families

77 for failure to timely reply to certain requests of

78 information; providing for a cap on fines if a fine

79 schedule is created; providing for future repeal of

80 the section; providing an effective date.