



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:

1                   **Senate Amendment (with title amendment)**

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3                   Delete everything after the enacting clause  
4 and insert:

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

7                   409.993 Lead agencies and subcontractor liability.—

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



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

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

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

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

21 4. Claims data;

22 5. Settlement and judicial disposition data;

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

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

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

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

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

34 2. Trends in insurance premium rates;

35 3. Trends in claims and settlements;

36 4. Trends in liability coverage affordability and  
37 availability;

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



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40 for community-based care lead agencies and their subcontractors.

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

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

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

58 (f) This subsection of law shall stand repealed on July 1,  
59 2027, unless reviewed and saved from repeal through reenactment  
60 by the Legislature.

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

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

63 And the title is amended as follows:

64 Delete everything before the enacting clause  
65 and insert:

66 A bill to be entitled

67 An act relating to community-based care lead agency



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.