

FINANCIAL SERVICES COMMISSION
Office of Insurance Regulation
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<http://www.floir.com/Sections/GovAffairs/FSC.aspx>

September 18, 2023

MEMBERS
Governor Ron DeSantis
Attorney General Ashley Moody
Chief Financial Officer Jimmy Patronis
Commissioner Wilton Simpson

Contact: Kevin Jacobs
(850-413-5011)

9:00 A.M.
LL-03, The Capitol
Tallahassee, Florida

ITEM	SUBJECT	RECOMMENDATION
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| 1. | <p>Request for Approval for Publication of Rules 69O-197.001, .004, .005, .006; Application for Certificate of Authority as an Insurance Administrator and Pharmacy Benefit Manager Renewal, Remittance Requirements, Independent Professional Examiners, Insurance Administrator Annual Report</p> <p>Rules 69O-138.003, .004; Market Conduct Examination Methodology, Risk-Based Selection Methodology for Scheduling Financial Examinations; Rule 69O-171.012; Claims-Handling Manuals; Rule 69O-137.014; Notice of Temporary Discontinuance of Writing New Residential Property Insurance Policies</p> <p>Rule 69O-149.005; Reasonableness of Benefits in Relation to Premiums</p> <p>Rule 69O-166.031; Mediation of Property Insurance Claims</p> <p>Rule 69O-197.001 is created to incorporate the application for a certificate authority as an insurance administrator. Rules 69O-197.004 and 69O-197.005 are created to implement Chapter 2023-29, Laws of Florida. Rule 69O-197.006, F.A.C., is amended to update parts of the annual statement filed an insurance administrator.</p> <p>Rules 69O-138.003 and 69O-138.004 are created to enact the provisions of Sections 624.316(3) and 624.3161(7), F.S., as created by Sections 4 and 5 of Chapter 2023-172, Laws of Florida. The subsection requires that the Office create by rule a selection methodology for scheduling examinations. These rules outline the selection method for market conduct examinations and financial examinations.</p> <p>Rule 69O-171.012 implements the provisions of Section 627.4108, F.S., by incorporating the two forms required by the statute. These are OIR B3-495, the "Annual Certification of Claim-Handling Manuals" and OIR B3-496, the "Submission of Requested Claims-Handling Manuals."</p> <p>Rule 69O-137.014 is created to enact the provisions of Section 624.4301, F.S., as created by Section 7 of Chapter 2023-172, L.O.F. The subsection requires that insurers temporarily suspending the writing of new residential property insurance policies notify the office on such action on a form approved by the office and adopted by rule.</p> | |
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Added a sentence in Rule 69O-149.005 to clarify that certain tables are also applicable to paid family leave policies.

The proposed amendments will implement the changes made to Section 627.7015, F.S., by Section 35 of Chapter 2023-144, L.O.F., which revised the statutes governing alternative dispute resolution procedures, including mediation, for disputed property insurance claims. The amendments remove language from Rule 69O-166.031, F.A.C., that is now obsolete and replaces language regarding fine amounts with a reference to the controlling statute.

(ATTACHMENT 1) APPROVAL FOR PUBLICATION OF PROPOSED RULE AND FOR FINAL ADOPTION IF NO MEMBER OF THE PUBLIC TIMELY REQUESTS A RULE HEARING OR IF A HEARING IS REQUESTED AND NO NOTICE OF CHANGE IS NEEDED.

2. Request for Approval for Publication of Rules 69O-137.001, .004, Annual and Quarterly Reporting Requirements, Reports of Information by Health Insurers Required; Rule 69O-138.001; NAIC Financial Examiners Handbook Adopted; Rule 69O-186.014; Title Insurance Statistical Gathering-Title Insurance Underwriters

Rule 69O-137.001 is amended to adopt the 2023 National Association of Insurance Commissioners electronic transmission filing instructions, 2022 NAIC's Annual Statement Instructions, the 2023 NAIC's Quarterly Statement Instructions, and the NAIC's Accounting Practices and Procedures Manual as of March 2022 and 2023.

The proposed amendment to Rule 69O-137.004, F.A.C., promulgates the current version of Form OIR-B2-1094, "Report of Gross Annual Premiums and Enrollment Data for Health Benefit Plans Issued to Florida Residents" and creates Form OIR-B2-575, "Implemented Health Insurance Measures", to collect information required by Section 637.9175, F.S.

Rule 69O-138.001 is amended to adopt the 2022 and 2023 National Association of Insurance Commissioners Financial Condition Examiners Handbooks.

Rule 69O-186.014 is amended to promulgate a revised version of Form 69O-186.014 "Title Insurance Statistical Gathering-Title Insurance Underwriters." The version being adopted revises schedule P, includes fewer additional worksheets, and is streamlined to be easier to understand and make reporting easier for the insurers. In addition, the amendment removes language specific to how the form was filled out for 2014 and submitted in 2015, which is now obsolete.

(ATTACHMENT 2) APPROVAL FOR PUBLICATION OF PROPOSED RULE AND FOR FINAL ADOPTION IF NO MEMBER OF THE PUBLIC TIMELY REQUESTS A RULE HEARING OR IF A HEARING IS REQUESTED AND NO NOTICE OF CHANGE IS NEEDED.

3. Request for Approval for Publication of Rules 69O-136.002, .004, .006, .007, .011, .012, .013, .014, .015, .018, .031, .032, .034, .080, .090, .100; Foreign and Alien Insurers Filing for a Certificate of Authority, Surplus Lines, Domestic Insurers Filing for an Application for Permit, Redomestication Procedure, Domestic Insurers Filing for a Certificate of Authority, Forms Adopted, Rating Organizations, Advisory Organizations, Procedure to Amend an

Existing Certificate of Authority to Add a New Line of Business, Authorization to Transact Insurance; When Required, Determination of Eligibility to Operate as an Alien Insurer in Florida pursuant to Section 624.402(8), Registration as a Purchasing Group, Registration as a Risk Retention Group, Uniform Certificate of Authority Expansion Application, Mergers and Acquisition of Controlling Stock of a Florida Domestic Insurer, Merger, Consolidation, or Acquisition of Controlling Stock, Ownership Interests, Assets, or Control of a Specialty Insurer, Forms Incorporated by Reference

Rule 69O-144.002; Reinsurance Application Procedures

Rules 69O-151.001, .002, .003, .004, .005, .006, .007, .008, .009, .010, .011, .012, .101, .102, .103, .106, .107, .201, .202, .203; Purpose, Definition of Replacement, Other Definitions, Exemptions, Duties of Agent, Duties of Replacing Agent, Duties of Replacing Insurers, Duties of the Existing Insurer, Penalties, Approved Forms, Separability, Purpose, Scope, Definitions, Insurance Application, Notice Furnished by Forms, Violation, Effective Date, Purpose and Scope; Requirements, Adoption of Form OIR-D0-1180

Rules 69O-157.023, .111; Reporting; Reporting Requirements

Rules 69O-191.027; Application for Certificate of Authority; 69O-192.008; Multiple-Employer Welfare Arrangement Application; 69O-193.003; Applications and Management Change; 69O-194.003, Prepaid Health Clinic Application; 69O-196.007, 015; Annual Reports, Application for and Issuance of License and License Continuance; 69O-198.011, .012; Application for and Issuance of License and License Continuance, Annual Statement; 69O-199.008; Application for License; 69O-200.004; Application for License; 201.008, 69O-201.012; Application for Certificate Authority and Annual Renewal, Annual Statement and Quarterly Statements; 69O-203.020, .210, .215; Prepaid Limited Health Service Organization Application, Discount Plan Organization Application, Annual Reports; 69O-238.001; Application and Renewal

Rule 69O-143.0465; Groupwide Supervision of Internationally Active Insurance Groups

The applications contained in Chapter 69O-136 for insurers, surplus lines, rating organizations, advisory organizations, purchasing groups, risk retention groups, and mergers and acquisitions are updated.

Amending Form OIR-C1-9823, incorporated by reference in Rule 69O-144.002, to correct an instruction on where the documents should be uploaded, removes unneeded language, and corrects a typo.

Rules 69O-151.002, 69O-151.003, 69O-151.004, 69O-151.007, 69O-151.008, 69O-151.010, 69O-151.102, 69O-151.201, and 69O-151.202 are amended to update form references, remove duplicative language, update citations to the laws implemented, and make grammatical and stylistic changes to improve readability. Rules 69O-151.001, 69O-151.005, 69O-151.006, 69O-151.009, 69O-151.012, 69O-151.101, 69O-151.106, 69O-151.107, and 69O-151.203, are being repealed in their entirety.

The titles and revisions dates of three forms, OIR-B2-1552, OIR-B2-1553, and OIR-B2-1555, will change to make the references to and incorporation of those forms in Rules 69O-157.023 and 69O-157.111, consistent. The amendments also eliminate an inconsistency in referring to both “long term care” and “long-term care” in those forms by using the term “long-term care” throughout.

Amending forms in several rule chapters to remove invoice due to new internal review procedure.

Rule 69O-143.0465, F.A.C., reinstates the definition of “insurance holding company system” that was repealed in 2013. At the time, it was believed the definition was unnecessary, however questions and confusion have arisen since then due to the lack of a written definition. This term is used in existing rules including rules 69O-143.046, 69O-143.0465, 69O-143.047, and 69O-143.061, F.A.C. The term is also used in sections 628.081 and 628.804, F.S.

(ATTACHMENT 3) APPROVAL FOR PUBLICATION OF PROPOSED RULE AND FOR FINAL ADOPTION IF NO MEMBER OF THE PUBLIC TIMELY REQUESTS A RULE HEARING OR IF A HEARING IS REQUESTED AND NO NOTICE OF CHANGE IS NEEDED.

CHAPTER 690-197
INSURANCE ADMINISTRATOR ANNUAL REPORT FORM

690-197.001	Application for Certificate of Authority as an Insurance Administrator
690-197.004	Remittance Requirements
690-197.005	Independent Professional Examiners
690-197.006	Insurance Administrator Annual <u>Statement</u> Report

690-197.001 Application for Certificate of Authority as an Insurance Administrator.

(1) A person applying for a Certificate of Authority to operate as an insurance administrator, including an applicant seeking to register as a pharmacy benefit manager, shall submit the following:

(a) Form OIR-C1-1075, "Application for Certificate of Authority of an Insurance Administrator," effective 7/23, available at www.flrules.org/XXXXX:

(b) Form OIR-C1-905, incorporated by reference in Rule 690-136.100, F.A.C.;

(c) Form OIR-C1-938, incorporated by reference in Rule 690-136.100, F.A.C.;

(d) Form OIR-C1-1423, incorporated by reference in Rule 690-136.100, F.A.C.;

(e) Form OIR-C1-0500, incorporated by reference in Rule 690-136.100, F.A.C.;

(f) Form OIR-C1-0501, incorporated by reference in Rule 690-136.100, F.A.C.;

(g) Form OIR-C1-0502, incorporated by reference in Rule 690-136.100, F.A.C.;

(h) Form OIR-C1-0503, incorporated by reference in Rule 690-136.100, F.A.C.;

(i) Form OIR-C1-0504, incorporated by reference in Rule 690-136.100, F.A.C.;

(j) Form OIR-C1-0505, incorporated by reference in Rule 690-136.100, F.A.C.;

(k) Form OIR-C1-0506, incorporated by reference in Rule 690-136.100, F.A.C.;

(l) Form OIR-C1-0507, incorporated by reference in Rule 690-136.100, F.A.C.;

(m) Form OIR-C1-0509, incorporated by reference in Rule 690-136.100, F.A.C.; and

(n) Form OIR-C1-2221, incorporated by reference in Rule 690-136.100, F.A.C.

(2) A person applying for a certificate of authority as an insurance administrator, including an applicant seeking to register as a pharmacy benefit manager, shall submit forms listed in subsection (1) as directed by the Office electronically at <https://www.flor.com/portal>.

Rulemaking Authority 624.308(1), 624.490, 626.8805(2), 626.8991 FS. Law Implemented 624.490, 626.8805 FS. History—New _____.

690-197.004 Remittance Requirements.

The following must be included in the remittance provided by the pharmacy benefit manager to the pharmacy:

(1) The applicable network reimbursement ID or plan ID as defined in the most current version of the National Council for Prescription Drug Programs (NCPDP) Telecommunication Standard Implementation Guide, or its nationally recognized successor industry guide;

(2) Payor information; and

(3) Contact information.

Rulemaking Authority 624.308(1), 626.8825(3), 626.8991 FS. Law Implemented 626.8825 FS. History—New _____.

690-197.005 Independent Professional Examiners

The following are independent professional examiners who may conduct examinations under section 626.8828, F.S.:

(1) Independent certified accountants;

(2) Actuaries;

(3) Investment specialists;

(4) Information technology specialists;

(5) Pharmacists and/or people with pharmacy experience;

(6) Persons with insurance and/or pharmacy benefit manager experience;

(7) Persons with experience conducting market conduct examinations; and

(8) Other persons with specializations and expertise that lend themselves to particular examination.

Rulemaking Authority 624.308(1), 626.8828(2), (7), 626.8991 FS. Law Implemented 626.8828 FS. History—New _____.

690-197.006 Insurance Administrator Annual Statement Report

(1) An annual statement and a \$250 filing fee shall be filed with the Office within 3 months after the end of the insurance administrator's fiscal year on Form OIR-A3-975, "Annual Statement," effective 7/23, hereby incorporated by reference and available at www.flrules.org/XXXXX. The form adopted in subsection (2) below, is a form that Insurance Administrators must submit to the Office of Insurance Regulation to report financial information. This form may be viewed at the Office's website: <http://www.flair.com/portal>.

~~(2) Form OIR-A3-975, "Insurance Administrator Annual Report" (REV 12/08), is hereby incorporated by reference and is to be submitted to the Office of Insurance Regulation to report financial information.~~

~~(2)(3)~~ All forms submitted for review or approval shall be submitted electronically to <http://www.flair.com/portal>.

Rulemaking Authority 624.308(1), 626.89(1), 626.8991 FS. Law Implemented 626.8805, 626.8809, 626.89, ~~626.894~~ FS. History—New 3-4-09. Amended_____.

69O-138.003 Market Conduct Exam Methodology

The Office will prioritize scheduling and conducting market conduct examinations of insurers and other entities regulated by the Office based on the following selection methodology.

(1) Priority 1 - Statutorily Required Examinations:

(a) Pharmacy Benefit Managers, pursuant to s. 626.8828, F.S.,

(b) Citizens Property Insurance Corporation, pursuant to s. 627.351(6)(l), F.S., and

(c) Premium Finance Companies, pursuant to s. 627.834, F.S.

(2) Priority 2 - Post-hurricane Required Examinations.

(3) Priority 3 - Identified Market Concerns:

(a) Potentially hazardous business practice identified to be negatively affecting consumers,

(b) Companies for re-examinations, and

(c) Multi-state examinations.

(4) Priority 4 - Non-statutory Examinations:

(a) Complaint data analysis,

(b) Other state actions,

(c) Market Conduct Annual Statement (MCAS) data, and

(d) Any other conditions for examination as deemed warranted by the Office.

Rulemaking Authority 624.308(1), 624.3161 FS. Law Implemented 624.3161 FS. History—New xx-xx-23

69O-138.004 Risk-Based Selection Methodology for Scheduling Financial Examinations

(1) This rule established a risk-based selection methodology for scheduling examinations of insurers subject to the provisions of Section 624.316, F.S.

(2) Section 624.316, F.S. permits the Office to examine each insurer holding a certificate of authority for three years or longer as often as may be warranted for the protection of the policyholders and in the public interest, but must, at a minimum, examine:

(a) High-risk insurers at least once every 3 years.

(b) Average- and low-risk insurers at least once every 5 years.

(3) The assessment of whether an insurer is deemed a High-risk insurer will include:

(a) A risk-focused analysis that indicates a decline in the insurer's financial condition;

(b) Prioritization of property insurers for which the office identifies significant concerns about an insurer's solvency pursuant to Section 627.7154, F.S.; and

(c) Consideration of the following:

1. The level of capitalization.

2. Unfavorable trends related to profitability or cashflow from operations.

3. National Association of Insurance Commissioners Insurance Regulatory Information System ratio results.

4. Risk-based capital and risk-based capital trend test results.

5. The structure and complexity of the insurer.

6. Changes in the insurer's officers or board of directors.

7. Changes in the insurer's business strategy or operations.

8. Findings and recommendations from an examination made pursuant to this section or Section 624.3161, F.S.

9. Current or pending regulatory actions by the office or the department.

10. Other regulatory agency or rating agency information or reports.

11. The impact of an insurer's insolvency on policyholders of the insurer and the public generally.

12. Any other matters the Office deems necessary for the protection of policyholders.

(4) The National Association of Insurance Commissioners Financial Analysis Handbook, 2023 is hereby adopted and incorporated by reference.

(5) Risk-focused analysis by the Office shall be performed in substantial conformity with the methodology outlined in the Handbook, so long as that methodology is consistent with statutory accounting principles and the Florida Insurance Code.

(6) A copy of the Financial Analysis Handbook may be:

(a) Obtained from the National Association of Insurance Commissioners, at <http://www.naic.org> or

(b) Inspected during regular business hours at the Office of Insurance Regulation, Larson Building, 200 E. Gaines St., Tallahassee, Florida 32399-0300.

(7) Scheduling of insurers deemed High-risk will begin with the year-end 2023 financial exam schedule.

69O-171.012 Claims-Handling Manuals

(1) Each authorized residential property insurer conducting business in this state must certify and attest that:

(a) The insurer's current claims-handling manuals for residential property insurance comply with the requirements of the Florida Insurance Code, including the provisions of Section 627.4108(1), F.S., which requires that the claims-handling manual includes guidelines and procedures for:

1. Initially receiving and acknowledging initial receipt of the claim and reviewing and evaluating the claim;
2. Communicating with policyholders, beginning with the receipt of the claim and continuing until closure of the claim;

3. Setting the claim reserve;

4. Investigating the claim, including conducting inspections of the property that is the subject of the claim;

5. Making preliminary estimates and estimates of the covered damages to the insured property and communicating such estimates to the policyholder;

6. The payment, partial payment, or denial of the claim and communicating such claim decision to the policyholder; and

7. Closing claims.

(b) The current claims handling manual is comprehensive, substantial, and comports with the usual and customary claims-handling practices of the insurance industry.

(c) The insurer maintains adequate resources available to implement the requirements of each of its claims-handling manuals at all times, including during natural disasters and catastrophic events.

(2) This attestation and certification shall be submitted to the Office no later than May 1 of each year, on Form OIR-B3-495, effective 7/23, "Annual Certification of Claims-Handling Manuals," incorporated herein by reference and available at www.flrules.org/XXXXX. The form may be obtained from <https://www.flair.com>.

(3) Upon request by the Office, insurer will provide the Office with a true and correct copy of any claims-handling manual requested within 5 business days as specified on Form OIR-B3-496, 7/23, "Submission of Requested Claims-Handling Manuals," incorporated herein by reference and available at www.flrules.org/XXXXX. The form may be obtained from <https://www.flair.com>. Such submission will be accompanied by a completed and signed copy of Form OIR-B3-496.

Rulemaking Authority 624.308, 627.4108, F.S. Law Implemented 627.4108, F.S. History – New 7-1-2023

69O-137.014 Notice of Temporary Discontinuance of Writing New Residential Property Insurance Policies

(1) In addition to meeting all other requirements of law, each authorized insurer intending to temporarily suspend writing new residential property insurance policies must submit the required notification to the Office the earlier of:

(a) 20 business days before the effective date of the temporary suspension of writing, or

(b) 5 business days before notifying its agents of the temporary suspension of writing.

(2) An authorized insurer is not required to provide notice of under paragraph (1) if the conditions of Section 624.4301(1)(a), F.S., are met and the temporary suspension is in response to:

(a) a hurricane that may make landfall in this state, or

(b) a declared state of emergency due to natural emergency as defined in 252.34(8), F.S.

(3) The required notification shall be submitted on Form OIR-A1-1500 (effective 7/23), entitled “Notice of Temporary Discontinuance of Writing New Residential Property Insurance Policies,” which is hereby incorporated by reference and available at www.flrules.org/XXXXX. The form may be obtained from <https://www.flair.com>.

(4) The notification shall be submitted via the Insurance Regulation Filing System (IRFS) application at <https://irfs.fldfs.com/>.

Rulemaking Authority 624.308(1), 624.4301, F.S. Law Implemented 624.4301, F.S. History – New xx-xx-2023

69O-149.005 Reasonableness of Benefits in Relation to Premiums.

(1) Benefits will be determined to be reasonable in relation to the premium rates charged if the premium schedule is not excessive, not inadequate and not unfairly discriminatory. In determining whether a premium schedule satisfies these requirements, the Office will consider all items presented in the filing with special emphasis placed on the information included in the actuarial memorandum.

(2) A premium schedule is not excessive if the following are true:

(a) For a new policy form, group or individual, the anticipated loss ratio is not less than the indicated adjusted entry in the loss ratio tables, in subsection (4), below.

(b)1. For individual forms, and group policy forms other than annually rated group policy forms, approved on or after 2/1/94 or issued on or after 6/1/94, the Premium Schedule satisfies the following:

a. An Anticipated Loss Ratio test such that the present value of projected claims is not less than the present value of expected claims over the entire future lifetime of the form. This is equivalent to the present value of the future A/E ratio not being less than 1.0; and,

b. The current lifetime loss ratio, as defined in subparagraph 69O-149.006(3)(b)24., F.A.C., is not less than the initial filed target loss ratio for the form as may be subsequently amended and approved pursuant to this rule chapter.

2. For annually rated group policy forms, the target loss ratio is not less than the loss ratio anticipated in the current premium schedule, as may be subsequently amended and approved pursuant to this rule chapter.

(c) For an existing Individual Policy Form issued up to 6/1/94 for forms approved prior to 2/1/94, the Premium Schedule satisfies subparagraphs 1. and 2., below:

1. The anticipated Loss Ratio is not less than the initial filed loss ratio; and,

2. The current lifetime Loss Ratio is not less than the initial filed loss ratio.

(d) For an existing group policy form issued up to 6/1/94 for forms approved prior to 2/1/94, the anticipated loss ratio is not less than the appropriate adjusted entry in the loss ratio tables in subsection (3), below.

(3) Loss Ratios for Individual Policies and Group Certificates issued up to 6/1/94 for forms approved prior to 2/1/94. The loss ratios in the table in paragraph (d), below, are adjusted pursuant to paragraph (a), (b), or (c), below, where:

$I = (\text{CPI-U, year } N-1) / 103.9$

N-1 is the calendar year immediately preceding the calendar year (N) in which the rate filing is submitted in Florida, and

CPI-U is the consumer price index for all urban consumers, for all items and for all regions of the U.S. combined, as determined by the U.S. Department of Labor, Bureau of Labor Statistics; and the CPI-U for any year is the value as of September.

(a) If the average annual premium per individual policy or group certificate, (X), is less than \$ 300xI, then the minimum loss ratio is adjusted to R' by the following formula: $R' = R \times ((800xI + X) / (1100xI))$, where the reduction cannot exceed 10 percentage points.

(b) If the average annual premium per individual policy or group certificate, (X) exceeds \$ (I*2000), then the minimum loss ratio is adjusted to R' by the following formula: $R' = R * ((I*9000) + X) / (I*11000)$. R' cannot exceed R by more than 10 percentage points.

(c) For group insurance certificates, there is an additional adjustment R".

1. For E greater than 0 and less than or equal to 100

$R'' = R' \times ((550 + E) / 550)$

2. For E greater than 100

$R'' = R' \times ((6400 + E) / 5500)$

3. E is normally the average number of certificateholders in a group rating class.

4. However, where a group is composed of subgroups, e.g., multiple employer trusts, E is the average number of certificateholders per subgroup. Where a group is composed of certificateholders issued as a result of solicitations of individuals through the mail or by mass media advertising, including both print and broadcast advertising, E shall be 50. In no event will R" be greater than 80%. The average annual premium (X) shall be per certificate under a group policy and shall be estimated by the insurer based on an anticipated distribution of business considering all significant criteria having a rate difference. Such estimate shall assume an annual mode for all certificates, i.e., the fractional premium loading shall not affect the average annual premium or anticipated loss ratio calculation. The value of X shall be determined on the basis of the rates being filed.

(d) Loss Ratio Table:

Renewal Clauses	Loss Ratio in %
Optionally Renewable	60
Conditionally Renewable	55
Guaranteed Renewable	55
Non-cancellable	50
Non-renewable	50

(4) Loss Ratios for Individual Policies and Group Certificates approved on or after 2/1/94 or issued on or after 6/1/94. These tables are also applicable to paid family leave policies. These tables are not applicable to Medicare Supplement or Long-Term Care Policy Forms. The minimum loss ratios for those policy forms are found in rule Chapters 69O-156 and 69O-157, F.A.C., respectively.

(a) The loss ratios in the tables below are adjusted in accordance with the following formula, where:

R = the loss ratio from the table,

A = the average annual premium per individual policy or per group certificate,

R' = the adjusted loss ratio, and

I is as defined in subsection 69O-149.005(3), F.A.C.

Then $R' = (A - 25I)R/A$ and R' cannot be more than 10 percentage points less than R, for coverage with at least 12 months and pro rata for coverage with less than 12 months, nor less than 50 percent; except R' cannot be less than 45 percent as to accident only non-cancellable policies.

(b) Loss Ratio Table – Group Policy Forms

		Medical Indemnity or any policy with an average annual premium per certificate less
	Medical Expense	than \$1,000
Group Size	Loss Ratio	Loss Ratio
Fewer than 51 certificates	65%	57.5%
51 through 500 certificates	70%	62.5%
All others	75%	67.5%

(c)1. Loss Ratio Table – Individual and Stop-loss Policy Forms.

	Medical Expense	Medical Indemnity, Loss of Income	
Renewal Clause	Loss Ratio %	Loss Ratio	
Non-Cancellable	55%	50%	
Non-Renewable	60%	55%	
Guaranteed Renewable	65%	60%	
All Other	70%	65	
Minimum Acceptable		55%	50%

2. For purposes of determining the minimum required loss ratio for stop-loss policies, the average annual premium for purposes of determining the R' above, shall be the average premium per employee covered by the employer's stop-loss policy.

(5)(a) Group conversion insurance, other than long-term care and medicare supplement insurance, issued on either a group or an individual basis, is exempt from the loss ratios required above.

(b) The loss ratio for group conversion insurance shall not be less than 120 percent.

(c) The insurer may charge the excess of the group conversion loss ratio over that required for group insurance on active lives to the experience for insurance on active lives.

(d) The premium to be charged for group conversion insurance subject to Section 627.6675, F.S., shall not exceed the limits of Section 627.6675(3), F.S., based on the standard risk rates as established in part X of this rule chapter.

(6) Blanket Insurance is exempt from the loss ratios required above. The minimum loss ratio for blanket insurance is 65%.

(7) As provided by Section 627.411(3)(a), F.S., the minimum loss ratio in the above tables for health insurance coverage as described in Section 627.6562(3)(a)2., F.S., shall be at least 65 percent.

(8) Anticipated loss ratios lower than those otherwise required by this part shall not be permitted unless the insurer demonstrates that the proposed loss ratios are in accordance with sound actuarial principles; do not result in unfair discrimination in sales practices; and are otherwise in substantial compliance with the requirements of this part.

(9) A premium schedule shall not be disapproved on the grounds of inadequacy if:

(a) The expected profit margin on the policy form is non-negative. This margin equals the sum of premium income and investment income, minus the sum of benefit payments, expenses, taxes and contingency margins;

(b) The premium schedule incorporates for the entire future lifetime of the policy, the projected entire effects of insurance trend; and,

(c) The premium schedule is determined such that if all assumptions are satisfied, the annual rate increases needed will not be greater than medical trend, as defined in subparagraph 69O-149.006(3)(b)18., F.A.C.

(10) A premium schedule is unfairly discriminatory if it incorporates any of the following:

(a) For all long term care policy forms and other policy forms under which more than 50 percent of the policies/certificates are issued to persons age 65 or older, attained age premium structures, are prohibited. Only premium structures which prefund the aging component of future claim costs are allowed.

(b) Select and Ultimate Premium Schedules are prohibited.

(c) Attained age premium schedules where the slope by age is substantially different from the slope of the ultimate claim cost curve are prohibited.

(11) Attained age rated individual medical expense health insurance coverage may incorporate into the rate schedule a rating factor that provides for a reapplication of the factor subsequent to the original issuance of the coverage, subject to the following:

(a) The factor shall be limited to those categories where an insured is able to qualify for the factor based solely on the insured's right to apply for the option at the time, such as continued discount for non-tobacco use;

(b) The determination for qualification of the factor shall be based on well-defined objective criteria;

(c) Health or claim status of the insured does not limit the ability of an individual to qualify for the factor;

(d) The factor shall be applied uniformly to all insureds;

(e) The timing of the redetermination of the factor shall be predetermined and disclosed in the policy. The application of the factor shall be in a nondiscriminatory manner; i.e., at every anniversary, at each third year anniversary, etc.;

(f) The availability, initial determination, redetermination, or value of the factor is not based on any health-status-related factors, as described in Section 627.65625(1), F.S., in relation to the individual or a covered dependant of the individual.

(12) Upon request of the Office, the company shall provide an actuarial demonstration that benefit and premium relativities provided on a form currently available for sale are reasonable in relation to benefit and premium relativities provided in other forms currently available for sale in the same rating pool, given actuarial considerations generally used in pricing a product.

(13)(a) Whenever a company makes a non-contractual offering to existing insureds, without underwriting, to replace or exchange their policy with alternate coverage where the original policy is priced on an issue age rate schedule, the rate charged to the insured for the new policy shall recognize the policy reserve buildup, due to the prefunding inherent in the use of an issue at rate basis, to the benefit of the insured. The method proposed by the company must be filed for approval. The rate for the conversion shall be at the most similar rating class as was the original coverage. A statutorily required conversion provision would be considered contractual.

(b) Notwithstanding the above, a company may always convert at the original issue age and duration of the insured without providing justification to the Office.

(14) An insurer may issue multiple year rate guarantee or rating cap provisions subject to the following:

(a) The coverage is for annually rated group health insurance policies for which filing of rates is exempted by Section 627.410(6), F.S., and excluding disability income policies:

(b) The provision may not apply for greater than 24 months unless otherwise exempted by the Office;

(c) The rate for the entire rating period reflects the increased risk of a rate guarantee with an increased premium or other consideration is actuarially sound, includes claim costs projected at trend levels at least as high as those applicable to other groups with similar benefit structures in the rating area covered under the form(s) and is reasonably anticipated to meet the target loss ratio for the group;

(d) The provision is available to groups on a nondiscriminatory basis as determined by the insurer's underwriting standards; and,

(e) The insurer uses experience rating in determining the group's rate consistently based on its rating and underwriting practices without regard to whether the rate is issued with or without a rate guarantee.

(15) Accident only, accidental death and dismemberment, dental, hearing, hospital indemnity, hospital/surgical medical expense, intensive care, and vision plans issued by an insurer are exempt from the requirement of paragraph (14)(b). This provision may not apply for greater than 60 months for accident only, accidental death and dismemberment, dental, hearing, hospital indemnity, hospital/surgical medical expense, intensive care, and vision plans issued by an insurer.

Rulemaking Authority 624.308(1), 627.410(6)(b), (d), (e) FS. Law Implemented 626.9541(1), 627.410(6)(d), (e), 627.410(7), 627.411(1)(a), (e), 627.9175 FS. History—New 7-1-85, Formerly 4-58.05, 4-58.005, Amended 4-18-94, 11-20-02, Formerly 4-149.005, Amended 5-18-04, 11-2-06, 6-18-07, 10-1-08, 8-15-19.

69O-166.031 Mediation of Property Insurance Claims.

(1) All insurers subject to Section 627.7015, F.S., shall comply with Rule 69J-166.031, F.A.C., administered by the Department of Financial Services. A violation of Rule 69J-166.031, F.A.C., is a violation of this rule and accordingly a violation of a rule of the Commission.

(2) ~~If the insurer fails to appear at the conference without good cause the insurer shall pay the insured's actual cash expenses incurred in attending the conference and shall pay the mediator's fee for the rescheduled conference. Good cause here includes severe illness, injury, or other emergency which could not be controlled by the insurer and could not reasonably be remedied by the insurer prior to the conference by providing a replacement representative or otherwise. If an insurer fails to appear at conferences with such frequency as to evidence a general business practice of failure to appear, the insurer shall be subject to penalty including revocation, suspension, or a fine as specified in Section 624.4211, F.S. fine, for violation of Section 626.9541(1)(i), F.S. Such suspension of an insurer's certificate of authority shall be for a period of 2 years. An administrative fine shall be in the amount of \$2,500 per violation in cases of non-willful violation, and \$20,000 per violation in cases of a knowing and willful violation. The office will mitigate these penalties based upon the following factors: Solvency of the insurer, best interests of or potential harm to insureds, and willfulness of the violation.~~

Rulemaking Authority 624.308(1), 627.7015(4) FS. Law Implemented 624.307(1), 624.418(2)(a), 624.421(1)(a), 624.4211(4) (3), 626.9541(1)(i), 626.9581(1), 627.7015 FS. History—New 8-18-94, Amended 5-1-96, 4-6-00, Formerly 4-166.031, Amended 11-3-15, _____.

690-137.001 Annual and Quarterly Reporting Requirements.

(1) The purpose of this rule is to establish uniform requirements reporting of annual and quarterly statement information for all authorized insurers as defined in Section 624.09, F.S.

(2) Each authorized insurer shall file with the Office a full and true statement of its financial condition, transactions, and affairs.

(a) An annual statement covering the preceding calendar year shall be filed on or before March 1, and quarterly statements covering the periods ending on March 31, June 30, and September 30 shall be filed within 45 calendar days after each such date.

(b) The Office shall grant an extension of time for filing an annual or quarterly statement if there exist conditions beyond the control of the authorized insurer, such as rehabilitation pursuant to Chapter 631, F.S., or the laws of the state of domicile; severe damage to the insurer's physical premises by a natural or man-made disaster; or some other reason of similar gravity and severity. The extension shall be for the amount of time reasonable to file under the conditions which justified the extension.

(c) For purposes of this rule, the requirement that statements be filed with the Office means that the statement has been transmitted electronically to the National Association of Insurance Commissioners and that the executed Jurat page of said statement has been transmitted electronically to the Office via the Regulatory Electronic Filing System, "REFS." The date affixed by the Office's electronic data processing system shall serve as evidence of the timeliness of the statement. Annual and quarterly statements in any other format shall not be submitted to the Office.

(3) Annual and Quarterly Statement Reporting.

(a) Each insurer shall submit its annual and quarterly statement information electronically to the National Association of Insurance Commissioners in accordance with the electronic filing instructions specified in paragraph (3)(b), below.

(b)1. The National Association of Insurance Commissioners electronic transmission filing instructions (Financial Internet Filing Online User's Guide 2023 ~~2020~~) are hereby adopted and incorporated by reference, www.flrules.org/XXXXX <https://www.flrules.org/Gateway/reference.asp?No-Ref-14524>.

2. A copy of these specifications may be obtained from the National Association of Insurance Commissioners at http://www.naic.org/industry_financial_filing.htm.

(4) Manuals Adopted.

(a) Annual statements shall be prepared in accordance with the following manuals, which are hereby adopted and incorporated by reference:

1. The NAIC's Annual Statement Instructions, Property and Casualty, 2022 ~~2019~~;
2. The NAIC's Annual Statement Instructions, Life, Accident and Health\Fraternal, 2022 ~~2019~~;
3. The NAIC's Annual Statement Instructions, Health, 2022 ~~2019~~;
4. The NAIC's Annual Statement Instructions, Title, 2022 ~~2019~~; and,
5. The NAIC's Accounting Practices and Procedures Manual, as of March 2022 ~~2019~~.

(b) Quarterly statements shall be prepared in accordance with the following manuals, which are hereby adopted and incorporated by reference:

1. The NAIC's Quarterly Statement Instructions, Property and Casualty, 2023 ~~2020~~;
2. The NAIC's Quarterly Statement Instructions, Life, Accident and Health\Fraternal, 2023 ~~2020~~;
3. The NAIC's Quarterly Statement Instructions, Health, 2023 ~~2020~~;
4. The NAIC's Quarterly Statement Instructions, Title, 2023 ~~2020~~; and,
5. The NAIC's Accounting Practices and Procedures Manual, as of March 2023 ~~2020~~.

(c) Copies of the manuals are available:

1. From the National Association of Insurance Commissioners at <http://www.naic.org>; and,
2. For inspection during regular business hours at the Office of Insurance Regulation, Larson Building, 200 East Gaines Street, Tallahassee, Florida 32399-0300.

15-05, 1-25-07, 3-16-08, 3-4-09, 1-4-10, 9-28-11, 1-28-13, 9-15-13, 7-28-15, 10-25-16, 7-30-17, 4-11-19, 7-3-22,_____.

690-137.004 Reports of Information by Health Insurers Required.

(1) Any insurer authorized to write a policy or certificate of health insurance in the state shall, on or before April 1 for the preceding year ending December 31, report the information required by:

(a) Form OIR-B2-1094, "Report of Gross Annual Premiums and Enrollment Data for Health Benefit Plans Issued to Florida Residents", providing information on health benefit plans written in this state, and

(b) Form OIR-B2-575, "Implemented Health Insurance Measures", providing information on measures implemented or proposed to contain health insurance costs or cost increases.

(2) The following forms are hereby adopted and incorporated by reference:

(a) OIR-B2-1094, (rev. 01/23)(~~rev. 05/2005~~), "Report of Gross Annual Premiums and Enrollment Data for Health Benefit Plans Issued to Florida Residents" available at www.flrules.org/XXXXX.

(b) OIR-B2-575, (new 07/23), "Implemented Health Insurance Measures" available at www.flrules.org/XXXXX.

(c) Copies of forms are available and may be printed from the Office's website: <http://www.flair.com/iportal>.

(d)(e) All filings shall be submitted electronically through <http://www.flair.com/iportal>.

Rulemaking Authority 624.308(1), 627.9175 FS. Law Implemented 624.307(1), 627.9175 FS. History--New 3-21-85, Amended 2-9-86, Formerly 4-59.081, Amended 2-25-87, 2-22-89, Formerly 4-59.0081, 4-137.004, Amended 9-15-05, ____.

690-186.014 Title Insurance Statistical Gathering-Title Insurance Underwriters.

(1) The following forms are hereby incorporated by reference and may be obtained from the Office's web site located at <http://www.flair.com/portal>:

(a) Form OIR-D0-2115 "Title Insurance Underwriter's Data Call – Part I," effective 1/23, which is available at www.flrules.org/XXXXX;

(b) Form OIR-D0-0050 "Title Insurance Underwriter's Data Call – Part II," effective 1/23, which is available at www.flrules.org/XXXXX; and

(c) Form OIR-D0-0051 "Title Insurance Underwriter's Data Call – Part III Schedule P – Part 1 Summary," effective 1/23, which is available at www.flrules.org/XXXXX.

(2)(1) By May 31 of each year, the day designated in section 627.782(8), F.S. of 2015 and the same day of each year after 2015, title insurance underwriters must electronically submit statistical data to the Office. The submittal shall be accomplished by electronically completing ~~OIR form~~, Forms OIR-D0-2115, OIR-D0-0050, and OIR-D0-0051. ~~OIR DO 2115 (New 01/14), "Title Insurance Experience Reporting – Title Insurance Underwriters,"~~ <http://www.flrules.org/Gateway/reference.asp?No-Ref 03462>, as adopted and incorporated by this reference, which may be obtained from the Office's web site located at <http://www.flair.com/portal>.

(3)(2) Forms OIR-D0-2115, OIR-D0-0050, and OIR-D0-0051 ~~OIR form OIR DO 2115 (New 01/14), "Title Insurance Experience Reporting – Title Insurance Underwriters,"~~ shall be completed by title insurance underwriters in accordance with the instructions for each submittal year. The initial submittal shall reflect data for the prior five years ending December 31, 2014. For each year after 2014, the submittal shall, in addition to the data for the current year, include an affidavit re-certifying the accuracy and completeness of the prior four years' data. If significant changes have been discovered in the data submitted in any of the four prior years, a corrected submittal shall be made for that year. ~~OIR form OIR DO 2115 (New 01/14) shall be complete by utilizing the following document, which is hereby adopted and by reference:~~

ALTA Uniform Financial Reporting Plan of March, 1978, which may be obtained from the Office's web site located at <http://www.flair.com/portal>.

Pursuant to section 627.782, F.S., the statistical data is collected for the purposes of analyzing premium rates, retention rates, and the condition of the title insurance industry.

(4)(3) All submittals shall be submitted to the Office's Insurance Regulatory Filing System (IRFS) at <https://irfs.fldfs.com> ~~Office at http://www.flair.com/portal, the industry portal to the Office's I File System,~~ as a data filing. A filing shall be considered received by the Office when its arrival in the Office is shown electronically to be on business days between the hours of 8:00 a.m. and 5:00 p.m. eastern standard time. Filings received after 5:00 p.m. shall be considered to be received the next business day.

Rulemaking Authority 624.308, 627.782, 627.798 FS. Law Implemented 624.307(1), 624.424, 627.782 FS. History–New 1-19-14. Amended _____.

69O-136.002 Foreign and Alien Insurers Filing for a Certificate of Authority.

Substantial rewording of Rule 69O-136.002, F.A.C. follows. See Florida Administrative Code for present text.

All foreign or alien entities seeking a certificate of authority shall comply with the requirements of sections 624.404, 624.413, and related Florida Statutes. Each applicant shall comply with the instructions contained in the Uniform Certificate of Authority Expansion Application and any other requirements listed or referenced in the Uniform Certificate of Authority Expansion Application package, Form OIR-C1-1413. Such filings shall not exempt a foreign or alien insurer from any requirements under Florida law.

(1) Applicants shall comply with the directions on, or otherwise submit, the following applicable forms:

- (a) Form OIR-C1-905, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (b) Form OIR-C1-938, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (c) Form OIR-C1-1413, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (d) Form OIR-C1-1414, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (e) Form OIR-C1-1416, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (f) Form OIR-C1-1422, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (g) Form OIR-C1-1423, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (h) Form OIR-C1-0500, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (h) Form OIR-C1-0501, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (i) Form OIR-C1-0502, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (j) Form OIR-C1-0503, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (k) Form OIR-C1-0504, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (l) Form OIR-C1-0505, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (m) Form OIR-C1-0506, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (n) Form OIR-C1-0507, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (o) Form OIR-C1-0509, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (q) Form OIR-C1-1424, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (r) Form OIR-C1-1524, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (s) Form OIR-C1-2221, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (t) Form OIR-D0-896, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (u) Form OIR-D0-904, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (v) Form OIR-D0-2119, incorporated by reference in Rule 69O-136.100, F.A.C.; and
- (w) Form OIR-D0-2165, incorporated by reference in Rule 69O-136.100, F.A.C.

(2) Applicants must also submit:

- (a) A certificate of compliance certified by the domiciliary regulator.
- (b) A certificate of deposit certified by the domiciliary regulator.

(3) All the forms listed in subsection (1) may be obtained from the Office's website at <http://www.floir.com> and shall be submitted electronically via the Office's iApply system at <https://www.floir.com/iportal>. Forms relating to specific kinds of insurance in subsection (1) are to be submitted only by companies issuing policies relating to the kind of insurance specified on the form.

Rulemaking Authority 624.308 FS. Law Implemented 624.307(1), 624.34, 624.401, 624.404, 624.407, 624.413, 624.422, 624.501, 626.7451(11), 628.161, 628.907 FS. History—New 2-26-92, Amended 9-19-00, 11-18-02, Formerly 4-136.002, Amended

69O-136.004 Surplus Lines.

Substantial rewording of Rule 69O-136.004, F.A.C. follows. See Florida Administrative Code for present text.

Applications submitted as an insurer under Florida's Surplus Lines Law, pursuant to section 626.913, Florida Statutes, shall contain all of the following forms.

(1) Applicants shall comply with the directions on, or otherwise submit, the following applicable forms:

- (a) Form OIR-C1-916, incorporated by reference in Rule 69O-136.100, F.A.C.;

- (b) Form OIR-C1-144, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (c) Form OIR-C1-905, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (d) Form OIR-C1-938, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (e) Form OIR-C1-1416, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (f) Form OIR-C1-1423, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (g) Form OIR-C1-0500, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (h) Form OIR-C1-0501, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (i) Form OIR-C1-0502, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (j) Form OIR-C1-0503, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (k) Form OIR-C1-0504, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (l) Form OIR-C1-0505, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (m) Form OIR-C1-0506, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (n) Form OIR-C1-0507, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (o) Form OIR-C1-0509, incorporated by reference in Rule 69O-136.100, F.A.C.; and
- (p) Form OIR-C1-2221, incorporated by reference in Rule 69O-136.100, F.A.C.

(2) All the forms listed in subsection (1) may be obtained from the Office's website at <http://www.floir.com> and shall be submitted electronically via the Office's iApply system at <https://www.floir.com/portal>.

Rulemaking Authority 624.308 FS. Law Implemented 624.307(1), 624.34, 624.422, 624.501, 626.913, 626.918 FS. History—New 2-26-92, Amended 9-19-00, 11-18-02, Formerly 4-136.004. Amended _____.

69O-136.006 Domestic Insurers Filing for an Application for Permit and Subsequent Certificate of Authority

Substantial rewording of Rule 69O-136.006, F.A.C. follows. See Florida Administrative Code for present text.

(1) All domestic insurers filing an Application for Permit, pursuant to Chapter 628, F.S., for the following: domestic property and casualty insurers, title insurers, and life and health insurers, pursuant to Section 628.051, F.S. except for domestic reciprocal insurers which are addressed in (2); domestic assessable mutual insurers, pursuant to section 628.051, F.S. and Domestic Captive Insurers, pursuant to Chapter 628, Part III, F.S., shall comply with the directions on, or otherwise submit, the following applicable forms:

- (a) Form OIR-C1-0521, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (b) Form OIR-C1-0520, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (c) Form OIR-C1-905, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (d) Form OIR-C1-938, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (e) Form OIR-C1-1416, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (f) Form OIR-C1-1422, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (g) Form OIR-C1-1423, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (h) Form OIR-C1-0500, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (i) Form OIR-C1-0501, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (j) Form OIR-C1-0502, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (k) Form OIR-C1-0503, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (l) Form OIR-C1-0504, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (m) Form OIR-C1-0505, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (n) Form OIR-C1-0506, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (o) Form OIR-C1-0507, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (p) Form OIR-C1-0509, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (q) Form OIR-C1-1522, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (r) Form OIR-C1-2221, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (s) Form OIR-D0-896, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (t) Form OIR-D0-904, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (u) Form OIR-D0-2119, incorporated by reference in Rule 69O-136.100, F.A.C.; and

(v) Form OIR-D0-2165, incorporated by reference in Rule 69O-136.100, F.A.C.

(2) All domestic reciprocal insurers filing an Application for Permit and a subsequent certificate of authority, pursuant to sections 628.051, F.S., and Chapters 624 and 629, F.S., shall follow the directions on, or otherwise submit, the following forms:

(k) Form OIR-C1-905, incorporated by reference in Rule 69O-136.100, F.A.C.;

(a) Form OIR-C1-908, incorporated by reference in Rule 69O-136.100, F.A.C.;

(j) Form OIR-C1-938, incorporated by reference in Rule 69O-136.100, F.A.C.;

(c) Form OIR-C1-1416, incorporated by reference in Rule 69O-136.100, F.A.C.;

(g) Form OIR-C1-1423, incorporated by reference in Rule 69O-136.100, F.A.C.;

(h) Form OIR-C1-0500, incorporated by reference in Rule 69O-136.100, F.A.C.;

(i) Form OIR-C1-0501, incorporated by reference in Rule 69O-136.100, F.A.C.;

(j) Form OIR-C1-0502, incorporated by reference in Rule 69O-136.100, F.A.C.;

(k) Form OIR-C1-0503, incorporated by reference in Rule 69O-136.100, F.A.C.;

(l) Form OIR-C1-0504, incorporated by reference in Rule 69O-136.100, F.A.C.;

(m) Form OIR-C1-0505, incorporated by reference in Rule 69O-136.100, F.A.C.;

(n) Form OIR-C1-0506, incorporated by reference in Rule 69O-136.100, F.A.C.;

(o) Form OIR-C1-0507, incorporated by reference in Rule 69O-136.100, F.A.C.;

(p) Form OIR-C1-0509, incorporated by reference in Rule 69O-136.100, F.A.C.;

(q) Form OIR-C1-2221, incorporated by reference in Rule 69O-136.100, F.A.C.;

(r) Form OIR-D0-896, incorporated by reference in Rule 69O-136.100, F.A.C.;

(s) Form OIR-D0-2119, incorporated by reference in Rule 69O-136.100, F.A.C.; and

(t) Form OIR-D0-2165, incorporated by reference in Rule 69O-136.100, F.A.C.

(3) Once applicant has received a permit from the Office pursuant to section 1 or 2 above, it shall submit Form OIR-C1-1524, incorporated by reference in Rule 69O-136.100, F.A.C., as well as any other documents required in the permit. Once it has submitted all documents, satisfied the permit conditions, and is otherwise in compliance with Florida law, applicant will be granted a certificate of authority.

(4) All the forms listed in subsection (1) (2) & (3) above may be obtained from the Office's website at <http://www.flor.com> and shall be submitted electronically via the Office's iApply system at <https://www.flor.com/iportal>. Forms relating to specific kinds of insurance in subsection (1) & (2) are to be submitted only by companies issuing policies relating to the kind of insurance specified on the form.

Rulemaking Authority 624.308 FS. Law Implemented 624.307(1), 624.34, 624.401, 624.404, 624.407, 624.413, 624.422, 624.501, 626.7451(11), 628.051 FS. History—New 2-26-92, Amended 9-19-00, 11-18-02, Formerly 4-136.006. Amended _____.

69O-136.007 Redomestication Procedure

Substantial rewording of Rule 69O-136.007, F.A.C. follows. See Florida Administrative Code for present text.

(1) Any insurer which is organized under the laws of any other state for the purpose of writing insurance may apply for a certificate of authority as a domestic insurer in this state and shall comply with all of the requirements relative to the organization and licensing of a domestic insurer of the same type and by designating its principal place of business at a place in this state upon approval by the Office.

(2) A retaliatory application fee shall be submitted pursuant to section 624.5091, F.S. The retaliatory fee is the greater of:

(a) The amount that the applicant's domiciliary state or country would charge a Florida domestic insurer making application in the applicant's state or country of domicile; or

(b) The Florida application fee pursuant to section 624.501(1)(a), F.S.

(3) Any insurer seeking a certificate of authority as a domestic insurer in this state shall comply with the directions on, or otherwise submit, the following applicable forms:

(a) Form OIR-C1-0521, incorporated by reference in Rule 69O-136.100, F.A.C.;

(b) Form OIR-C1-0520, incorporated by reference in Rule 69O-136.100, F.A.C.;

(c) Form OIR-C1-938, incorporated by reference in Rule 69O-136.100, F.A.C.;

(d) Form OIR-C1-905, incorporated by reference in Rule 69O-136.100, F.A.C.;

(e) Form OIR-C1-1416, incorporated by reference in Rule 69O-136.100, F.A.C.;

- (f) Form OIR-C1-1423, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (g) Form OIR-C1-0500, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (h) Form OIR-C1-0501, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (i) Form OIR-C1-0502, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (j) Form OIR-C1-0503, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (k) Form OIR-C1-0504, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (l) Form OIR-C1-0505, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (m) Form OIR-C1-0506, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (n) Form OIR-C1-0507, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (o) Form OIR-C1-0509, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (p) Form OIR-C1-1422, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (q) Form OIR-C1-1522, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (r) Form OIR-C1-1524, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (s) Form OIR-C1-2221, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (t) Form OIR-D0-896, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (u) Form OIR-D0-904, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (v) Form OIR-D0-2119, incorporated by reference in Rule 69O-136.100, F.A.C.; and
- (w) Form OIR-D0-2165, incorporated by reference in Rule 69O-136.100, F.A.C.

(4) All the forms listed in subsection (3) above may be obtained from the Office's website at <http://www.florir.com> and shall be submitted electronically via the Office's iApply system at <https://www.florir.com/iportal>. Forms relating to specific kinds of insurance are to be submitted only by companies issuing policies relating to the kind of insurance specified.

Rulemaking Authority 624.308, 628.535 FS. Law Implemented 624.307(1), (2), (3), (5), 624.316, 624.317, 624.318, 624.321, 624.324, 624.34, 624.401, 624.404, 624.413, 624.424(6), 624.501(1)(a), 628.051, 628.061, 628.520, 628.801 FS. History—New 6-7-90, Formerly 4-106.002, Amended 5-12-94, Formerly 4-143.061, 69O-143.061. Amended _____.

69O-136.011 Commercial Self-Insurance Funds ~~Domestic Insurers~~ Filing for a Certificate of Authority.

Substantial rewording of Rule 69O-136.011, F.A.C. follows. See Florida Administrative Code for present text.

(1) Applicants for a certificate of authority as a commercial self-insurance fund pursuant to section 624.462, F.S., shall comply with the directions on, or otherwise submit, the following applicable forms:

- (a) Form OIR-C1-845, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (b) Form OIR-C1-144, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (c) Form OIR-C1-938, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (d) Form OIR-C1-905, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (e) Form OIR-C1-1416, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (f) Form OIR-C1-1423, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (g) Form OIR-C1-0500, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (h) Form OIR-C1-0501, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (i) Form OIR-C1-0502, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (j) Form OIR-C1-0503, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (k) Form OIR-C1-0504, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (l) Form OIR-C1-0505, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (m) Form OIR-C1-0506, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (n) Form OIR-C1-0507, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (o) Form OIR-C1-0509, incorporated by reference in Rule 69O-136.100, F.A.C.; and
- (s) Form OIR-C1-2221, incorporated by reference in Rule 69O-136.100, F.A.C.

(2) All the forms listed in subsection (3) above may be obtained from the Office's website at <http://www.florir.com> and shall be submitted electronically via the Office's iApply system at <https://www.florir.com/iportal>. Forms relating to specific kinds of insurance are to be submitted only by companies issuing policies relating to the kind of insurance specified.

Rulemaking Authority 624.308 FS. Law Implemented 624.307(1), 624.34, 624.401, 624.404, 624.407, 624.411, 624.413, 624.414(1), 624.422, 624.466, 624.501, 625.306, 628.041, 628.6011, 628.051, 628.061, 628.071, 628.081, 628.091, 628.121, 628.151, 628.161, 628.171, 628.221, 628.231, 628.251, 628.261, 628.451, 628.461, 628.4615, 628.471, 629.071, 629.081, 629.091, 629.101, 629.121, 629.131, 629.181 FS. History—New 2-26-92, Amended 9-19-00, 11-18-02, Formerly 4-136.011. Amended, _____.

690-136.012 Forms Adopted.

(1) All the forms listed in Rules 690-136.002 through 690-136.011, F.A.C., are hereby adopted and incorporated by reference. All the forms may be obtained from and shall be submitted to the Office of Insurance Regulation, Division of Insurer Services, Applications Coordination Section, Larson Building, 200 East Gaines Street, Tallahassee, Florida 32399-0327.

(2) An original and one copy shall be filed for all applications referenced in Rules 690-136.002 through 690-136.011, F.A.C.

Rulemaking Authority 624.308 FS. Law Implemented 624.307(1), 624.34, 624.401, 624.404, 624.413, 624.422, 624.462, 624.466, 624.501, 626.913, 628.6011, 628.051, 628.061 FS. History—New 2-26-92 Amended 9-19-00, Formerly 4-136.012. Repealed.

690-136.013 Advisory Organizations.

Substantial rewording of Rule 690-136.013, F.A.C. follows. See Florida Administrative Code for present text.

(1) Any advisory organization seeking to conduct operations in this state shall submit Form OIR-B1-PCR3, “Filing requirements Advisory Organization,” effective 7/23, hereby incorporated by reference and available at www.flrules.org/XXXXX, electronically at <https://www.floir.com/portal>.

(2) After receipt by the Office of Form OIR-B1-PCR3 and any accompanying documents, the Office shall review the material for compliance with the requirements of Section 627.301, F.S. On meeting the requirements, the Office shall notify the advisory organization by letter that it is in compliance with Section 627.301, F.S., and therefore may operate in this state.

(3) Any advisory organization seeking to notify the Office of any change in information as required by s. 627.301(2), F.S., shall submit Form OIR-B1-PCR3, “Filing requirements Advisory Organization,” effective 7/23, hereby incorporated by reference and available at www.flrules.org/XXXXX, electronically at <https://www.floir.com/portal>.

~~(1) Any advisory organization seeking to conduct operations in this state shall submit Form OIR-PCR3, “Application for Approval of Advisory Organization,” rev. 1-90, which is hereby adopted and incorporated by reference. No fee is required.~~

~~(2) The form may be obtained from and shall be submitted to the Bureau of Property and Casualty Forms and Rates, Division of Insurer Services, Office of Insurance Regulation, Larson Building, 200 East Gaines Street, Tallahassee, FL 32399-0300.~~

~~(3) After receipt by the Office of Form OIR-PCR3 and any accompanying documents, the Office shall review the material for compliance with the requirements of Section 627.301, F.S. On meeting the requirements, the Office shall notify the advisory organization by letter that it is in compliance with Section 627.301, F.S., and therefore may operate in this state.~~

Rulemaking Authority 624.308(1) FS. Law Implemented 624.307(1), 627.301 FS. History—New 5-20-90, Formerly 4-104.003, Amended 6-9-93, Formerly 4-170.022. Amended, _____.

690-136.014 Rating Organizations.

Substantial rewording of Rule 690-136.014, F.A.C. follows. See Florida Administrative Code for present text.

(1) An application for a person applying for a license as a rating organization consists of the following:

(a) Form OIR-C1-PCR1, “Application for License Rating Organization,” effective 6/20, hereby incorporated by reference and available at www.flrules.org/XXXXX;

(b) Form OIR-C1-905, incorporated by reference in Rule 69O-136.100, F.A.C.;
(c) Form OIR-C1-938, incorporated by reference in Rule 69O-136.100, F.A.C.;
(d) Form OIR-C1-1416, incorporated by reference in Rule 69O-136.100, F.A.C.;
(e) Form OIR-C1-1423, incorporated by reference in Rule 69O-136.100, F.A.C.;
(f) Form OIR-C1-0500, incorporated by reference in Rule 69O-136.100, F.A.C.;
(g) Form OIR-C1-0501, incorporated by reference in Rule 69O-136.100, F.A.C.;
(h) Form OIR-C1-0502, incorporated by reference in Rule 69O-136.100, F.A.C.;
(i) Form OIR-C1-0503, incorporated by reference in Rule 69O-136.100, F.A.C.;
(j) Form OIR-C1-0504, incorporated by reference in Rule 69O-136.100, F.A.C.;
(k) Form OIR-C1-0505, incorporated by reference in Rule 69O-136.100, F.A.C.;
(l) Form OIR-C1-0506, incorporated by reference in Rule 69O-136.100, F.A.C.;
(m) Form OIR-C1-0507, incorporated by reference in Rule 69O-136.100, F.A.C.;
(n) Form OIR-C1-0509, incorporated by reference in Rule 69O-136.100, F.A.C.; and
(o) Form OIR-C1-2221, incorporated by reference in Rule 69O-136.100, F.A.C.
(2) A person applying for a license as a rating organization shall submit forms in subsection (1) as directed by the Office electronically at <https://www.flair.com/iportal>.
(3) Annual License Renewal
(a) 1. All rating organization licenses shall expire on September 30.
2. Failure to submit the application for continuance by September 30 shall result in expiration of the license and will require the filing of a new application for licensure.
(b) A licensee seeking to continue operating as a rating organization shall submit the following:
1. Form OIR-C1-PCR2, "License Renewal Rating Organization," effective 6/20, hereby incorporated by reference and available at www.flrules.org/XXXXX, filed electronically at <https://www.flair.com/iportal>;
2. Form OIR-C1-1416, "Uniform Certificate of Authority (UCA) Lines of Insurance,"
3. A fee of \$25.00 filed annually in conjunction with the license renewal.
(c) Any licensee who fails to renew a rating organization license shall immediately cease and desist from engaging in the rating organization business in the state of Florida.

(1) Any person seeking licensure as a rating organization shall submit Form OIR-PCR1, "Application for License as a Rating Organization," rev. 1-90, which is hereby adopted and incorporated by reference, accompanied by a fee of \$25.00.

(2) Any rating organization seeking renewal of an existing license shall submit Form OIR-PCR2, "Application for Renewal of License as a Rating Organization," rev. 1-90, which is hereby adopted and incorporated by reference, accompanied by a fee of \$25.00.

(3) The forms described in subsections (1) and (2), above, may be obtained from the Bureau of Policy and Contract Review, Division of Insurer Services, Department of Insurance, 200 East Gaines Street, Tallahassee, FL 32399-0300. The forms shall be submitted to the Bureau of Policy and Contract Review, Revenue Processing Section, P.O. Box 6000, Tallahassee, FL 32314-6000. All checks shall be made payable to the Florida Insurance Department.

Rulemaking Authority 624.308(1) FS. Law Implemented 624.307(1), 624.501(18), 627.221 FS. History--New 5-20-90, Formerly 4-104.002, Formerly 4-170.021. Amended _____.

69O-136.015 Corporate Amendment Procedure Procedure to Amend an Existing Certificate of Authority to Add a New Line of Business

Substantial rewording of Rule 69O-136.015, F.A.C. follows. See Florida Administrative Code for present text.

(1) This rule applies to all authorized insurers, as defined in section 624.09, F.S.

(2) Any insurer seeking to add or delete a line of insurance on an existing certificate of authority, file a name change, redomesticate (between foreign jurisdictions only), change its statutory home office address, merge two or more foreign insurers, file a change of control of a foreign insurer, amend its articles of incorporation, amend its bylaws, change its address or contact notification, or amend its Service of Process shall comply with the directions on, or otherwise submit, the following applicable forms:

- (a) Form OIR-C1-0508, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (b) Form OIR-C1-0510, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (c) Form OIR-C1-0511, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (d) Form OIR-C1-0512, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (e) Form OIR-C1-0522, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (f) Form OIR-B2-1093, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (g) Form OIR-C1-1416, incorporated by reference in Rule 69O-136.100, F.A.C.; and
- (h) Form OIR-C1-1524, incorporated by reference in Rule 69O-136.100, F.A.C.

(3) Since the addition of any new line of business to a company's certificate of authority may impact the company's surplus and/or writing ratios, any such request to amend an existing certificate will be carefully evaluated by applying current standards required of an insurer seeking a certificate of authority from this state. The Office shall not authorize the addition of any lines of insurance to an insurer's existing certificate of authority unless evidence is presented satisfactory to the Office that authorization of the additional lines of insurance would be in the best interests of the financial solvency of the insurer and in the best interests of the policyholders.

(4) All the forms listed in subsection (2) may be obtained from the Office's website at <http://www.flor.com> and shall be submitted electronically via the Office's iApply system at <https://www.flor.com/iportal>.

Rulemaking Authority 624.308(1) FS. Law Implemented 624.09, 624.307(1), 624.404, 624.408, 624.413, 624.414, 624.416(4), 624.501(20), 624.610(11), 627.6488(1) FS. History--New 3-30-92, Amended 9-2-96, Amended 9-19-00, 11-18-02, Formerly 4-136.015, Amended _____.

69O-136.018 Determination of Eligibility to Operate as an Alien Insurer in Florida Pursuant to Sections 624.402(8) or 624.402(9), F.S.

Substantial rewording of Rule 69O-136.018, F.A.C. follows. See Florida Administrative Code for present text.

(1) The below are to be used in determination of eligibility to operate as an Alien Insurer pursuant to section 624.402(8) F.S. Applicants shall comply with the directions on, or otherwise submit, the following applicable forms:

- (a) Form OIR-C1-2176, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (b) Form OIR-C1-1416, incorporated by reference in Rule 69O-136.100, F.A.C.; and
- (c) Form OIR-C1-2221, incorporated by reference in Rule 69O-136.100, F.A.C.

(2) The below are to be used in determination of eligibility to operate as an Alien Insurer pursuant to section 624.402(9), F.S. Applicants shall comply with the directions on, or otherwise submit, Form OIR-C1-1654, incorporated by reference in Rule 69O-136.100, F.A.C.

(3) The forms listed in subsections (1) and (2) may be obtained from the Office's website at <http://www.flor.com> and shall be submitted electronically via the Office's iApply system at <https://www.flor.com/iportal>.

Rulemaking Authority 624.308 FS. Law Implemented 624.402(8) FS. History--New 5-25-06. Amended _____.

69O-136.031 Registration as a Purchasing Group.

Substantial rewording of Rule 69O-136.031, F.A.C. follows. See Florida Administrative Code for present text.

(1) All entities seeking registration as a purchasing group shall comply with the requirements of section 627.948, F.S., and shall comply with the directions on, or otherwise submit, the following applicable forms:

- (a) Form OIR-C1-515, incorporated by reference in Rule 69O-136.100, F.A.C.; and
- (b) Form OIR-C1-144, incorporated by reference in Rule 69O-136.100, F.A.C.

(2) All domestic entities, as well as any foreign entities whose officers or directors collect premiums, shall comply with the directions on, or otherwise submit, the following applicable forms:

- (a) Form OIR-C1-905, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (b) Form OIR-C1-938, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (c) Form OIR-C1-1423, incorporated by reference in Rule 69O-136.100, F.A.C.;

- (d) Form OIR-C1-0500, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (e) Form OIR-C1-0501, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (f) Form OIR-C1-0502, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (g) Form OIR-C1-0503, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (h) Form OIR-C1-0504, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (i) Form OIR-C1-0505, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (j) Form OIR-C1-0506, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (k) Form OIR-C1-0507, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (l) Form OIR-C1-0509, incorporated by reference in Rule 69O-136.100, F.A.C.; and
- (m) Form OIR-C1-2221, incorporated by reference in Rule 69O-136.100, F.A.C.

(3) In addition to the information required on the forms in subsection (1) & (2) above, the entity shall:

(a) Identify all other states in which the group is currently registered;

(b) Specify the method by which, and the person or persons, if any, through whom insurance will be offered to its members whose risks are resident or located in this state; and,

(c) Provide such other information as is necessary for the Office to determine whether the persons through whom insurance will be offered meet the standard set forth in section 626.611(14), F.S.

(4) During the pendency of the application, if any of the information submitted in response to the requirements of this rule changes, the entity shall notify the Office of the change within ten days of the change.

(5) All the forms listed in subsection (1) & (2) may be obtained from the Office's website at <http://www.floir.com> and shall be submitted electronically via the Office's iApply system at <https://www.floir.com/iportal>.

Rulemaking Authority 624.308(1), 627.954 FS. Law Implemented 624.307(1), 627.948 FS. History--New 1-30-91, Formerly 4-107.002, Amended 9-19-94, Amended 9-19-00, 11-18-02, Formerly 4-136.031. Amended _____.

69O-136.032 Registration as a Risk Retention Group.

Substantial rewording of Rule 69O-136.032, F.A.C. follows. See Florida Administrative Code for present text.

(1) All foreign entities seeking licensure as a risk retention group shall comply with the requirements of section 627.944, F.S., as applicable, and shall comply with the directions on, or otherwise submit, Form OIR-C1-513, incorporated by reference in Rule 69O-136.100, F.A.C.

(2) The form listed in subsection (1) may be obtained from the Office's website at <http://www.floir.com> and shall be submitted electronically via the Office's iApply system at <https://www.floir.com/iportal>.

(3) Applicants shall also submit:

(a) A copy of each examination of the risk retention group as certified by the insurance commissioner or public official conducting the exam;

(b) A copy of any audit performed with respect to the risk retention group; and

(c) A certificate of compliance or licensing letter from the state of domicile dated within the last year.

(4) Applicants should not conduct business in this state until notified by the Office that the registration is complete.

(5) All domestic applicants applying pursuant to section 627.943, F.S., shall comply with the directions in Rule 69O-136.006(1) & (3) for domestic insurers.

Rulemaking Authority 624.308(1), 627.954 FS. Law Implemented 624.307(1), 627.943, 627.944, FS. History--New 1-30-91, Formerly 4-107.003, 4-136.032. Amended _____.

69O-136.034 Uniform Certificate of Authority Expansion Application.

(1) Effective December 1, 2000, any foreign insurer seeking a certificate of authority may file a Uniform Certificate of Authority Expansion Application which is substantially similar to that form as revised by the National Association of Insurance Commissioners as of August 1, 2000 in lieu of the filings required by Rule 69O-136.002, F.A.C. Each applicant shall comply with the instructions contained in the Uniform Certificate of Authority Expansion Application and any other requirements specifically listed or referenced in the Uniform Certificate of

Authority Expansion Application package, Form OIR-C1-1413. Such filings shall not exempt a foreign insurer from any requirements under Florida Statutes.

(2) The following forms are incorporated by reference:

(a) Form OIR-C1-1413, Uniform Certificate of Authority Expansion Application, as revised by the National Association of Insurance Commissioners on 8/1/00;

(b) Form OIR-C1-938, Fingerprint Card Instructions, rev. 7/99;

(3) Each applicant shall submit the following forms:

(a) Form OIR-C1-1414, Expansion Application Checklist, rev. 8/00;

(b) Form OIR-C1-1415, Expansion Application, as revised 8/1/00;

(c) Form OIR-C1-1416, Expansion Application Lines of Business, rev. 8/00;

(d) Form OIR-C1-1417, Expansion Application Authorization for Disclosure of Financial Records, rev. 8/00;

(e) Form OIR-C1-1418, Expansion Application Power of Attorney to Appoint and Certify Agents, rev. 8/00;

(f) Form OIR-C1-1419, Expansion Application Certificate of Compliance, rev. 8/00;

(g) Form OIR-C1-1420, Expansion Application Reinsurance Arrangements Checklist for Proportional Treaty Contract Clauses, rev. 8/00;

(h) Form OIR-C1-1421, Expansion Application Reinsurance Arrangements Checklist for Non-Proportional Treaty Contract Clauses, rev. 8/00;

(i) Form OIR-C1-1422, Uniform Certificate of Authority Application Questionnaire, rev. 8/00;

(j) Form OIR-C1-881, Invoice, Application for Certificate of Authority, rev. 10/97;

(k) Form OIR-C1-1301, Subscription Agreement Form, rev. 5/99;

(l) Form OIR-C1-144, Service of Process Consent & Agreement, rev. 1/97;

(m) Form OIR-C1-1423, NAIC Biographical Statement and Affidavit, rev. 8/00;

(n) Form OIR-C1-450, Authority For Release of Information, rev. 5/00;

(o) Form OIR-C1-903, Invoice, Request for Payment of Fingerprint Charges, rev. 4/97; and,

(p) Form OIR-C1-1424, Expansion Application, Florida Specific Information, rev. 8/00.

(4) The Office shall accept a Uniform Certificate of Authority Expansion Application filing in an electronic format after July 1, 2001.

Rulemaking Authority 624.308 FS. Law Implemented 624.307(1), 624.316(2)(b), 624.321(1)(a), 624.34, 624.401, 624.404, 624.407, 624.413, 624.422, 624.501, 626.9891, 628.161, 628.907 FS. History—New 12-3-00, Formerly 4-136.034. Repealed

690-136.080 Mergers and Acquisition of Controlling Stock of a Florida Domestic Insurer.

(1) Any person acquiring a Florida domestic insurer pursuant to section 628.461, F.S., shall comply with the instructions contained on Form OIR-C1-918, incorporated by reference in Rule 690-136.100, F.A.C., and shall also comply with directions, or otherwise submit, the following applicable forms:

(a) Form OIR-C1-918, incorporated by reference in Rule 690-136.100, F.A.C.;

(b) Form OIR-C1-905, incorporated by reference in Rule 690-136.100, F.A.C.;

(c) Form OIR-C1-938, incorporated by reference in Rule 690-136.100, F.A.C.;

(d) Form OIR-C1-1416, incorporated by reference in Rule 690-136.100, F.A.C.;

(e) Form OIR-C1-1423, incorporated by reference in Rule 690-136.100, F.A.C.;

(f) Form OIR-C1-0500, incorporated by reference in Rule 690-136.100, F.A.C.;

(g) Form OIR-C1-0501, incorporated by reference in Rule 690-136.100, F.A.C.;

(h) Form OIR-C1-0502, incorporated by reference in Rule 690-136.100, F.A.C.;

(i) Form OIR-C1-0503, incorporated by reference in Rule 690-136.100, F.A.C.;

(j) Form OIR-C1-0504, incorporated by reference in Rule 690-136.100, F.A.C.;

(k) Form OIR-C1-0505, incorporated by reference in Rule 690-136.100, F.A.C.;

(l) Form OIR-C1-0506, incorporated by reference in Rule 690-136.100, F.A.C.;

(m) Form OIR-C1-0507, incorporated by reference in Rule 690-136.100, F.A.C.;

(n) Form OIR-C1-0509, incorporated by reference in Rule 690-136.100, F.A.C.;

(o)(f) Form OIR-C1-1524, incorporated by reference in Rule 690-136.100, F.A.C., if required as per the instructions in Form OIR-C1-918;

(p) Form OIR-C1-2069, incorporated by reference in Rule 690-136.100, F.A.C.;

(q)(g) Form OIR-C1-2221, incorporated by reference in Rule 690-136.100, F.A.C.;

(h) Form OIR-D0-516, incorporated by reference in Rule 690-136.100, F.A.C.;

(r)(i) Form OIR-D0-896, incorporated by reference in Rule 690-136.100, F.A.C.;

- ~~(s)(j)~~ Form OIR-D0-904, incorporated by reference in Rule 69O-136.100, F.A.C.;
- ~~(t)(k)~~ Form OIR-D0-2119, incorporated by reference in Rule 69O-136.100, F.A.C.;
- ~~(u)(l)~~ Form OIR-D0-2165, incorporated by reference in Rule 69O-136.100, F.A.C.; and

~~(v)(m)~~ Prior to a final decision on whether to approve the proposed acquisition, the Office shall request such other information as is necessary, depending on the facts and circumstances of the specific persons and entities involved, pursuant to section 628.461(3), F.S., to determine the character, experience, ability, and other qualifications required by statute, of the person or affiliated person of such person for the protection of the policyholders and shareholders of the insurer and the public. The Office shall make no final decision on any proposed acquisition without complete information, as required by section 628.461, F.S.

(2) All the forms listed in subsection (1) may be obtained from the Office's website at <http://www.floir.com> and shall be submitted electronically via the Office's iApply system at <https://www.floir.com/iportal>. Forms relating to specific kinds of insurance in subsection (1) are to be submitted only by companies issuing policies relating to the kind of insurance specified on the form.

(3) Any merger effected between or among one or more domestic or foreign stock insurers authorized to transact insurance in this state and one or more other entities authorized to transact insurance and self-insurance in this state, including a self-insurance trust fund existing pursuant to section 627.357, F.S., shall comply with the provisions of sections 628.461 and 628.451, F.S., and this rule.

(4) Any merger effected involving a not-for-profit health maintenance organization that is in a holding company system shall comply with the provisions of sections 628.461, 628.471, 641.255 F.S., and this rule.

(5) Any merger effected involving a for-profit health maintenance organization that is in a holding company system shall comply with sections 628.461, 628.451, 641.255 F.S., and this rule.

(6) A retaliatory application fee shall be submitted pursuant to section 624.5091, F.S. The retaliatory fee is the greater of:

(a) The amount that the applicant's domiciliary state or country would charge a Florida domestic insurer making application in the applicant's state or country of domicile; or

(b) The Florida application fee pursuant to section 624.501(1)(a), F.S.

(7) Disclaimer of Control

(a) A person may attempt to rebut a presumption of control pursuant to section 628.461, F.S., by electronically filing via the Office's iApply system at <https://www.floir.com/iportal> one of the following forms with the Office:

1. Form OIR-C1-1467, incorporated by reference in Rule 69O-136.100, F.A.C.;
2. Form OIR-C1-1468, incorporated by reference in Rule 69O-136.100, F.A.C.;
3. Form OIR-C1-2211, incorporated by reference in Rule 69O-136.100, F.A.C.

(b) A person may attempt to rebut a presumption of control pursuant to section 628.461, F.S., by filing a copy of a Schedule 13G filed with the Securities and Exchange Commission pursuant to Rule 13d-1(b) or (c), 17 C.F.R. s. 240.13d-1, under the Securities Exchange Act of 1934, as amended, to the Office electronically via the Office's iApply system at <https://www.floir.com/iportal>.

(c) Pursuant to section 628.461(12)(a), F.S., the Office is authorized to disallow a disclaimer of control filed pursuant to paragraphs (a) and (b).

Rulemaking Authority 624.308(1), 624.413(1), 628.461(13), 628.535 FS. Law Implemented 624.307(1), 624.34, 624.404, 624.413, 624.424(6), 624.501, 624.5091, 628.451, 628.461, 628.471, ~~628.801~~ 628.804, 641.255 FS. History—New 6-7-90, Formerly 4-109.002, Amended 5-12-94, 11-7-00, Formerly 4-143.056, Amended 5-31-16, Formerly 69O-143.056, Amended 7-21-22, _____.

69O-136.090 Merger, Consolidation, or Acquisition of Controlling Stock, Ownership Interests, Assets, or Control of a Specialty Insurer.

(1) Any person acquiring a specialty insurer pursuant to section 628.4615, F.S., shall comply with the instructions contained on Form OIR-C1-448, incorporated by reference in Rule 69O-136.100, F.A.C., and shall also comply with directions, or otherwise submit, the following applicable forms:

- (a) Form OIR-C1-144, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (b) Form OIR-C1-448, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (c) Form OIR-C1-905, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (d) Form OIR-C1-938, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (e) Form OIR-C1-1423, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (f) Form OIR-C1-0500, incorporated by reference in Rule 69O-136.100, F.A.C.;
- (g) Form OIR-C1-0501, incorporated by reference in Rule 69O-136.100, F.A.C.;

(h) Form OIR-C1-0502, incorporated by reference in Rule 69O-136.100, F.A.C.;

(i) Form OIR-C1-0503, incorporated by reference in Rule 69O-136.100, F.A.C.;

(j) Form OIR-C1-0504, incorporated by reference in Rule 69O-136.100, F.A.C.;

(k) Form OIR-C1-0505, incorporated by reference in Rule 69O-136.100, F.A.C.;

(l) Form OIR-C1-0506, incorporated by reference in Rule 69O-136.100, F.A.C.;

(m) Form OIR-C1-0507, incorporated by reference in Rule 69O-136.100, F.A.C.;

(n) Form OIR-C1-0509, incorporated by reference in Rule 69O-136.100, F.A.C.;

(o) Form OIR-C1-2069, incorporated by reference in Rule 69O-136.100, F.A.C.;

(p)(f) Form OIR-C1-2221, incorporated by reference in Rule 69O-136.100, F.A.C.; and,

(q)(g) In addition, prior to a final decision on whether to approve the proposed acquisition, the Office shall request such other information as is necessary, depending on the facts and circumstances of the specific persons and entities involved, pursuant to section 628.4615(4), F.S., to determine the character, experience, ability, and other qualifications required by statute, of the person or affiliated person of such person for the protection of the policyholders and shareholders of the insurer and the public. The Office shall make no final decision on any proposed acquisition without complete information, as required by section 628.4615, F.S.

(2) All the forms listed in subsection (1) may be obtained from the Office's website at <http://www.florir.com> and shall be submitted electronically via the Office's iApply system at <https://www.florir.com/portal>.

(3) Any merger effected involving a not-for-profit health maintenance organization that is not in a holding company system shall comply with sections 628.4615, 628.471, 641.255 F.S., and this rule.

(4) Any merger effected involving a for-profit health maintenance organization that is not in a holding company system shall comply with sections 628.4615, 628.451, 641.255 F.S., and this rule.

(5) A retaliatory application fee shall be submitted pursuant to section 624.5091, F.S. The retaliatory fee is the greater of:

(a) The amount that the applicant's domiciliary state or country would charge a Florida domestic insurer making application in the applicant's state or country of domicile; or

(b) The Florida application fee pursuant to section 624.501(1)(a), F.S.

(6) Disclaimer of Control

(a) A person may attempt to rebut a presumption of control pursuant to section 628.4615(11), F.S., by electronically filing via the Office's iApply system at <https://www.florir.com/portal> one of the following forms with the Office:

1. Form OIR-C1-1467, incorporated by reference in Rule 69O-136.100, F.A.C.;

2. Form OIR-C1-1468, incorporated by reference in Rule 69O-136.100, F.A.C.;

3. Form OIR-C1-2211, incorporated by reference in Rule 69O-136.100, F.A.C.

(b) A person may attempt to rebut a presumption of control pursuant to section 628.4615(11), F.S., by filing a copy of a Schedule 13G filed with the Securities and Exchange Commission pursuant to Rule 13d-1(b) or (c), 17 C.F.R. s. 240.13d-1, under the Securities Exchange Act of 1934, as amended, to the Office electronically via the Office's iApply system at <https://www.florir.com/portal>.

(c) Pursuant to section 628.4615(11), F.S., the Office is authorized to disallow a disclaimer of control filed pursuant to paragraphs (a) and (b).

Rulemaking Authority 624.308(1), 628.4615(15), 628.535 FS. Law Implemented 624.307(1), 624.34, 624.424(6), 624.501, 624.5091, 626.9928, 628.451, 628.4615, 628.471 634.252, 634.3073, 634.4085, 636.065, 641.255, 641.416, 642.032, 651.024, 651.0245 FS. History—New 7-21-22.

69O-136.100 Forms Incorporated by Reference.

(1) The forms in subsection (2) of this rule are available and may be printed from the Office of Insurance Regulation's website: <https://www.florir.com/portal>, and are hereby incorporated by reference.

(2)(a) Form OIR-B2-1093, "Small Employer Carrier's Application to Become a Risk Assuming Carrier or a Reinsuring Carrier, as Required by Section 627.6699(9), Florida Statutes," effective 7/23, available at www.flrules.org/XXXXX.

(b)(a) Forms OIR-C1

1. Form OIR-C1-0500, "UCAA Biographical Affidavit Addendum Blank," effective 7/23, available at www.flrules.org/XXXXX;

2. Form OIR-C1-0501, "UCAA Biographical Affidavit Addendum Education," effective 7/23, available at www.flrules.org/XXXXX;

3. Form OIR-C1-0502, "UCAA Biographical Affidavit Addendum Employment," effective 7/23, available at www.flrules.org/XXXXX;
4. Form OIR-C1-0503, "UCAA Biographical Affidavit Addendum General," effective 7/23, available at www.flrules.org/XXXXX;
5. Form OIR-C1-0504, "UCAA Biographical Affidavit Addendum Licenses," effective 7/23, available at www.flrules.org/XXXXX;
6. Form OIR-C1-0505, "UCAA Biographical Affidavit Addendum Professional," effective 7/23, available at www.flrules.org/XXXXX;
7. Form OIR-C1-0506, "UCAA Biographical Affidavit Addendum Residence," effective 7/23, available at www.flrules.org/XXXXX;
8. Form OIR-C1-0507, "UCAA Biographical Affidavit Addendum Societies," effective 7/23, available at www.flrules.org/XXXXX;
9. Form OIR-C1-0508, "Uniform Certificate of Authority Application (UCAA) Affidavit of Lost Certificate of Authority," effective 7/23, available at www.flrules.org/XXXXX;
10. Form OIR-C1-0509, "Uniform Certificate of Authority Application (UCAA) Biographical Affidavit Cover Letter Holding Company Structure," effective 7/23, available at www.flrules.org/XXXXX;
11. Form OIR-C1-0510, "Uniform Certificate of Authority Application (UCAA) Corporate Amendments Application Application to Amend Certificate of Authority,"
12. Form OIR-C1-0511, "Uniform Certificate of Authority Application (UCAA) Corporate Amendments Application Checklist for Corporate Amendments Application Only,"
13. Form OIR-C1-0512, "Uniform Certificate of Authority Application Questionnaire for Adding or Deleting Lines of Business to an Existing Certificate of Authority,"
14. Form OIR-C1-0520, "Uniform Certificate of Authority Application (UCAA) Primary Application Checklist for Primary Application Only" effective 7/23, available at www.flrules.org/XXXXX;
15. Form OIR-C1-0521, "Uniform Certificate of Authority Application (UCAA) Primary Application" effective 7/23, available at www.flrules.org/XXXXX; "Uniform Certificate of Authority Application (UCAA) Change of Mailing Address/Contact Notification Form," effective 7/23,
15. Form OIR-C1-0522, available at www.flrules.org/XXXXX; "Uniform Certificate of Application (UCAA) Change of Mailing Address/Contact Notification Form," effective 7/23, available at www.flrules.org/XXXXX;
16. Form OIR-C1-144, "Service of Process Consent & Agreement," effective 6/04, available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-14435>;
17. Form OIR-C1-1424, "Florida Specific Information," effective XX/XX, available at www.flrules.org/XXXXX;
- ~~18.~~ Form OIR-C1-448, "Application for Acquisition of Controlling Stock, Ownership Interest, Assets, or Control of a Florida Specialty Insurer; Merger or Consolidation," effective 7/21, available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-14436>;
19. Form OIR-C1-513, "Application for Registration as a Risk Retention Group," effective 7/23, available at www.flrules.org/XXXXX;
20. Form OIR-C1-515, "Application for Registration as a Risk Purchasing Group," effective 5/17, available at www.flrules.org/XXXXX;
21. Form OIR-C1-845, "Application for Certificate of Authority Commercial Self-Insurance Fund," effective 7/23, available at www.flrules.org/XXXXX;
- ~~22.~~ Form OIR-C1-905, "Instructions for Furnishing Background Investigative Reports," effective 6/20, hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-14437>;
23. Form OIR-C1-908, "Application for Certificate of Authority Domestic Reciprocal Insurer," effective 7/23, available at www.flrules.org/XXXXX;
24. Form OIR-C1-916, "Application for Eligibility as a Surplus Lines Insurer," effective 7/23, available at www.flrules.org/XXXXX;
- ~~25.~~ Form OIR-C1-918, "Application for Acquisition of Controlling Stock of a Florida Domestic Insurer," effective 7/21, available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-14438>;
- ~~26.~~ Form OIR-C1-938, "Fingerprint Payment and Submission Procedure," effective 6/20, hereby incorporated by reference and available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-14439>;
27. Form OIR-C1-1413, "Uniform Certificate of Authority Application (UCAA) Expansion Application," effective 7/23, available at www.flrules.org/XXXXX;
28. Form OIR-C1-1414, "Uniform Certificate of Authority Application (UCAA) Expansion Application Checklist For Expansion Application Only," effective 7/23, available at www.flrules.org/XXXXX;

- ~~29.6-~~ Form OIR-C1-1416, “Uniform Certificate of Authority Application (UCAA) Lines of Insurance,” effective 7/23 ~~1/20~~, available at ~~available at~~ www.flrules.org/XXXXX
<http://www.flrules.org/Gateway/reference.asp?No=Ref-14440>;
30. Form OIR-C1-1422, “Uniform Certificate of Authority Application Questionnaire,” effective 7/23, available at www.flrules.org/XXXXX;
- ~~31.7-~~ Form OIR-C1-1423, “Uniform Certificate of Authority Application (UCAA) Biographical Affidavit,” effective 12/20, hereby incorporated by reference and available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-14441>
32. Form OIR-C1-1424, “Uniform Certificate of Authority Application,” effective 4/13, available at www.flrules.org/XXXXX;
- ~~33.8-~~ Form OIR-C1-1467, “Disclaimer of Control - Individual,” effective 7/21, available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-14442>
- ~~34.9-~~ Form OIR-C1-1468, “Disclaimer of Control - Entity,” effective 7/21, available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-14443>;
35. Form OIR-C1-1522, “Primary Application Florida Specific Information,” effective 5/17, available at www.flrules.org/XXXXX;
- ~~36.10-~~ Form OIR-C1-1524, “Uniform Certificate of Authority Application (UCAA) Uniform Consent to Service of Process,” effective 12/19, available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-14444>;
37. Form OIR-C1-1654, “Determination of Eligibility to Operate as an Alien Insurer in Florida Pursuant to Section 624.402(9), Florida Statutes,” effective 5/17, available at www.flrules.org/XXXXX;
38. Form OIR-C1-2069, “Letter of Notification,” effective 7/23, available at www.flrules.org/XXXXX;
39. Form OIR-C1-2176, “Letter of Notification/Registration to Operate as a Non-US Based (Alien) Insurer (also referred to as “Offshore Insurer”) in Florida Pursuant to Section 624.402(8), Florida Statutes,” effective 5/17, available at www.flrules.org/XXXXX;
- ~~40.11-~~ Form OIR-C1-2211, “Disclaimer of Control – Investment Companies,” effective 7/21, available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-14445>; and
- ~~41.12-~~ Form OIR-C1-2221, “Management Information Form,” effective 6/20, available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-14446>.
- (b) Forms OIR-D0
- ~~1. Form OIR-D0-516, “Form B Insurance Company System Annual Registration Statement,” effective 6/20, available at~~ <https://www.flrules.org/Gateway/reference.asp?No=Ref-14447>;
- ~~1.2-~~ Form OIR-D0-896, “UCAA Proforma Financial Statements, Property and Casualty Insurance Company,” effective 1/19, available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-14448>;
- ~~2.3-~~ Form OIR-D0-904, “UCAA Proforma Financial Statements, Life & Health Insurer,” effective 1/19, available at www.flrules.org/14449;
- ~~3.4-~~ Form OIR-D0-2119, “UCAA Proforma Financial Statements, Title Insurance Company,” effective 1/19, available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-14593>; and
- ~~4.5-~~ Form OIR-D0-2165, “UCAA Proforma Financial Statements, Health,” effective 1/19, available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-14450>.

Rulemaking Authority 624.308(1), 624.413(1), 628.461(13), 628.4615(15), 628.535 FS. Law Implemented 624.307(1), 624.34, 624.404, 624.413, 624.424(6), 624.501, 624.5091, 626.9928, 628.451, 628.461, 628.4615, 628.471, 628.801, 634.252, 634.3073, 634.4085, 636.065, 641.255, 641.416, 642.032, 651.024, 651.0245 FS. History–New 7-21-22. Amended _____.

690-144.002 Reinsurance Application Procedures.

(1) No Change

(2)(a) An assuming insurer seeking accredited reinsurer status in this state, pursuant to Section 624.610(3), F.S. and Rule 690-144.005, F.A.C., shall file an application in compliance with the directions in Form OIR-C1-923, "Application for Accredited Reinsurer Status," effective ~~07/23~~ 5/22, which is hereby incorporated by reference and available at <http://www.flrules.org/Gateway/>. ~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-14670>~~. The forms incorporated by reference in this paragraph may be obtained from <https://www.flair.com/portal>. The insurer shall further submit, or otherwise comply with, the following:

1. Form OIR-A1-2116, "Form C Summary of Changes to Registration Statement," effective 9/21, is hereby incorporated by reference and available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-14666>;

2. Form OIR-C1-905, ~~incorporated by reference in Rule 690-136.100, F.A.C.; "Instructions for Furnishing Background Investigative Reports," effective 6/20, is hereby incorporated by reference and available at~~ <http://www.flrules.org/Gateway/reference.asp?No=Ref-14669>;

3. Form OIR-C1-938, ~~incorporated by reference in Rule 690-136.100, F.A.C.; "Fingerprint Payment and Submission Procedure," effective 9/21, is hereby incorporated by reference and available at~~ <http://www.flrules.org/Gateway/reference.asp?No=Ref-14671>;

4. Form OIR-C1-1423, ~~incorporated by reference in Rule 690-136.100, F.A.C.; "Uniform Certificate of Authority Application (UCAA) Biographical Affidavit," effective 12/20, is hereby incorporated by reference and available at~~ <http://www.flrules.org/Gateway/reference.asp?No=Ref-14674>;

5. Form OIR-C1-0500, incorporated by reference in Rule 690-136.100, F.A.C.;

6. Form OIR-C1-0501, incorporated by reference in Rule 690-136.100, F.A.C.;

7. Form OIR-C1-0502, incorporated by reference in Rule 690-136.100, F.A.C.;

8. Form OIR-C1-0503, incorporated by reference in Rule 690-136.100, F.A.C.;

9. Form OIR-C1-0504, incorporated by reference in Rule 690-136.100, F.A.C.;

10. Form OIR-C1-0505, incorporated by reference in Rule 690-136.100, F.A.C.;

11. Form OIR-C1-0506, incorporated by reference in Rule 690-136.100, F.A.C.;

12. Form OIR-C1-0507, incorporated by reference in Rule 690-136.100, F.A.C.;

13. Form OIR-C1-0509, incorporated by reference in Rule 690-136.100, F.A.C.;

14. Form OIR-C1-1464, "Florida Certificate of Assuming Insurer," effective 9/21, which is hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-14675>, as required by paragraph 690-144.005(2)(a), F.A.C.;

~~15. 6. Form OIR-C1-1524, incorporated by reference in Rule 690-136.100, F.A.C.; and, "Uniform Certificate of Authority Application (UCAA) Uniform Consent to Service of Process," effective 12/19, is hereby incorporated by reference and available at~~ <http://www.flrules.org/Gateway/reference.asp?No=Ref-14676>;

7. Form OIR D0 516, "Form B Insurance Holding Company System Registration Statement," effective 9/21, is hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-14681>; and,

~~16. 8. Form OIR-C1-2221, incorporated by reference in Rule 690-136.100, F.A.C.; "Management Information Form," effective 6/20, is hereby incorporated by reference and available at~~ <http://www.flrules.org/Gateway/reference.asp?No=Ref-14680>.

(b) No Change

(3)(a) An assuming insurer seeking trusted reinsurer status in this state, pursuant to Section 624.610(3)(c), F.S. and subparagraph 690-144.006(1)(a)1., F.A.C., shall file an application in compliance with the directions in Form OIR-C1-1466, "Application for Trusted Reinsurer Status," effective 5/22, which is hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-14682>. The insurer shall further submit, or otherwise comply with, the following:

1. A copy of its annual statement with information substantially the same as that required to be reported in the NAIC Annual Statement form by authorized insurers, as incorporated by reference in Rule 690-137.001, F.A.C., in the same format required by such form and including all supporting documents;

2. A certified copy of the trust agreement and any trust amendments, including an approval from the insurance regulator of the state in which the trust is domiciled or of the insurance regulator of another state who, pursuant to the terms of the trust instrument, has accepted principal regulatory oversight of the trust;

3. A statement from the trustee of the trust to the insurance regulator having regulatory oversight of the trust certifying the balance of the trust and the trust's investments at the preceding year end with certification that the trust will not expire prior to the following December 31;

4. Form OIR-C1-1423, incorporated by reference in Rule 69O-136.100, F.A.C.; subsection (2);

5. Form OIR-C1-1469, "Certificate of Assuming Insurer to Submit to Examination and Bear the Cost of Examination," effective 9/21, is hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-14683>;

6. Form OIR-C1-1524, incorporated by reference in Rule 69O-136.100, F.A.C.; subsection (2); and

7. Form OIR-C1-2221, incorporated by reference in Rule 69O-136.100, F.A.C. subsection (2).

(b) An assuming insurer seeking to maintain its trusted reinsurer status in this state, pursuant to Section 624.610(3)(c), F.S., and subparagraph 69O-144.006(1)(a)2., F.A.C., shall:

1. File annually with the Office substantially the same information as that required to be reported on the NAIC Annual Statement form by authorized insurers, which is incorporated in Rule 69O-137.001, F.A.C., to enable the Office to determine the sufficiency of the trust fund; and,

2. Comply with the ongoing requirements in subsection subsection 69O-144.006(1), F.A.C.

(4)(a) An assuming insurer seeking certified reinsurer status in this state, pursuant to Section 624.610(3), F.S. and paragraph 69O-144.007(8)(a), F.A.C., shall file an application in compliance with the directions in Form OIR-C1-996, "Application for Certified Reinsurer Status," effective 5/22, which is hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-14672>. The insurer shall further submit, or otherwise comply with, the following:

1. – 7. No Change

8. Form OIR-C1-1416, incorporated by reference in Rule 69O-136.100, F.A.C.; "Uniform Certificate of Authority Application (UCAA) Lines of Insurance," effective 9/21, which is hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-14673>;

9. Form OIR-C1-1524, incorporated by reference in Rule 69O-136.100, F.A.C.; subsection (2); and

10. Form OIR-C1-2221, incorporated by reference in Rule 69O-136.100, F.A.C. subsection (2).

(b)-(c) No Change

(5)(a) An assuming insurer seeking reciprocal jurisdiction reinsurer status in this state, pursuant to Section 624.610(4), F.S., and paragraph 69O-144.011(3)(c), F.A.C., shall, on behalf of itself and any legal predecessors, file an application in compliance with the directions in Form OIR-C1-518, "Application for Reciprocal Jurisdiction Reinsurer Status," effective 5/22, which is hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-14668>. The insurer shall further submit, or otherwise comply with, the following:

1.-6. No Change

7. Form OIR-C1-1524, incorporated by reference in Rule 69O-136.100, F.A.C.; subsection (2);

8. Form OIR-C1-2221, incorporated by reference in Rule 69O-136.100, F.A.C.; subsection (2); and,

9. Any other information required or requested by the Office, pursuant to Section 624.610(4), F.S., or subsection 69O-144.011(3), F.A.C., provided that such requirements are not in conflict with an applicable covered agreement.

(b)-(d) No Change

(6) No Change.

Rulemaking Authority 624.308, 624.610(15) FS. Law Implemented 624.307(1), (3), 624.316, 624.317, 624.318, 624.321, 624.324, 624.34, 624.401, 624.404, 624.407, 624.413, 624.424, 624.610, 628.051, 628.061, 628.801 FS. History—New 1-30-91, Formerly 4-108.002, Amended 5-12-94, 10-13-02, Formerly 4-144-002, Amended 9-14-06, 9-13-22,_____.

CHAPTER 690-151
REQUIREMENTS FOR REPLACEMENT OF LIFE AND HEALTH COVERAGE

690-151.001	Purpose
690-151.002	Definition of Replacement
690-151.003	Other Definitions
690-151.004	Exemptions
690-151.005	Duties of Agent
690-151.006	Duties of Replacing Agent
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690-151.001 Purpose.

Rulemaking Authority 624.308, 626.9611, 626.9641 FS. Law Implemented 624.307(1), 626.9521, 626.9541 FS. History—New 7-9-81, Formerly 4-24.01, 4-24.10, 4-24.010, 4-151.001, Repealed.

690-151.002 Definition of Replacement.

“Replacement” means any transaction in which new life insurance is to be purchased, and it is known or should be known to the proposing agent or to the proposing insurer that by reason of such transaction existing life insurance has been or is to be:

- (1) Lapsed, forfeited, surrendered, or otherwise terminated;
- (2) Converted to reduced paid-up insurance, continued as extended term insurance, or otherwise reduced in value by the use of nonforfeiture benefits or other policy values;
- (3) Amended so as to effect either a reduction in benefits or in the term for which coverage would otherwise remain in force or for which benefits would be paid;
- (4) Reissued with any reduction in cash value; or
- (5) Pledged as collateral or subjected to borrowing, whether in a single loan or under a schedule of borrowing over a period of time, for amounts in aggregate exceeding twenty-five (25%) of the loan value set forth in the policy.

Rulemaking Authority 624.308, 626.9611, 626.9641 FS. Law Implemented 624.307(1), 626.9521, 626.9541, 626.9641 FS. History—New 7-9-81, Formerly 4-24.02, 4-24.11, 4-24.011, 4-151.002, Amended.

690-151.003 Other Definitions.

(1) “~~Cash Dividend~~” means the current illustrated dividend which can be applied toward payment of the gross premium. (2) “Existing Insurer” means the insurance company whose policy is or will be changed or terminated in such a manner as described within the definition of “replacement.”

(2)(3) “Existing Life Insurance” means any life insurance in force including life insurance under a binding or conditional receipt or a life insurance policy that is within an unconditional refund period, but excluding life insurance obtained through the exercise of a dividend option.

(4) “~~Generic Name~~” means a short title which is descriptive of the premium and benefit patterns of a policy or a rider.

~~(3)(5)~~ “Replacing Insurer” means the insurance company that issues a new policy which is a replacement of existing life insurance.

~~(4)(6)~~ “Sales Proposal” means individualized, written sales aids of all kinds, which are used by an insurer or agent in comparing existing life insurance to proposed life insurance in order to recommend the replacement or conservation of existing life insurance. Sales aids of a generally descriptive nature, which are maintained in the insurer’s advertising compliance file, shall not be considered a Sales Proposal within the meaning of this definition.

~~(5)(7)~~ “Life Insurance” shall include annuities, tax sheltered annuities or life insurance policies which qualify under the definition of tax sheltered annuities.

Rulemaking Authority 624.308, 626.9611, 626.9641 FS. Law Implemented 624.307(1), 626.9521, 626.9541, 626.9641 FS. History—New 7-9-81, Amended 2-2-83, Formerly 4-24.12, 4-24.012, 4-151.003, Amended _____.

69O-151.004 Exemptions.

Unless otherwise specifically included, ~~paragraph~~ Rules 69O-151.007(3)(b) and ~~subsection~~ 69O-151.008(1), ~~F.A.C.~~, shall not apply to:

- (1) Industrial Insurance;
- (2) Group, franchise, and individual credit life insurance;
- (3) Group life insurance and life insurance policies issued in connection with a pension, profit sharing or other benefit plan qualifying for tax deductibility of premiums;
- (4) An application to the existing insurer that issued the existing life insurance where a contractual change or conversion privilege is being exercised;
- (5) Existing life insurance that is a non-convertible term life insurance policy which will expire in five years or less and cannot be renewed, unless such policy has tabular cash values; or
- (6) Proposed life insurance that is to replace existing life insurance issued under a binding or conditional receipt delivered by the same company;
- (7) Variable life insurance or annuities under which the death benefits and cash values vary in accordance with unit values of investments held in a separate account;
- (8) Transactions involving annuity contracts which are governed by Rule 69B-162.011.

Rulemaking Authority 624.308, 626.9611, 626.9641 FS. Law Implemented 624.307(1), 626.9521, 626.9541, 626.9641, 627.4554 FS. History—New 7-9-81, Formerly 4-24.03, Amended 2-2-83, Formerly 4-24.13, 4-24.013, 4-151.004, Amended _____.

69O-151.005 Duties of Agent.

Rulemaking Authority 624.308, 626.9611, 626.9641 FS. Law Implemented 624.307(1), 626.9521, 626.9541, 626.9641 FS. History—New 7-8-81, Formerly 4-24.04, 4-24.14, 4-24.014, 4-151.005, Repealed _____.

69O-151.006 Duties of Replacing Agent.

Rulemaking Authority 624.308, 626.9611, 626.9641 FS. Law Implemented 624.307(1), 626.9521, 626.9541, 626.9641 FS. History—New 7-9-81, Formerly 4-24.04, Amended 2-2-83, Formerly 4-24.15, 4-24.015, 4-151.006, Repealed _____.

69O-151.007 Duties of Replacing Insurers.

Each replacing insurer shall:

- (1) Inform its field representatives of the requirements of these rules.
- (2) Require with or as part of each completed application for life insurance:
 - (a) A statement signed by the applicant as to whether or not such insurance will replace existing life insurance; and,
 - (b) A statement signed by the agent as to whether or not he or she knows replacement is or may be involved in the transaction.
- (3) Where a replacement is involved:
 - (a) Require from the agent with the application for life insurance a completed copy of Form OIR-B2-312 rev. 07/23, as adopted in Rule 69B-151.010, the “Notice to Applicant Regarding Replacement of Life Insurance” (Exhibit A) and a copy of all Sales Proposals used for presentation to the applicant.

(b) Send to the applicant when requested, ~~in the “Notice to the Applicant Regarding Replacement of Life Insurance” (Exhibit A),~~ a completed Form OIR-B2-313, rev. 07/23 as adopted in Rule 69B-151.010, “Comparative Information Form,” (Exhibit B) containing complete information required by the Form regarding the proposed insurance. This must be done within five (5) working days of the date the application and the Form OIR-B2-312, rev. 07/23 “Notice to the Applicant Regarding Replacement of Life Insurance” (Exhibit A) are received at its Home or Regional Office, or the date its policy is issued, whichever is sooner. Exemptions from compliance with the provisions of this paragraph are set forth in Rule 69O-151.004, ~~F.A.C.~~

(c) Send to the existing insurer a copy of the Form OIR-B2-312 rev. 07/23 “Notice to the Applicant Regarding the Replacement of Life Insurance” (Exhibit A) immediately upon receipt at its Home or Regional Office. The mailing address to be used for the existing insurer is the address under which that insurer is registered with the Office of Insurance Regulation.

(d) Provide to each prospective purchaser a buyer’s guide and a policy summary prior to accepting any applicant’s initial premium or premium deposit, unless the policy for which application is made contains a provision for an unconditional refund for a period of at least 10 days, or unless the policy summary contains an offer of such an unconditional refund, in which event the buyer’s guide and policy summary must be delivered with the policy or prior to delivery of the policy.

(e) Maintain copies of the Form OIR-B2-312 rev. 07/23, and Form OIR-B2-313 rev. 07/23, if requested by the applicant, “Notice to Applicant Regarding Replacement of Life Insurance,” requested Comparative Information Forms and all Sales Proposals used, and a replacement register, cross indexed, by replacing agent and existing insurer to be replaced, for at least three (3) years or until the conclusion of the next succeeding regular examination by the Insurance Department of its state of domicile, whichever is later.

Rulemaking Authority 624.308, 626.9611, 626.9641 FS. Law Implemented 624.307(1), 626.9521, 626.9541, 626.9641, 626.99; FS. History—New 7-9-81, Formerly 4-24.05, Amended 2-2-83, Formerly 4-24.16, 4-24.016, 4-151.007, Amended _____.

69O-151.008 Duties of the Existing Insurer.

Each existing insurer shall inform its responsible personnel of the requirements of these rules. Each existing insurer shall:

(1) Within ten (10) days from the date it receives the Form OIR-B2-312, rev. 07/23, “Notice to the Applicant Regarding Replacement of Life Insurance,” (Exhibit A), furnish the policyowner, when requested, a Form OIR-B2-313, rev. 07/23, in the Notice (Exhibit A) with a “Comparative Information Form” (Exhibit B) concerning the existing life insurance. The values shown on Form OIR-B2-313 rev. 07/23, in this Form (Exhibit B) shall be computed from the current policy year of the existing life insurance. Exemptions from compliance with the provisions of this section are set forth in Rule 69O-151.004, ~~F.A.C.~~

(2) Maintain a file containing the following:

(a) Copies of the Form OIR- B2-312, rev. 07/23 “Notice to the Applicant Regarding Replacement of Life Insurance,” (Exhibit A) received from replacing insurers; and,

(b) Copies of the fully completed Form OIR-B2-313, rev. 07/23, Comparative Information Forms prepared pursuant to Rule subsection 69O-151.008(1), F.A.C.

(3) This material shall be indexed by replacing insurer and held for three (3) years or until the conclusion of the next regular examination conducted by the Insurance Department of its domicile, whichever is later.

Rulemaking Authority 624.308, 626.9611, 626.9641 FS. Law Implemented 624.307(1), 626.9521, 626.9541, 626.9641, FS. History—New 7-9-81, Formerly 4-24.05, Amended 2-2-83, Formerly 4-24.17, 4-24.017, 4-151.008, Amended _____.

69O-151.009 Penalties.

Rulemaking Authority 624.308, 626.9611, 626.9641 FS. Law Implemented 624.307(1), 626.9521, 626.9541, 626.9641 FS. History—New 7-9-81, Formerly 4-24.06, 4-24.19, 4-24.019, 4-151.009, Repealed _____.

69O-151.010 Approved Forms.

The forms OIR B2 312 “Notice to Applicant Regarding Replacement of Life Insurance”, rev. 1 91, and OIR-B2 313 “Comparative Information Form”, rev. 1 91 set forth respectively in Exhibits A and B are hereby approved and shall be used as specified in these rules. Copies of the above mentioned forms are available to the public

through the Office of Insurance Regulation, Bureau of Life and Health Forms and Market Conduct Review, Division of Insurer Services, 335 Larson Building, Tallahassee, Florida.

(1) Form OIR-B2-312, "Notice to Applicant Regarding Replacement of Life Insurance," rev. 07/23, hereby incorporated by reference and available at www.flrules.org/XXXXX. The form may be obtained from <https://www.flair.com>.

(2) Form OIR-B2-313, "Comparative Information Form for Proposed Insurance," rev. 07/23, hereby incorporated by reference and available at www.flrules.org/XXXXX. The form may be obtained from <https://www.flair.com>.

Rulemaking Authority 624.308, 626.9611, 626.9641 FS. Law Implemented 624.307(1), 626.9521, 626.9541, 626.99 FS. History—New 7-9-81, Amended 11-5-82, 2-2-83, Formerly 4-24.21, Amended 3-11-91, Formerly 4-24.021, 4-151.010, Amended _____.

690-151.012 Separability.

Rulemaking Authority 624.308, 626.9611, 626.9641 FS. Law Implemented 624.307(1), 626.9521, 626.9541, 626.9641 FS. History—New 7-9-81, Formerly 4-24.20, 4-24.020, 4-151.012, Repealed _____.

690-151.101 Purpose.

Rulemaking Authority 624.308(1), 626.9611, 626.9641 FS. Law Implemented 624.307(1), 626.9521, 626.9541, 626.9641 FS. History—New 2-1-79, Formerly 4-44.01, 4-44.001, 4-151.101, Repealed _____.

690-151.102 Scope.

~~These rules~~ Rules 690-151.102 through 690-151.104 apply to the solicitation of accident and health insurance covering residents of this state. They do not apply to the solicitation of the following accident and health insurance:

- (1) Group, blanket or franchise;
- (2) Accident only;
- (3) Single premium nonrenewable;
- (4) Conversion to another individual or family policy issued by the same insurer with continuous coverage;
- (5) Conversion to an individual or family policy from a group, blanket or group type policy; and,
- (6) Conversion to a Medicare Supplement policy to replace a basic or major-medical accident and health policy.

Rulemaking Authority 624.308(1), 626.9611, 626.9641 FS. Law Implemented 624.307(1), 626.9521, 626.9541, 626.9641 FS. History—New 2-1-79, Formerly 4-44.02, 4-44.002, 4-151.102, Amended _____.

690-151.106 Violation.

Rulemaking Authority 624.308(1), 626.9611, 626.9641 FS. Law Implemented 624.307(1), 626.9521, 626.9541, 626.9641 FS. History—New 2-1-79, Formerly 4-44.06, 4-44.006, 4-151.106, Repealed _____.

690-151.107 Effective Date.

Rulemaking Authority 624.308(1), 626.9611, 626.9641 FS. Law Implemented 624.307(1), 626.9521, 626.9541, 626.9641 FS. History—New 2-1-79, Formerly 4-44.07, 4-44.007, 4-151.107, Repealed _____.

690-151.201 Purpose and Scope.

(1) ~~The purpose of this rule chapter is to implement the provisions of Section 626.9541(1)(aa), F.S., with respect to churning and to adopt Form OIR D0-1180. This rule and its accompanying disclosure form and instructions (Form OIR D0-1180)~~ Rules 690-151.201, and 690-151.202, apply to any and all types of policies which include a policy value feature, irrespective of the marketing method by which such policies or contracts are sold.

(2) Rules 690-151.201, and 690-151.202, ~~This Part, Part III of Chapter 690-151, F.A.C.,~~ shall not apply to:

- (a) Conversions of group or individual term policies; or
- (b) Group permanent life, group variable life, group fixed annuities and group variable annuities wherein the group master policyholder retains ownership of the contract.

(3) When exercising the following policy provisions, for a purpose other than as a funding source for the purchase of additional insurance contract(s), ~~Rule paragraph 69O-151.202(2)(a), F.A.C.~~ shall not apply to:

(a) Reduced paid-up or extended term insurance options in group life, group variable life, individual life or variable life policies;

(b) Early annuity options of group fixed, group variable, individual fixed or individual variable annuity products; or

(c) A living benefit settlement option of a group permanent life, group variable life, individual life or individual variable life insurance policy.

Rulemaking Authority 624.308(1), 626.9641(1)(aa)2. FS., Chapter 95-219, Laws of Florida. Law Implemented 624.307(1), 626.9541(1)(aa) FS., ~~Chapter 95-219, Laws of Florida, History-New 2-19-96, Formerly 4-151.201, Amended~~.

69O-151.202 Requirements.

(1) ~~Effective October 1, 1995, each~~ Each insurer shall adopt written procedures to reasonably avoid and discourage the practice of churning, as defined in Section 626.9541(1)(aa), F.S.

(2)(a) Form OIR-D0-1180, “Policy Disclosure Form and Instructions,” rev. 07/23, hereby incorporated by reference and available at www.flrules.org/XXXXXX, shall be completed by the insurer or its licensed and appointed agent and provided to the applicant prior to or contemporaneous with the time the applicant signs any application for the purchase of an additional life insurance policy or annuity contract to be funded through the use of values accessed in an existing and in-force policy with that same insurer. Form OIR-D0-1180, rev. 07/23 shall be completed for each existing and in-force policy to be utilized as a funding source for the purchase of additional insurance contract(s). Any required replacement and sales forms must also be completed. One copy of Form OIR-D0-1180, rev. 07/23 is to be delivered to the policyowner and one copy must be maintained by the insurer.

(b) If there is a material change in the information originally disclosed to the policyowner on Form OIR-D0-1180, rev. 07/23 as a result of the underwriting and policy issuance process, an insurer may cause an amended Form OIR-D0-1180, rev. 07/23 to be reissued, delivered and executed by the agent or corporate officer and the policyowner, and such amended Form OIR-D0-1180, rev. 07/23 shall constitute the required disclosure under this rule. An insurer must maintain any and all amended versions of Form OIR-D0-1180 in accordance with this rule.

(3) Insurers may reprint Form OIR-D0-1180, rev. 07/23 in its adopted format; however, reprints shall not be in a typesize smaller than the format adopted by the Office.

(4) Insurers may affix their name, address and company logo or insignia on the form in a manner not prohibited by Chapter 69B-150, F.A.C, or other applicable laws and rules.

(5) In accordance with Sections 624.316 and 624.3161, F.S., insurers shall maintain executed forms in active policy files for examination purposes. Accordingly, insurers shall maintain executed forms for at least five (5) years or from examination to examination, whichever is longer. In lieu of retaining original, executed forms, Form OIR-D0-1180, rev. 07/23 may be maintained in a manner retrievable for compliance examination and investigation review purposes.

(6) Policy loan request forms, surrender value request forms, dividend withdrawal request forms or any other applicable service forms that are necessary to access the funds to be used as a funding source for the payment of premiums for the additional insurance policy shall be completed and executed in their entirety at the time of new policy application and after presentation of the completed Form OIR-D0-1180, rev. 07/23.

(7) Form OIR-D0-1180, rev. 07/23 form may be obtained from <https://www.floir.com>.

Rulemaking Authority 624.308(1), 626.9541(1)(aa)2. FS., Chapter 95-219, Laws of Florida. Law Implemented 624.307(1), 624.316, 624.3161, 626.9541(1)(aa), 627.4554 FS., Chapter 95-219, Laws of Florida. History-New 2-19-96, Formerly 4-151.202, Amended.

69O-151.203 Adoption of Form OIR-D0-1180.

Rulemaking Authority 624.308(1), 626.9541(1)(aa)2. FS., Chapter 95-219, Laws of Florida. Law Implemented 624.307(1), 626.9541(1)(aa), 627.4554 FS., ~~Chapter 95-219, Laws of Florida, History-New 2-19-96, Formerly 4-151.203, Repealed~~.

69O-157.023 Reporting.

(1) Every insurer shall maintain records for each agent of that agent's amount of replacement sales as a percentage of the agent's total annual sales in this state and the amount of lapses of long-term care insurance policies sold by the agent as a percentage of the agent's total annual sales in this state.

(2) Every insurer shall report annually by June 30 the 10 percent of its agents with the greatest percentages of lapses and replacements as measured by subsection 69O-157.023(1), F.A.C., in the format prescribed by Appendix J, "Long-Term Care Insurance Replacement and Lapse Reporting Form OIR-B2-1555," which is incorporated by reference in Rule 69O-157.111. ~~"Replacement and Lapse Reporting Form OIR-1555" (10/02), which is incorporated herein by reference.~~

(3) through (5) No change.

(6) Every insurer shall report annually by June 30, for qualified long-term care insurance contracts, the number of claims denied for each class of business, expressed as a percentage of claims denied in this state, in the format as prescribed in Appendix E, "Annual Long-Term Care Claims Denial Reporting Form" OIR-B2-1553, which is incorporated by reference in Rule 69O-157.111. ~~"Claims Denial Reporting Form OIR-1553" (10/02), which is incorporated herein by reference.~~

(7) No change.

(8) Every insurer or other entity selling or issuing long-term care insurance benefits shall maintain a record of all policy or certificate rescissions, both state and countrywide, except those that the insured voluntarily effectuated, and shall annually furnish this information to the Department by March 1 of each year in the format prescribed in Appendix A, "Long-Term Care Rescission Report" OIR-B2-1552, which is incorporated by reference in Rule 69O-157.111. ~~"Rescission Reporting Form OIR-1552" (10/02), which is incorporated herein by reference.~~

(9) No change.

Specific Authority 624.308(1), 627.9407(1), 627.9408 FS. Law Implemented 624.307(1), 627.9402, 627.9407(1), 627.410(7) FS. History—New 1-13-03, Formerly 4-157.023. Amended.

69O-157.111 Reporting Requirements.

(1) No change.

(2) Every insurer shall report annually by June 30 the 10 percent of its agents with the greatest percentages of lapses and replacements as measured by subsection 69O-157.111(1), F.A.C., in the format as prescribed in Appendix J, “Long-Term Care ~~Insurance~~ Replacement and Lapse Reporting Form OIR-B2-1555,” effective 07/23 hereby incorporated by reference and available at www.flrules.org/XXXXX
<http://www.flrules.org/Gateway/reference.asp?No=Ref 08269>, (06/2017), which is incorporated herein by reference.

(3) through (5) No change.

(6) Every insurer shall report annually by June 30, for qualified long-term care insurance contracts, the number of claims denied for each class of business, expressed as a percentage of claims denied in this state in the format as prescribed in Appendix E, “Annual Long-Term Care Claims Denial Reporting Form” “~~Claims Denial Reporting Form~~ Long Term Care Insurance for the State of Florida for the Reporting Year 20__” OIR-B2-1553, effective 07/23, hereby incorporated by reference and available at www.flrules.org/XXXXX
<http://www.flrules.org/Gateway/reference.asp?No=Ref 08268>, (06/2017), which is incorporated herein by reference.

(7) through (8) No change.

(9) Based on the provisions of Rule 69O-157.109, F.A.C., every insurer or other entity selling or issuing long-term care insurance benefits shall maintain a record of all policy or certificate rescissions, both state and countrywide, except those that the insured voluntarily effectuated and shall annually furnish this information, by March 1 of each year, in the format as prescribed in Appendix A, “Long-Term Care Rescission Reporting Form” ~~For Long Term Care Policies for the State of Florida For the Reporting Year 20__~~” OIR-B2-1552, effective 07/23, hereby incorporated by reference and available at www.flrules.org/XXXXX <http://www.flrules.org/Gateway/reference.asp?No=Ref 08270>, (06/2017), which is incorporated herein by reference.

(10) through (11) No change.

*Rulemaking Authority 624.308(1), 627.9407(1), 627.9408 FS. Law Implemented 624.424, 624.307(1), 627.9407(1), 627.410(7) FS.
History—New 1-13-03, Formerly 4-157.111, Amended 7-30-17,_____.*

690-191.027 Application for Certificate of Authority.

(1) An application for a person applying for a certificate of authority as a health maintenance organization consists of the following:

(a) Form OIR-C1-942, "Application for Certificate of Authority Health Maintenance Organization," effective 07/23 5/22, hereby incorporated by reference and available at <http://www.flrules.org/Gateway/>; [http://www.flrules.org/Gateway/reference.asp?No=Ref 14710](http://www.flrules.org/Gateway/reference.asp?No=Ref 14710;);

~~(b) Form OIR-C1-1263, "Application for Certificate of Authority Health Maintenance Organization Rehabilitation Administrative Expense Fund (Pursuant to Section 641.227, F.S.," effective 6/96, hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref 14711>;~~

~~(c) Form OIR-B2-1093, "Small Employer Carrier's Application to Become a Risk Assuming Carrier or a Reinsuring Carrier, as Required by Section 627.6699(9), F.S.," effective 07/23 12/49, hereby incorporated by reference and available at <http://www.flrules.org/Gateway/>; <http://www.flrules.org/Gateway/reference.asp?No=Ref 14712>;~~

~~(d) Form OIR-C1-905, incorporated by reference in Rule 690-136.100, F.A.C.; "Instructions for Furnishing Background Investigative Reports," effective 6/20, hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref 14713>;~~

~~(e) Form OIR-C1-938, incorporated by reference in Rule 690-136.100, F.A.C.; "Fingerprint Payment and Submission Procedure," effective 6/20, hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref 14716>;~~

~~(f) Form OIR-C1-1423, incorporated by reference in Rule 690-136.100, F.A.C.; "Biographical Affidavit," effective 12/20, hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref 14714>; and~~

~~(g) Form OIR-C1-0500, incorporated by reference in Rule 690-136.100, F.A.C.;~~

~~(h) Form OIR-C1-0501, incorporated by reference in Rule 690-136.100, F.A.C.;~~

~~(i) Form OIR-C1-0502, incorporated by reference in Rule 690-136.100, F.A.C.;~~

~~(j) Form OIR-C1-0503, incorporated by reference in Rule 690-136.100, F.A.C.;~~

~~(k) Form OIR-C1-0504, incorporated by reference in Rule 690-136.100, F.A.C.;~~

~~(l) Form OIR-C1-0505, incorporated by reference in Rule 690-136.100, F.A.C.;~~

~~(m) Form OIR-C1-0506, incorporated by reference in Rule 690-136.100, F.A.C.;~~

~~(n) Form OIR-C1-0507, incorporated by reference in Rule 690-136.100, F.A.C.;~~

~~(o) Form OIR-C1-0509, incorporated by reference in Rule 690-136.100, F.A.C.; and~~

~~(p) Form OIR-C1-2221, incorporated by reference in Rule 690-136.100, F.A.C.; "Management Information Form," effective 6/20, hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref 14715>.~~

(2) A person applying for a certificate of authority as a health maintenance organization shall submit forms in subsection (1) as directed by the Office electronically at <http://www.flrules.org/Gateway/reference.asp?No=Ref-14715>. The forms may be obtained from <https://www.flair.com/portal>.

Rulemaking Authority 627.6699, 641.36 FS. Law Implemented 627.6699, 641.21, 641.22, 641.227, 641.29(1) FS. History--New 2-22-88, Amended 10-25-89, Formerly 4-31.027, Amended 5-28-92, Formerly 4-191.027, Amended 9-28-22,_____.

69O-192.008 Multiple-Employer Welfare Arrangement Application.

(1) An application for a person applying for a certificate of authority as a multiple-employer welfare arrangement consists of the following:

(a) Form OIR-C1-983, "Application for Certificate of Authority Multiple Employer Welfare Arrangement," effective 07/23 5/22, hereby incorporated by reference and available at http://www.flrules.org/Gateway/_____; ~~<http://www.flrules.org/Gateway/reference.asp?No=Ref 14717>~~;

(b) Form OIR-C1-905, ~~incorporated by reference in Rule 69O-136.100, F.A.C.; "Instructions for Furnishing Background Investigative Reports," effective 6/20, hereby incorporated by reference and available at~~ ~~<http://www.flrules.org/Gateway/reference.asp?No=Ref 14718>~~;

(c) Form OIR-C1-938, ~~incorporated by reference in Rule 69O-136.100, F.A.C.; "Fingerprint Payment and Submission Procedure," effective 6/20, hereby incorporated by reference and available at~~ ~~<http://www.flrules.org/Gateway/reference.asp?No=Ref 14719>~~;

(d) Form OIR-C1-1423, ~~incorporated by reference in Rule 69O-136.100, F.A.C.; "Biographical Affidavit," effective 12/20, hereby incorporated by reference and available at~~ ~~<http://www.flrules.org/Gateway/reference.asp?No=Ref 14720>~~; and

(e) Form OIR-C1-0500, incorporated by reference in Rule 69O-136.100, F.A.C.;

(f) Form OIR-C1-0501, incorporated by reference in Rule 69O-136.100, F.A.C.;

(g) Form OIR-C1-0502, incorporated by reference in Rule 69O-136.100, F.A.C.;

(h) Form OIR-C1-0503, incorporated by reference in Rule 69O-136.100, F.A.C.;

(i) Form OIR-C1-0504, incorporated by reference in Rule 69O-136.100, F.A.C.;

(j) Form OIR-C1-0505, incorporated by reference in Rule 69O-136.100, F.A.C.;

(k) Form OIR-C1-0506, incorporated by reference in Rule 69O-136.100, F.A.C.;

(l) Form OIR-C1-0507, incorporated by reference in Rule 69O-136.100, F.A.C.;

(m) Form OIR-C1-0509, incorporated by reference in Rule 69O-136.100, F.A.C.; and

~~(n)(e)~~ Form OIR-C1-2221, ~~incorporated by reference in Rule 69O-136.100, F.A.C.; "Management Information Form," effective 6/20, available at~~ ~~<http://www.flrules.org/Gateway/reference.asp?No=Ref 14721>~~.

(2) A person applying for a certificate of authority as a multiple-employer welfare arrangement shall submit forms in subsection (1) as directed by the Office electronically at <https://www.flair.com/iportal>. The forms may be obtained from <https://www.flair.com/iportal>.

Rulemaking Authority 624.439, 624.4431 FS. Law Implemented 624.438, 624.439 FS. History—New 7-28-94, Formerly 4-192.008, Amended 9-28-22,_____.

69O-193.003 Applications and Management Change.

(1) Application for Certificate of Authority.

(a) An application for a person applying for a certificate of authority for a continuing care provider consists of the following:

1. Form OIR-C1-473, "Application for Certificate of Authority for a Continuing Care Provider," effective 07/23 9/19, hereby incorporated by reference and available at <http://www.flrules.org/Gateway/>; [http://www.flrules.org/Gateway/reference.asp?No=Ref 11565](http://www.flrules.org/Gateway/reference.asp?No=Ref 11565;);

2. Form OIR-C1-144, ~~incorporated by reference in Rule 69O-136.100, F.A.C.; "Service of Process Consent & Agreement," effective 6/04, hereby incorporated by reference and available at~~ [http://www.flrules.org/Gateway/reference.asp?No=Ref 11566](http://www.flrules.org/Gateway/reference.asp?No=Ref 11566;);

3. Form OIR-C1-905, ~~incorporated by reference in Rule 69O-136.100, F.A.C.; "Instructions for Furnishing Background Investigative Reports," effective 6/20, hereby incorporated by reference and available at~~ [https://www.flrules.org/Gateway/reference.asp?No=Ref 14451](https://www.flrules.org/Gateway/reference.asp?No=Ref 14451;);

4. Form OIR-C1-938, "Fingerprint Payment and Submission Procedure," ~~incorporated by reference in Rule 69O-136.100, F.A.C.; effective 6/20, hereby incorporated by reference and available at~~ [https://www.flrules.org/Gateway/reference.asp?No=Ref 14452](https://www.flrules.org/Gateway/reference.asp?No=Ref 14452;);

5. Form OIR-C1-1423, ~~incorporated by reference in Rule 69O-136.100, F.A.C.; "Uniform Certificate of Authority Application (UCAA) Biographical Affidavit," effective 12/20, hereby incorporated by reference and available at~~ [https://www.flrules.org/Gateway/reference.asp?No=Ref 14453](https://www.flrules.org/Gateway/reference.asp?No=Ref 14453;); and

6. ~~Form OIR-C1-0500, incorporated by reference in Rule 69O-136.100, F.A.C.;~~

7. ~~Form OIR-C1-0501, incorporated by reference in Rule 69O-136.100, F.A.C.;~~

8. ~~Form OIR-C1-0502, incorporated by reference in Rule 69O-136.100, F.A.C.;~~

9. ~~Form OIR-C1-0503, incorporated by reference in Rule 69O-136.100, F.A.C.;~~

10. ~~Form OIR-C1-0504, incorporated by reference in Rule 69O-136.100, F.A.C.;~~

11. ~~Form OIR-C1-0505, incorporated by reference in Rule 69O-136.100, F.A.C.;~~

12. ~~Form OIR-C1-0506, incorporated by reference in Rule 69O-136.100, F.A.C.;~~

13. ~~Form OIR-C1-0507, incorporated by reference in Rule 69O-136.100, F.A.C.;~~

14. ~~Form OIR-C1-0509, incorporated by reference in Rule 69O-136.100, F.A.C.; and~~

15. Form OIR-C1-2221, ~~incorporated by reference in Rule 69O-136.100, F.A.C. "Management Information Form," effective 6/20, hereby incorporated by reference and available at~~ [www.flrules.org/Gateway/reference.asp?No=Ref 14454](http://www.flrules.org/Gateway/reference.asp?No=Ref 14454;).

(b) A person applying for a certificate of authority as a continuing care provider shall submit forms in paragraph (1)(a) as directed by the Office electronically at <https://www.flair.com/iportal>. The forms may be obtained from <https://www.flair.com/iportal>.

(2) Application for Provisional Certificate of Authority.

(a) An application for a person applying for a provisional certificate of authority for a continuing care provider consists of the following:

1. Form OIR-C1-471, "Application for Provisional Certificate of Authority for a Continuing Care Provider," effective 07/23 9/19, hereby incorporated by reference and available at <http://www.flrules.org/Gateway/>; [http://www.flrules.org/Gateway/reference.asp?No=Ref 11571](http://www.flrules.org/Gateway/reference.asp?No=Ref 11571;);

2. Form OIR-C1-144, incorporated by reference in Rule 69O-136.100, F.A.C.; ~~paragraph (1)(a);~~

3. Form OIR-C1-905, incorporated by reference in Rule 69O-136.100, F.A.C.; ~~paragraph (1)(a);~~

4. Form OIR-C1-938, incorporated by reference in Rule 69O-136.100, F.A.C.; ~~paragraph (1)(a);~~

5. Form OIR-C1-1423, incorporated by reference in Rule 69O-136.100, F.A.C.; ~~paragraph (1)(a); and~~

6. ~~Form OIR-C1-0500, incorporated by reference in Rule 69O-136.100, F.A.C.;~~

7. ~~Form OIR-C1-0501, incorporated by reference in Rule 69O-136.100, F.A.C.;~~

8. ~~Form OIR-C1-0502, incorporated by reference in Rule 69O-136.100, F.A.C.;~~

9. Form OIR-C1-0503, incorporated by reference in Rule 69O-136.100, F.A.C.;
10. Form OIR-C1-0504, incorporated by reference in Rule 69O-136.100, F.A.C.;
11. Form OIR-C1-0505, incorporated by reference in Rule 69O-136.100, F.A.C.;
12. Form OIR-C1-0506, incorporated by reference in Rule 69O-136.100, F.A.C.;
13. Form OIR-C1-0507, incorporated by reference in Rule 69O-136.100, F.A.C.;
14. Form OIR-C1-0509, incorporated by reference in Rule 69O-136.100, F.A.C.; and
15. Form OIR-C1-2221, incorporated by reference in Rule 69O-136.100, F.A.C. ~~paragraph (1)(a).~~

(b) A person applying for a provisional certificate of authority as a continuing care provider shall submit forms in paragraph (2)(a) as directed by the Office electronically at <https://www.flair.com/portal>. The forms may be obtained from <https://www.flair.com/portal>.

(3) Consolidated Application for Provisional Certificate of Authority and Certificate of Authority.

(a) A consolidated application for a provisional certificate of authority and certificate of authority for a continuing care provider consists of the following:

1. Form OIR-C1-2220, "Consolidated Application for Provisional Certificate of Authority and Certificate of Authority for a Continuing Care Provider," effective 07/23 ~~9/19~~, hereby incorporated by reference and available at <http://www.flrules.org/Gateway/>; ~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-11572>~~;

2. Form OIR-C1-144, incorporated by reference in Rule 69O-136.100, F.A.C.; ~~paragraph (1)(a);~~
3. Form OIR-C1-905, incorporated by reference in Rule 69O-136.100, F.A.C.; ~~paragraph (1)(a);~~
4. Form OIR-C1-938, incorporated by reference in Rule 69O-136.100, F.A.C.; ~~paragraph (1)(a);~~
5. Form OIR-C1-1423, incorporated by reference in Rule 69O-136.100, F.A.C.; ~~paragraph (1)(a); and~~
6. Form OIR-C1-0500, incorporated by reference in Rule 69O-136.100, F.A.C.;
7. Form OIR-C1-0501, incorporated by reference in Rule 69O-136.100, F.A.C.;
8. Form OIR-C1-0502, incorporated by reference in Rule 69O-136.100, F.A.C.;
9. Form OIR-C1-0503, incorporated by reference in Rule 69O-136.100, F.A.C.;
10. Form OIR-C1-0504, incorporated by reference in Rule 69O-136.100, F.A.C.;
11. Form OIR-C1-0505, incorporated by reference in Rule 69O-136.100, F.A.C.;
12. Form OIR-C1-0506, incorporated by reference in Rule 69O-136.100, F.A.C.;
13. Form OIR-C1-0507, incorporated by reference in Rule 69O-136.100, F.A.C.;
14. Form OIR-C1-0509, incorporated by reference in Rule 69O-136.100, F.A.C.; and
- Form OIR-C1-2221, incorporated by reference in Rule 69O-136.100, F.A.C. ~~paragraph (1)(a).~~

(b) A person filing a consolidated application for provisional certificate of authority and certificate of authority for a continuing care provider shall submit forms in paragraph (3)(a) as directed by the Office electronically at <https://www.flair.com/portal>. The forms may be obtained from <https://www.flair.com/portal>.

(4) Application for the Simultaneous Acquisition of a Continuing Care Facility and Issuance of a Certificate of Authority to a Provider.

(a) An application for the simultaneous acquisition of a continuing care facility and issuance of a certificate of authority consists of the following:

1. Form OIR-C1-2219, "Application for the Simultaneous Acquisition of a Continuing Care Facility and Issuance of a Certificate of Authority to a Provider," effective 07/23 ~~9/19~~, hereby incorporated by reference and available at <http://www.flrules.org/Gateway/>; ~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-11573>~~;

2. Form OIR-C1-144, incorporated by reference in Rule 69O-136.100, F.A.C.; ~~paragraph (1)(a);~~
3. Form OIR-C1-905, incorporated by reference in Rule 69O-136.100, F.A.C.; ~~paragraph (1)(a);~~
4. Form OIR-C1-938, incorporated by reference in Rule 69O-136.100, F.A.C.; ~~paragraph (1)(a);~~
5. Form OIR-C1-2221, incorporated by reference in Rule 69O-136.100, F.A.C.; ~~paragraph (1)(a); and~~
6. Form OIR-C1-1423, incorporated by reference in Rule 69O-136.100, F.A.C.; ~~paragraph (1)(a).~~
7. Form OIR-C1-0500, incorporated by reference in Rule 69O-136.100, F.A.C.;
8. Form OIR-C1-0501, incorporated by reference in Rule 69O-136.100, F.A.C.;
9. Form OIR-C1-0502, incorporated by reference in Rule 69O-136.100, F.A.C.;

10. Form OIR-C1-0503, incorporated by reference in Rule 69O-136.100, F.A.C.;
11. Form OIR-C1-0504, incorporated by reference in Rule 69O-136.100, F.A.C.;
12. Form OIR-C1-0505, incorporated by reference in Rule 69O-136.100, F.A.C.;
13. Form OIR-C1-0506, incorporated by reference in Rule 69O-136.100, F.A.C.;
14. Form OIR-C1-0507, incorporated by reference in Rule 69O-136.100, F.A.C.; and
15. Form OIR-C1-0509, incorporated by reference in Rule 69O-136.100, F.A.C.

(b) A person applying for simultaneous acquisition of a continuing care facility and issuance of a certificate of authority shall submit forms in paragraph (4)(a) as directed by the Office electronically at <https://www.flair.com/portal>.

(c) Disclaimer of Control

1. A person may attempt to rebut a presumption of control pursuant to Section 651.0245, F.S., by electronically filing at <https://www.flair.com/portal> one of the following forms, which may be obtained from <https://www.flair.com/portal>, with the Office:

a. Form OIR-C1-1467, incorporated by reference in Rule 69O-136.100, F.A.C.; ~~“Disclaimer of Control Affidavit — Individual”, effective 7/21, hereby incorporated by reference and available at <https://www.flrules.org/Gateway/reference.asp?No=Ref 14455>;~~

b. Form OIR-C1-1468, incorporated by reference in Rule 69O-136.100, F.A.C.; and ~~“Disclaimer of Control Affidavit — Entity”, effective 7/21, hereby incorporated by reference and available at <https://www.flrules.org/Gateway/reference.asp?No=Ref 14456>;~~

c. Form OIR-C1-2211, incorporated by reference in Rule 69O-136.100, F.A.C. ~~“Disclaimer of Control Affidavit — Investment Companies,” effective 7/21, hereby incorporated by reference and available at <https://www.flrules.org/Gateway/reference.asp?No=Ref 14457>;~~

2. A person may attempt to rebut a presumption of control pursuant to section 651.0245, F.S., by filing a copy of a Schedule 13G filed with the Securities and Exchange Commission pursuant to Rule 13d-1(b) or (c), 17 C.F.R. s. 240.13d-1, under the Securities Exchange Act of 1934, as amended, to the Office electronically at <https://www.flair.com/portal>.

3. Pursuant to Section 651.0245(6), F.S., the Office is authorized to disallow a disclaimer of control filed pursuant to subparagraphs (4)(c)1. and (4)(c)2.

(5) Application for Expansion.

(a) An application for a person applying for expansion of a certificated continuing care facility consists of the following:

1. Form OIR-C1-2218, “Application for Expansion of a Certificated Continuing Care Facility,” effective 07/23 9/19, hereby incorporated by reference and available at <http://www.flrules.org/Gateway/>; <http://www.flrules.org/Gateway/reference.asp?No=Ref 11577>;

2. Form OIR-C1-905, incorporated by reference in Rule 69O-136.100, F.A.C.; ~~paragraph (1)(a);~~

3. Form OIR-C1-938, incorporated by reference in Rule 69O-136.100, F.A.C.; ~~paragraph (1)(a);~~

4. Form OIR-C1-1423, incorporated by reference in Rule 69O-136.100, F.A.C.; ~~paragraph (1)(a); and~~

5. Form OIR-C1-2221, incorporated by reference in Rule 69O-136.100, F.A.C. ~~paragraph (1)(a).~~

(b) A person applying for expansion of a certificated continuing care facility shall submit forms in paragraph (5)(a) as directed by the Office electronically at <https://www.flair.com/portal>. The forms may be obtained from <https://www.flair.com/portal>.

(6) Manager or Management Company.

(a) To comply with the filing requirements of Section 651.043(2), F.S., for each new management company or manager not employed by a management company within 10 business days of a change in management, the provider shall submit the following:

1. Form OIR-C1-905, incorporated by reference in Rule 69O-136.100, F.A.C.; ~~paragraph (1)(a);~~

2. Form OIR-C1-938, incorporated by reference in Rule 69O-136.100, F.A.C.; ~~paragraph (1)(a); and~~

3. Form OIR-C1-1423, incorporated by reference in Rule 69O-136.100, F.A.C. ~~paragraph (1)(a).~~

4. A copy of the written management contract, if applicable.

(b) The documents in paragraph (6)(a) shall be submitted to the Office electronically at <https://www.floir.com/iportal>. The forms may be obtained from <https://floir.com/iportal>.

Rulemaking Authority 651.015(3), 651.021(2), 651.022(2), 651.0245(3), (5), (6), 651.0246(1), 651.043 FS. Law Implemented 651.0215, 651.022, 651.023, 651.024, 651.0245, 651.0246 FS. History—New 7-16-92, Formerly 4-193.003, Amended 3-12-20, 7-21-22, _____.

690-194.003 Prepaid Health Clinic Application.

(1) An application for a person applying for a certificate of authority as a prepaid health clinic consists of the following:

(a) Form OIR-C1-483, "Application for Certificate of Authority Prepaid Health Clinic," effective ~~07/23~~ 5/22, hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref 14727>;

(b) Form OIR-C1-905, "~~Instructions for Furnishing Background Investigative Reports,~~" effective 6/20, hereby incorporated by reference in Rule 69O-136.100, F.A.C.; and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref 14724>;

(c) Form OIR-C1-938, "~~Fingerprint Payment and Submission Procedure,~~" effective 6/20, hereby incorporated by reference in Rule 69O-136.100, F.A.C.; and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref 14725>; and

(d) Form OIR-C1-1423, "~~Biographical Affidavit,~~" effective 12/20, hereby incorporated by reference in Rule 69O-136.100, F.A.C.

(e) Form OIR-C1-0500, incorporated by reference in Rule 69O-136.100, F.A.C.;

(f) Form OIR-C1-0501, incorporated by reference in Rule 69O-136.100, F.A.C.;

(g) Form OIR-C1-0502, incorporated by reference in Rule 69O-136.100, F.A.C.;

(h) Form OIR-C1-0503, incorporated by reference in Rule 69O-136.100, F.A.C.;

(i) Form OIR-C1-0504, incorporated by reference in Rule 69O-136.100, F.A.C.;

(j) Form OIR-C1-0505, incorporated by reference in Rule 69O-136.100, F.A.C.;

(k) Form OIR-C1-0506, incorporated by reference in Rule 69O-136.100, F.A.C.; and

(l) Form OIR-C1-0507, incorporated by reference in Rule 69O-136.100, F.A.C. and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref 14726>.

(2) A person applying for a certificate of authority as a prepaid health clinic shall submit forms in subsection (1) as directed by the Office electronically at <https://www.floir.com/iportal>. The forms may be obtained from <https://www.floir.com/iportal>.

Rulemaking Authority 641.403 FS. Law Implemented 641.405, 641.406 FS. History—New 5-9-85, Formerly 4-69.03, 4-69.003, 4-194.003, Amended 9-28-22, ____.

690-196.007 Annual Reports.

(1) The annual report shall be filed on or before March 1 of each year.

(2) An Annual Report shall be filed with the Office, on or before March 1 of each year, on Form OIR-A3-107 "Annual Report" effective 07/23 ~~6/20~~, hereby incorporated by reference and available at www.flrules.org/XXXXX ~~<http://www.flrules.org/Gateway/reference.asp?No=Ref 13026>~~. Each page of the form shall be completed and prepared according to the instructions. An incomplete form shall be returned and considered not filed by the Office. Failure to file a complete annual report by the due date shall subject a licensee to fines as set forth in Rule 690-207.001, F.A.C., and discipline as provided in Sections 627.832 and 627.833, F.S. The filings shall be submitted electronically via the Office's system at <https://www.flair.com/iportal>.

Rulemaking Authority 624.308(1), 627.836(2) FS. Law Implemented 624.424, 627.836 FS. History—New 10-20-73, Repromulgated 12-24-74, Formerly 4-18.07, 4-18.007, Amended 7-27-95, 8-29-99, Formerly 4-196.007, Amended 7-30-17, 5-24-21, _____.

690-196.015 Application for and Issuance of License and License Continuance.

(1) Application for License as a Premium Finance Company.

(a) A person applying for a license as a premium finance company shall submit the following:

1. Form OIR-C1-958, "Application for License Premium Finance Company," effective 07/23 ~~3/21~~, hereby incorporated by reference and available at <http://www.flrules.org/Gateway/> ~~<http://www.flrules.org/Gateway/reference.asp?No=Ref 13035>~~;
2. Form OIR-A3-453, "Premium Finance Company Surety Bond," effective 07/23 ~~6/20~~, hereby incorporated by reference and available at <http://www.flrules.org/Gateway/> ~~<http://www.flrules.org/Gateway/reference.asp?No=Ref 13027>~~;
3. ~~Form OIR-C1-144, "Service of Process Consent & Agreement," effective 6/04, hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref 13030>;~~
4. Form OIR-C1-454, "Personal Financial Statement," effective 07/23 ~~6/20~~, hereby incorporated by reference and available at <http://www.flrules.org/Gateway/> ~~<http://www.flrules.org/Gateway/reference.asp?No=Ref 13031>~~;
- ~~4.5. Form OIR-C1-905, "Instructions for Furnishing Background Investigative Reports," effective 6/20, hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref 13032>;~~
- ~~5.6. Form OIR-C1-938, incorporated by reference in Rule 690-136.100, F.A.C.; "Fingerprint Payment and Submission Procedure," effective 6/20, hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref 13033>;~~
- ~~6.7. Form OIR-C1-957, "Instructions for Statutory Compliance of Forms: Premium Finance Companies," effective 3/21, hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref 13034>;~~
- ~~7.8. Form OIR-C1-1423, incorporated by reference in Rule 690-136.100, F.A.C.; "Uniform Certificate of Authority Application (UCAA) Biographical Affidavit," effective 6/20, hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref 13036>; and~~
8. Form OIR-C1-0500, incorporated by reference in Rule 690-136.100, F.A.C.;
9. Form OIR-C1-0501, incorporated by reference in Rule 690-136.100, F.A.C.;
10. Form OIR-C1-0502, incorporated by reference in Rule 690-136.100, F.A.C.;
11. Form OIR-C1-0503, incorporated by reference in Rule 690-136.100, F.A.C.;
12. Form OIR-C1-0504, incorporated by reference in Rule 690-136.100, F.A.C.;
13. Form OIR-C1-0505, incorporated by reference in Rule 690-136.100, F.A.C.;
14. Form OIR-C1-0506, incorporated by reference in Rule 690-136.100, F.A.C.;
15. Form OIR-C1-0507, incorporated by reference in Rule 690-136.100, F.A.C.;
16. Form OIR-C1-0509, incorporated by reference in Rule 690-136.100, F.A.C.;
- ~~17.9. Form OIR-C1-2221, incorporated by reference in Rule 690-136.100, F.A.C. "Management Information Form," effective 6/20, hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref 13037>; and~~

(b) The applicant shall submit the forms listed in paragraph (1)(a) electronically at <https://www.flair.com/iportal>.

(2) Annual License Renewal

(a)1. All premium finance company licenses shall expire on October 1.

2. Failure to submit the application for renewal before October 1 shall result in expiration of the license and will require the filing of a new application for licensure.

(b) A licensee seeking to continue operating as a premium finance company shall submit Form OIR-A3-1563, "Application for Renewal of License Premium Finance Company," effective 07/23 7/03, hereby incorporated by reference and available at <http://www.flrules.org/Gateway/> ~~<http://www.flrules.org/Gateway/reference.asp?No=Ref 13029>~~ filed electronically at <https://www.floir.com/iportal>.

Rulemaking Authority 624.308(1), 627.828(2) FS. Law Implemented 624.321(1)(a), 624.424, 627.828, 627.829 FS. History—New 5-28-90, Formerly 4-18.015, Amended 7-27-95, 8-29-99, Formerly 4-196.015, Amended 7-30-17, 5-24-21, _____.

690-198.011 Application for and Issuance of License and License Continuance.

(1) Application for License as a Service Warranty Association

(a) An application for a person applying for a license as a service warranty association consists of the following:

1. Form OIR-C1-997, "Application for License Service Warranty Association," effective ~~07/23~~ ~~3/21~~, hereby incorporated by reference and available at <http://www.flrules.org/Gateway/>; <http://www.flrules.org/Gateway/reference.asp?No=Ref-13047>;
 2. Form OIR-A3-455, "Home or Service Warranty Association Surety Bond," effective 5/20, hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-13040>;
 3. Form OIR-C1-144, ~~incorporated by reference in Rule 690-136.100, F.A.C.; "Service of Process Consent & Agreement," effective 6/04, hereby incorporated by reference and available at~~ <http://www.flrules.org/Gateway/reference.asp?No=Ref-13043>;
 4. Form OIR-C1-905, ~~incorporated by reference in Rule 690-136.100, F.A.C.; "Instructions for Furnishing Background Investigative Reports," effective 6/20, hereby incorporated by reference and available at~~ <http://www.flrules.org/Gateway/reference.asp?No=Ref-13044>;
 5. Form OIR-C1-938, ~~incorporated by reference in Rule 690-136.100, F.A.C.; "Fingerprint Payment and Submission Procedures," effective 6/20, hereby incorporated by reference and available at~~ <http://www.flrules.org/Gateway/reference.asp?No=Ref-13045>;
 6. Form OIR-C1-995, ~~incorporated by reference in Rule 690-136.100, F.A.C.; "List of Proposed Sales Representatives," effective 10/05, hereby incorporated by reference and available at~~ <http://www.flrules.org/Gateway/reference.asp?No=Ref-13046>;
 7. Form OIR-C1-1423, ~~incorporated by reference in Rule 690-136.100, F.A.C.; "Biographical Affidavit," effective 6/20, hereby incorporated by reference and available at~~ <http://www.flrules.org/Gateway/reference.asp?No=Ref-13048>; and
 8. Form OIR-C1-0500, incorporated by reference in Rule 690-136.100, F.A.C.;
 9. Form OIR-C1-0501, incorporated by reference in Rule 690-136.100, F.A.C.;
 10. Form OIR-C1-0502, incorporated by reference in Rule 690-136.100, F.A.C.;
 11. Form OIR-C1-0503, incorporated by reference in Rule 690-136.100, F.A.C.;
 12. Form OIR-C1-0504, incorporated by reference in Rule 690-136.100, F.A.C.;
 13. Form OIR-C1-0505, incorporated by reference in Rule 690-136.100, F.A.C.;
 14. Form OIR-C1-0506, incorporated by reference in Rule 690-136.100, F.A.C.;
 15. Form OIR-C1-0507, incorporated by reference in Rule 690-136.100, F.A.C.;
 16. Form OIR-C1-0509, incorporated by reference in Rule 690-136.100, F.A.C.; and
 - 17.8. Form OIR-C1-2221, ~~incorporated by reference in Rule 690-136.100, F.A.C. "Management Information Form," effective 6/20, hereby incorporated by reference and available at~~ <http://www.flrules.org/Gateway/reference.asp?No=Ref-13049>.
- (b) A person applying for a license as a service warranty association shall submit forms listed in paragraph (1)(a) as directed by the Office electronically at <https://www.floir.com/portal>.

(2) License Continuance for Service Warranty Association

(a)1. A service warranty association's license shall continue in force as long as the licensee is in compliance with the provisions of Chapter 634, Part III, F.S.

2. Failure to submit the application for continuance by March 1 shall result in expiration of the license and will require the filing of a new application for licensure.

(b) A licensee seeking to continue operating as a service warranty association shall submit the following:

1. Form OIR-A3-110, "License Continuance Form Service Warranty Association," effective ~~07/23~~ ~~5/20~~, hereby incorporated by reference and available at <http://www.flrules.org/Gateway/>, <http://www.flrules.org/Gateway/reference.asp?No=Ref-13041>, filed electronically at <https://www.floir.com/portal>; and

2. A fee of \$200.00 filed annually in conjunction with the March 1 filing of the annual statement.

(c) Any licensee who fails to renew a service warranty association license shall immediately cease and desist from engaging in the service warranty business in the state of Florida. The service warranty association shall honor those service warranty contracts in force until the date of expiration or the date of cancellation and a refund is made to the consumer.

(3) Application for License as a Service Warranty Association Manufacturer or Affiliate.

(a) An application for a person applying for a license as a service warranty association manufacturer or affiliate consists of the following:

1. Form OIR-C1-989, "Application for License Service Warranty Association Manufacturer or Affiliate," effective 07/23 ~~3/21~~, hereby incorporated by reference and available at <http://www.flrules.org/Gateway/>; ~~[http://www.flrules.org/Gateway/reference.asp?No=Ref-13050](http://www.flrules.org/Gateway/reference.asp?No=Ref-13050;)~~;

2. Form OIR-C1-144, incorporated by reference in paragraph (1)(a); and

3. Form OIR-C1-2221, incorporated by reference in paragraph (1)(a).

(b) A person applying for a license as a service warranty association shall submit forms listed in paragraph (3)(a) as directed by the Office electronically at <https://www.floir.com/iportal>.

(4) License Continuance for Service Warranty Association Manufacturer or Affiliate

(a)1. A service warranty association manufacturer or affiliate's license shall continue in force as long as licensee is in compliance with the provisions of Chapter 634, Part III, F.S.

2. Failure to submit the application for continuance by March 1 shall result in expiration of the license and will require the filing of a new application for licensure.

(b) A licensee seeking to continue operating as a service warranty association manufacturer or affiliate shall submit the following:

1. Form OIR-A3-955, "License Continuance Form Service Warranty Association Manufacturer or Affiliate," effective 07/23 ~~5/20~~, hereby incorporated by reference and available at <http://www.flrules.org/Gateway/>; ~~[http://www.flrules.org/Gateway/reference.asp?No=Ref-13042](http://www.flrules.org/Gateway/reference.asp?No=Ref-13042;)~~, filed electronically at <https://www.floir.com/iportal>; and

2. A fee of \$500.00 filed annually in conjunction with the March 1 filing of the annual statement.

(c) Any licensee who fails to renew a service warranty association license shall immediately cease and desist from engaging in the service warranty business in the state of Florida. The service warranty association shall honor those service warranty contracts in force until the date of expiration or the date of cancellation and a refund is made to the consumer.

Rulemaking Authority 634.402 FS. Law Implemented 624.424, 634.407, 634.408, 634.404 FS. History—New 3-28-93, Formerly 4-198.011, Amended 5-25-21, _____.

690-198.012 Annual Statement.

Annual Statements are required to be filed with the Office, on or before March 1 of each year, on Form OIR-A3-456, "Annual Statement for Service Warranty Association," effective 5/20, hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-13038>, and Form OIR-A3-458, "Annual Filing Statement for Publicly Held Corporations – SEC Filings," effective 07/23 ~~5/20~~, hereby incorporated by reference and available at <http://www.flrules.org/Gateway/>. ~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-13039>~~. The filings shall be submitted electronically via the Office's system at <https://www.floir.com/iportal>. If the Annual Statements are not complete to include all information requested in the format provided, they will not be deemed filed until all deficiencies are corrected.

Rulemaking Authority 634.402 FS. Law Implemented 624.424, 634.415, 634.516(1) FS. History—New 12-26-88, Amended 4-26-90, Formerly 4-67.012, 4-198.012, Amended 7-30-17, 5-25-21, _____.

690-199.008 Application for License and License Renewal.

(1) Application for License as a Home Warranty Association.

(a) An application for a person applying for a license as a home warranty association consists of the following:

1. Form OIR-C1-490, "Application for License Home Warranty Association," effective 07/23 ~~3/21~~, hereby incorporated by reference and available at <http://www.flrules.org/Gateway/> ~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-13054;>~~
2. Form OIR-A3-455, "Home or Service Warranty Association Surety Bond," effective 6/20, hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-13052;>
3. Form OIR-C1-144, ~~incorporated by reference in Rule 690-136.100, F.A.C.; "Service of Process Consent & Agreement," effective 6/04, hereby incorporated by reference and available at~~ <http://www.flrules.org/Gateway/reference.asp?No=Ref-13055;>
4. Form OIR-C1-905, ~~incorporated by reference in Rule 690-136.100, F.A.C.; "Instructions for Furnishing Background Investigative Reports," effective 6/20, hereby incorporated by reference and available at~~ <http://www.flrules.org/Gateway/reference.asp?No=Ref-13056;>
5. Form OIR-C1-938, ~~incorporated by reference in Rule 690-136.100, F.A.C.; "Fingerprint Payment and Submission Procedures," effective 6/20, hereby incorporated by reference and available at~~ <http://www.flrules.org/Gateway/reference.asp?No=Ref-13057;>
6. Form OIR-C1-995, ~~incorporated by reference in Rule 690-136.100, F.A.C.; "List of Proposed Sales Representatives," effective 10/05, hereby incorporated by reference and available at~~ <http://www.flrules.org/Gateway/reference.asp?No=Ref-13058;>
7. Form OIR-C1-1423, ~~incorporated by reference in Rule 690-136.100, F.A.C.; "Biographical Affidavit," effective 6/20, hereby incorporated by reference and available at~~ <http://www.flrules.org/Gateway/reference.asp?No=Ref-13059;> and
8. Form OIR-C1-0500, incorporated by reference in Rule 690-136.100, F.A.C.;
9. Form OIR-C1-0501, incorporated by reference in Rule 690-136.100, F.A.C.;
10. Form OIR-C1-0502, incorporated by reference in Rule 690-136.100, F.A.C.;
11. Form OIR-C1-0503, incorporated by reference in Rule 690-136.100, F.A.C.;
12. Form OIR-C1-0504, incorporated by reference in Rule 690-136.100, F.A.C.;
13. Form OIR-C1-0505, incorporated by reference in Rule 690-136.100, F.A.C.;
14. Form OIR-C1-0506, incorporated by reference in Rule 690-136.100, F.A.C.;
15. Form OIR-C1-0507, incorporated by reference in Rule 690-136.100, F.A.C.;
16. Form OIR-C1-0509, incorporated by reference in Rule 690-136.100, F.A.C.; and
- 17 8. Form OIR-C1-2221, ~~incorporated by reference in Rule 690-136.100, F.A.C. "Management Information Form," effective 6/20, hereby incorporated by reference and available at~~ [www.flrules.org/Gateway/reference.asp?No=Ref-13060.](http://www.flrules.org/Gateway/reference.asp?No=Ref-13060;)

(b) A person applying for a license as a home warranty association shall submit the forms listed in paragraph (1)(a) as directed by the Office electronically at <https://www.floir.com/iportal>.

(2) Annual License Renewal.

(a)1. All home warranty association licenses shall expire on June 1.

2. Failure to submit the application for continuance by June 1 shall result in expiration of the license and will require the filing of a new application for licensure.

(b) A licensee seeking to continue operating as a home warranty association shall submit the following:

1. Form OIR-A3-1073, "Application for Renewal of License Home Warranty Association," effective 07/23 ~~6/20~~, hereby incorporated by reference and available at <http://www.flrules.org/Gateway/> ~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-13053;>~~ filed electronically at <https://www.floir.com/iportal>, and
2. A fee of \$200.00 filed annually in conjunction with the June 1 filing of the Annual Statement.

(c) Any licensee who fails to renew a home warranty association license shall immediately cease and desist from engaging in the home warranty business in the state of Florida. The home warranty association shall honor those home warranty contracts in force until the date of expiration or the date of cancellation and a refund is made to the consumer.

690-200.004 Application for License and License Renewal.

(1) Application for License as a Motor Vehicle Service Agreement Company.

(a) An application for a license as a motor vehicle service agreement company consists of the following:

1. Form OIR-C1-994, "Application for License Motor Vehicle Service Agreement Company," effective 07/23 ~~5/22~~, hereby incorporated by reference and available at <http://www.flrules.org/Gateway/>; <http://www.flrules.org/Gateway/reference.asp?No=Ref 14729;>

2. Form OIR-C1-144, ~~incorporated by reference in Rule 69O-136.100, F.A.C.; "Service of Process Consent & Agreement," effective 6/04, hereby incorporated by reference and available at~~ <http://www.flrules.org/Gateway/reference.asp?No=Ref 14730;>

3. Form OIR-C1-905, ~~incorporated by reference in Rule 69O-136.100, F.A.C.; "Instructions for Furnishing Background Investigative Reports," effective 6/20, hereby incorporated by reference and available at~~ <http://www.flrules.org/Gateway/reference.asp?No=Ref 14731;>

4. Form OIR-C1-938, ~~incorporated by reference in Rule 69O-136.100, F.A.C.; "Fingerprint Payment and Submission Procedure," effective 6/20, hereby incorporated by reference and available at~~ <http://www.flrules.org/Gateway/reference.asp?No=Ref 14732;>

5. Form OIR-C1-995, ~~incorporated by reference in Rule 69O-136.100, F.A.C.; "List of Proposed Sales Representatives," effective 10/05, hereby incorporated by reference and available at~~ <http://www.flrules.org/Gateway/reference.asp?No=Ref 14733;>

6. Form OIR-C1-1423, ~~incorporated by reference in Rule 69O-136.100, F.A.C.; "Biographical Affidavit," effective 12/20, hereby incorporated by reference and available at~~ <http://www.flrules.org/Gateway/reference.asp?No=Ref 14734;> and

7. Form OIR-C1-0500, incorporated by reference in Rule 69O-136.100, F.A.C.;

8. Form OIR-C1-0501, incorporated by reference in Rule 69O-136.100, F.A.C.;

9. Form OIR-C1-0502, incorporated by reference in Rule 69O-136.100, F.A.C.;

10. Form OIR-C1-0503, incorporated by reference in Rule 69O-136.100, F.A.C.;

11. Form OIR-C1-0504, incorporated by reference in Rule 69O-136.100, F.A.C.;

12. Form OIR-C1-0505, incorporated by reference in Rule 69O-136.100, F.A.C.;

13. Form OIR-C1-0506, incorporated by reference in Rule 69O-136.100, F.A.C.;

14. Form OIR-C1-0507, incorporated by reference in Rule 69O-136.100, F.A.C.;

15. Form OIR-C1-0509, incorporated by reference in Rule 69O-136.100, F.A.C.; and

~~(16)7.~~ Form OIR-C1-2221, ~~incorporated by reference in Rule 69O-136.100, F.A.C. "Management Information Form," effective 6/20, hereby incorporated by reference and available at~~ <http://www.flrules.org/Gateway/reference.asp?No=Ref 14735;>

(b) A person applying for a license as a motor vehicle service agreement company shall submit the forms listed in paragraph (1)(a) as directed by the Office electronically at <https://www.floir.com/iportal>. The forms may be obtained from <https://www.floir.com/iportal>.

(2) License Continuance for Motor Vehicle Service Agreement Company.

(a)1. All motor vehicle service agreement company licenses shall continue in force as long as licensee is entitled thereto under Chapter 634, Part I, F.S.

2. Failure to submit the application for continuance by March 1 shall result in expiration of the license and will require the filing of a new application for licensure.

(b) A licensee seeking to continue operating as a motor vehicle service agreement company shall submit Form OIR-A3-467 LR, "Application for License Continuance Motor Vehicle Service Agreement Company," effective 07/23 ~~5/24~~, hereby incorporated by reference and available at <http://www.flrules.org/Gateway/>. <http://www.flrules.org/Gateway/reference.asp?No=Ref 14736;> filed electronically at <https://www.floir.com/iportal>. The form may be obtained from <https://www.floir.com/iportal>.

Rulemaking Authority 634.021, 634.061(1), (2)(c) FS. Law Implemented 634.041 FS. History--New 5-26-93, Formerly 4-200.004, Amended 8-13-12, 9-28-22, _____.

690-201.008 Application for Certificate Authority and Annual Renewal.

(1) Application for Certificate of Authority as a Legal Expense Insurance Corporation.

(a) An application for a person applying for a certificate of authority as a legal expense insurance corporation consists of the following:

1. Form OIR-C1-480, "Application for Certificate of Authority Legal Expense Insurance," effective ~~07/23~~ ~~3/21~~, available at <http://www.flrules.org/Gateway/> ~~http://www.flrules.org/Gateway/reference.asp?No=Ref 13020;~~

2. Form OIR-A3-478, "Legal Expense Insurance Corporation Surety Bond," effective ~~07/23~~ ~~6/20~~, available at <http://www.flrules.org/Gateway/> ~~http://www.flrules.org/Gateway/reference.asp?No=Ref 13014;~~

3. Form OIR-C1-144, "~~Service of Process Consent & Agreement,~~" effective ~~6/04~~, hereby incorporated by reference in Rule 690-136.100, F.A.C.; and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref 13019;>

4. Form OIR-C1-905, "~~Instructions for Furnishing Background Investigative Reports,~~" effective ~~6/20~~, hereby incorporated by reference in Rule 690-136.100, F.A.C.; and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref 13021;>

5. Form OIR-C1-938, "Fingerprint Payment and Submission Procedures," effective ~~6/20~~, hereby incorporated by reference in Rule 690-136.100, F.A.C.; and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref 13022;>

6. Form OIR-C1-995, "List of Proposed Sales Representatives," effective ~~10/05~~, hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref 13023;>

~~6-7.~~ Form OIR-C1-1423, incorporated by reference in Rule 690-136.100, F.A.C.;

7. Form OIR-C1-0500, incorporated by reference in Rule 690-136.100, F.A.C.;

8. Form OIR-C1-0501, incorporated by reference in Rule 690-136.100, F.A.C.;

9. Form OIR-C1-0502, incorporated by reference in Rule 690-136.100, F.A.C.;

10. Form OIR-C1-0503, incorporated by reference in Rule 690-136.100, F.A.C.;

11. Form OIR-C1-0504, incorporated by reference in Rule 690-136.100, F.A.C.;

12. Form OIR-C1-0505, incorporated by reference in Rule 690-136.100, F.A.C.;

13. Form OIR-C1-0506, incorporated by reference in Rule 690-136.100, F.A.C.;

14. Form OIR-C1-0507, incorporated by reference in Rule 690-136.100, F.A.C.; "~~Biographical Affidavit,~~" effective ~~6/20~~, hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref 13024;> and

~~15.~~ 8. Form OIR-C1-2221, "Management Information Form," effective ~~6/20~~, hereby incorporated by reference in Rule 690-136.100, F.A.C.; and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref 13025;>

(b) A person applying for a certificate of authority as a legal expense insurance corporation shall submit forms listed in paragraph (1)(a) as directed by the Office electronically at <https://www.floir.com/iportal>.

(2) Annual Renewal

(a)1. A legal expense insurance corporation's certificate of authority shall continue in force as long as the legal expense insurance corporation is in compliance with the provisions of Chapter 642, F.S.

2. Failure to submit the application for continuance by June 1 shall result in expiration of the certificate of authority and will require the filing of a new application for licensure.

(b) The qualified certificate of authority holder seeking to continue operating as a legal expense insurance corporation shall submit Form OIR-A3-1077, "Application for License Continuance ~~Renewal of Certificate of Authority~~ Legal Expense Insurance," effective ~~07/23~~ ~~6/20~~, hereby incorporated by reference and available at <http://www.flrules.org/Gateway/> ~~http://www.flrules.org/Gateway/reference.asp?No=Ref 13018;~~ at <https://www.floir.com/iportal>; and

(c) The legal expense insurance corporation shall honor those contracts in force until the date of expiration or the date of cancellation and a refund is made to the consumer.

690-201.012 Annual Statement and Quarterly Statements.

(1)(a) An Annual Statement and a \$100 filing fee shall be filed with the Office, on or before March 1 of each year on Form OIR-A3-479, "Annual Statement Legal Expense Insurance Corporation," effective 07/23 ~~6/20~~, hereby incorporated by reference and available at [http://www.flrules.org/Gateway/
http://www.flrules.org/Gateway/reference.asp?No=Ref 13015](http://www.flrules.org/Gateway/http://www.flrules.org/Gateway/reference.asp?No=Ref 13015).

(b) If the Annual Statement does not include all information requested in the format provided, it will not be deemed filed until all deficiencies are corrected.

(2) No Change

(3)(a) Quarterly Statements shall be filed with the Office, on Form OIR-A3-481, "Quarterly Statement," effective 07/23 ~~6/20~~, hereby incorporated by reference and available at [http://www.flrules.org/Gateway/
http://www.flrules.org/Gateway/reference.asp?No=Ref 13017](http://www.flrules.org/Gateway/http://www.flrules.org/Gateway/reference.asp?No=Ref 13017).

(b) If the Quarterly Statement does not include all information requested in the format provided, it will not be deemed filed until all deficiencies are corrected.

(4) – (6) No Change

Rulemaking Authority 624.308(1) FS. Law Implemented 624.416, 624.424, 642.0301, 642.032 FS. History—New 6-23-92, Formerly 4-201.012, Amended 7-30-17, 5-25-21, _____.

690-203.020 Prepaid Limited Health Service Organization Application.

(1) A person applying for a certificate of authority as a prepaid limited service organization shall submit the following:

(a) Form OIR-C1-1119, "Application for Certificate of Authority Prepaid Limited Health Service Organization," effective 07/23 5/22, hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref 14742>;

(b) Form OIR-C1-905, incorporated by reference in Rule 690-136.100, F.A.C.; "~~Instructions for Furnishing Background Investigative Reports,~~" effective 6/20, hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref 14743>;

(c) Form OIR-C1-938, incorporated by reference in Rule 690-136.100, F.A.C.; "~~Fingerprint Payment and Submission Procedure,~~" effective 6/20, hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref 14744>;

(d) Form OIR-C1-1423, incorporated by reference in Rule 690-136.100, F.A.C.; "~~Biographical Affidavit,~~" effective 12/20, hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref 14745>;

(e) Form OIR-C1-0500, incorporated by reference in Rule 690-136.100, F.A.C.;

(f) Form OIR-C1-0501, incorporated by reference in Rule 690-136.100, F.A.C.;

(g) Form OIR-C1-0502, incorporated by reference in Rule 690-136.100, F.A.C.;

(h) Form OIR-C1-0503, incorporated by reference in Rule 690-136.100, F.A.C.;

(i) Form OIR-C1-0504, incorporated by reference in Rule 690-136.100, F.A.C.;

(j) Form OIR-C1-0505, incorporated by reference in Rule 690-136.100, F.A.C.;

(k) Form OIR-C1-0506, incorporated by reference in Rule 690-136.100, F.A.C.;

(l) Form OIR-C1-0507, incorporated by reference in Rule 690-136.100, F.A.C.; and

(m) Form OIR-C1-0509, incorporated by reference in Rule 690-136.100, F.A.C.

(2) A person shall submit the forms listed in subsection (1) electronically via the Office's iApply system at <https://www.flair.com/iportal>. The forms may be obtained from <https://www.flair.com/iportal>.

Rulemaking Authority 636.067 FS. Law Implemented 636.005, 636.007, 636.008, 636.009 FS. History—New 11-15-94, Formerly 4-203.020, Amended 9-29-22, ____.

690-203.210 Discount Plan Organization Application.

(1) A person applying for a certificate of authority as a discount plan organization shall submit the following:

(a) Form OIR-C1-1606, "Application for License Discount Plan Organization (DPO)," effective 07/23 5/22, hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref 14746>;

(b) Form OIR-C1-144, incorporated by reference in Rule 690-136.100, F.A.C.; "~~Service of Process Consent & Agreement,~~" effective 6/04, hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref 14747>;

(c) Form OIR-C1-905, incorporated by reference in Rule 690-136.100, F.A.C.; "~~Instructions for Furnishing Background Investigative Reports,~~" effective 6/20, hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref 14748>;

(d) Form OIR-C1-938, incorporated by reference in Rule 690-136.100, F.A.C.; "~~Fingerprint Payment and Submission Procedure,~~" effective 6/20, hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref 14749>;

(e) Form OIR-C1-1423, incorporated by reference in Rule 690-136.100, F.A.C.; "~~Biographical Affidavit,~~" effective 12/20, hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref 14750>; and

(f) Form OIR-C1-0500, incorporated by reference in Rule 690-136.100, F.A.C.;

(g) Form OIR-C1-0501, incorporated by reference in Rule 690-136.100, F.A.C.;

(h) Form OIR-C1-0502, incorporated by reference in Rule 690-136.100, F.A.C.;

(i) Form OIR-C1-0503, incorporated by reference in Rule 690-136.100, F.A.C.;

(j) Form OIR-C1-0504, incorporated by reference in Rule 690-136.100, F.A.C.;

(k) Form OIR-C1-0505, incorporated by reference in Rule 690-136.100, F.A.C.;

(m) Form OIR-C1-0506, incorporated by reference in Rule 690-136.100, F.A.C.;

(n) Form OIR-C1-0507, incorporated by reference in Rule 690-136.100, F.A.C.;

(n) Form OIR-C1-0509, incorporated by reference in Rule 690-136.100, F.A.C.; and

(o)(4) Form OIR-C1-2221, incorporated by reference in Rule 69O-136.100, F.A.C. “Management Information Form,” effective 6/20, hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref 14751>; and

(2) A person shall submit the forms listed in subsection (1) electronically via the Office’s iApply system at <https://www.floir.com/iportal>. The forms may be obtained from <https://www.floir.com/iportal>.

Rulemaking Authority 624.424(1)(c), 636.232 FS. Law Implemented 624.424, 636.204, 636.220, 636.226, 636.228, 636.234, 636.236 FS. History–New 5-22-05, Amended 10-29-08, 7-30-17, 4-11-19, 9-29-22, ____.

69O-203.215 Annual Reports.

Annual Reports are to be filed with the Office within three months after the end of each fiscal year on Form OIR-A1-1671, “Annual Report – Discount Plan Organizations,” effective 07/23 ~~5/18~~, hereby incorporated by reference and available at http://www.flrules.org/Gateway/____ <http://www.flrules.org/Gateway/reference.asp?No=Ref 14739>. The filings shall be submitted electronically via the Office’s system at <https://www.floir.com/iportal>. The form may be obtained from <https://www.floir.com/iportal>.

Rulemaking Authority 638.218(2), 636.232 FS. Law Implemented 636.218 FS. History–New 9-29-22, Amended ____.

69O-238.001 Application and Renewal.

(1) An applicant for initial registration as a pharmacy benefit manager shall submit the following:

(a) A nonrefundable fee of \$5.00 ~~made payable to the Florida Department of Financial Services along with a completed Form OIR-C1-2210, Registration Form for Pharmacy Benefit Managers Invoice, effective 01/19, hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-10322>. The applicant shall submit the nonrefundable fee and Form OIR-C1-2210 to the Department of Financial Services, Bureau of Financial Services, P.O. Box 6100, Tallahassee, Florida 32314-1600;~~

(b) A copy of the applicant's corporate charter, articles of incorporation, or other charter document submitted electronically via the Office's iApply system at <https://www.flair.com/iportal>; and

(c) A completed Form OIR-C1-2209, Registration Form for Pharmacy Benefit Managers, effective 01/19, hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-10321>, submitted electronically via the Office's iApply system at <https://www.flair.com/iportal>.

(2) Each registrant renewing its registration shall submit a nonrefundable fee of \$5.00 ~~made payable to the Florida Department of Financial Services along with and~~ a completed Form OIR-C1-2209 submitted electronically via the Office's iApply system at <https://www.flair.com/iportal>. OIR-C1-2210 to the Department of Financial Services, Bureau of Financial Services, P.O. Box 6100, Tallahassee, Florida 32314-1600.

Rulemaking Authority 624.490(2), 624.490(6) FS. Law Implemented 624.490 FS. History—New 4-11-19. Amended

690-143.0465 Groupwide ~~Group-wide~~ Supervision of Internationally Active Insurance Groups

(1) No change.

(2) "Insurance Holding Company System" consists of two or more affiliated persons, one or more of which is an insurer.

(3)(2)(a) The Office is authorized to act as the groupwide ~~group-wide~~ supervisor for any internationally active insurance group in accordance with Rule 690-143.046, F.A.C., and Section 628.804, F.S. However, the Office may otherwise acknowledge another regulatory official as the groupwide ~~group-wide~~ supervisor where the internationally active insurance group:

1. through 2. No change.

3. Has substantial insurance operations in the United States and this state, but the Office has determined pursuant to the factors set forth in subsections (4) and (8) (3) and (7) that the other regulatory official is the appropriate groupwide ~~group-wide~~ supervisor.

(b) An insurance holding company system that does not otherwise qualify as an internationally active insurance group may request that the Office make a determination or acknowledgment as to a groupwide ~~group-wide~~ supervisor pursuant to this subsection.

(4)(3)(a) In cooperation with other state, federal and international regulatory agencies, the Office will identify a single groupwide ~~group-wide~~ supervisor for an internationally active insurance group. The Office may determine that the Office is the appropriate groupwide ~~group-wide~~ supervisor for an internationally active insurance group that conducts substantial insurance operations concentrated in this state. However, the Office may acknowledge that a regulatory official from another jurisdiction is the appropriate groupwide ~~group-wide~~ supervisor for the internationally active insurance group. The Office shall consider the following factors when making a determination or acknowledgment under this subsection:

1. through 3. No change.

4. Whether another regulatory official is acting or is seeking to act as the groupwide ~~group-wide~~ supervisor under a regulatory system that the Office determines to be:

a. No change.

b. Otherwise sufficient in terms of providing for groupwide ~~group-wide~~ supervision, enterprise risk analysis, and cooperation with other regulatory officials; and

5. Whether another regulatory official acting or seeking to act as the groupwide ~~group-wide~~ supervisor provides the Office with reasonably reciprocal recognition and cooperation.

(b) However, a regulatory official identified under this rule as the groupwide ~~group-wide~~ supervisor may determine that it is appropriate to acknowledge another supervisor to serve as the groupwide ~~group-wide~~ supervisor. The acknowledgment of the groupwide ~~group-wide~~ supervisor shall be made after consideration of the factors listed in subparagraphs (a)1. through (a)5. above, and shall be made in cooperation with and subject to the acknowledgment of other regulatory officials involved with supervision of members of the internationally active insurance group, and in consultation with the internationally active insurance group.

(5)(4) Notwithstanding any other provision of law, when another regulatory official is acting as the groupwide ~~group-wide~~ supervisor of an internationally active insurance group, the Office shall acknowledge that regulatory official as the groupwide ~~group-wide~~ supervisor. However, in the event of a material change in the internationally active insurance group that results in:

(a) No change.

(b) This state being the place of domicile of the top-tiered insurer(s) in the insurance holding company system of the internationally active insurance group, the Office shall make a determination or acknowledgment as to the appropriate groupwide ~~group-wide~~ supervisor for such an internationally active insurance group pursuant to subsection (4)(3).

(6)(5) Pursuant to Section 628.801(3), F.S., the Office is authorized to collect from any insurer registered pursuant to Rule 690-143.046, F.A.C., all information necessary to determine whether the Office may act as the groupwide ~~group-wide~~ supervisor of an internationally active insurance group or if the Office may acknowledge another regulatory official to act as the groupwide ~~group-wide~~ supervisor. Prior to issuing a determination that an internationally active insurance group is subject to groupwide ~~group-wide~~ supervision by the Office, the Office shall notify the insurer registered pursuant to Rule 690-143.046, F.A.C., and the ultimate controlling person within the

internationally active insurance group. The internationally active insurance group shall have not less than thirty (30) days to provide the Office with additional information pertinent to the pending determination. The Office shall publish the identity of internationally active insurance groups that the Office has determined are subject to groupwide ~~group-wide~~ supervision by the Office.

(7)(6) If the Office is the groupwide ~~group-wide~~ supervisor for an internationally active insurance group, the Office is authorized to engage in any of the following groupwide ~~group-wide~~ supervision activities.

(a) through (d) No change.

(e) Enter into agreements with or obtain documentation from any insurer registered under Rule 69O-143.046, F.A.C., any member of the internationally active insurance group, and any other state, federal and international regulatory agencies for members of the internationally active insurance group, providing the basis for or otherwise clarifying the Office's role as groupwide ~~group-wide~~ supervisor, including provisions for resolving disputes with other regulatory officials. Such agreements or documentation shall not serve as evidence in any proceeding that any insurer or person within an insurance holding company system not domiciled or incorporated in this state is doing business in this state or is otherwise subject to jurisdiction in this state.

(f) Other groupwide ~~group-wide~~ supervision activities, consistent with the authorities and purposes enumerated above, as considered necessary by the Office.

(8)(7) If the Office acknowledges that another regulatory official from a jurisdiction that is not accredited by the NAIC is the groupwide ~~group-wide~~ supervisor, the Office is authorized to reasonably cooperate, through supervisory colleges or otherwise, with groupwide supervision undertaken by the groupwide ~~group-wide~~ supervisor, provided that:

(a) No change.

(b) The regulatory official acknowledged as the groupwide ~~group-wide~~ supervisor also recognizes and cooperates with the Office's activities as a groupwide ~~group-wide~~ supervisor for other internationally active insurance groups where applicable. Where such recognition and cooperation is not reasonably reciprocal, the Office is authorized to refuse recognition and cooperation.

(9)(8) The Office is authorized to enter into agreements with or obtain documentation from any insurer registered under Rule 69O-143.046, F.A.C., any affiliate of the insurer, and other state, federal and international regulatory agencies for members of the internationally active insurance group, that provide the basis for or otherwise clarify a regulatory official's role as groupwide ~~group-wide~~ supervisor.

Rulemaking Authority 624.308(1), 628.801(1), 628.804(4) FS. Law Implemented 624.307(1), 628.801, 628.804 FS. History-New 1-3-21, Amended _____.