State of Florida

Department of Financial Services
Tallahassee, Florida

I, the undersigned, Chief Financial Officer of the State of Florida, agency head of the Department of Financial Services pursuant to Section 20.121(1), Florida Statutes, and the Agency General Counsel, do hereby certify as follows:

a. that pursuant to Section 120.74(1)(d), Florida Statutes, we have reviewed the attached agency's regulatory plan; and
b. that the agency regularly reviews all of its rules to determine if the rules remain consistent with the agency's rulemaking authority and laws implemented.

DATED the 1st day of October, 2015.

M. Drew Parker

M. Drew Parker, General Counsel

IN TESTIMONY WHEREOF, I hereto subscribe my name, and affix the Seal of my Office, at Tallahassee, the day and year first above written.

Jeff Atwater

Chief Financial Officer

DEPARTMENT OF FINANCIAL SERVICES' 2015-2016 AGENCY REGULATORY PLAN PURSUANT TO SECTION 120.74(1), FLORIDA STATUTES (2015)

I. Pursuant to s. 120.74(1)(a), F.S., the following is a listing of each law enacted or amended during the time period of 7/1/14 – 7/1/15 that created or modified the duties or authority of the agency, and agency action required pursuant to the law enactment or amendment.

Chapter Law	Statute Number	Duties or Authority	Rule Number	Rule Development and Proposed Rule F.A.R. Citations; or Date Rule Expected to be Published
Chapter Law 2014-17, Laws of Florida (L.O.F.), s. 189	1013.12(8); Mandatory Rulemaking	The State Fire Marshal in consultation with the Department of Education shall adopt and administer rules prescribing enumerated standards for the safety and health of occupants of educational and ancillary plants.	Chapter 69A-58 (previously existed)	Issue 37/Vol. 42; Issue 38/Vol. 30
Chapter Law 2014-69, L.O.F., s. 1	414.411(2)	Statutory authority given to investigators within the Division of Public Assistance Fraud to issue subpoenas and to administer oaths and affirmations.	N/A	**Written Explanation Why Law May be Implemented Without Rulemaking:** No rulemaking authority given.
Chapter Law 2014-20, L.O.F., s. 4	440.491(6)(a); Mandatory Rulemaking	The department shall by rule establish training and education standards pertaining to employee eligibility, course curricula and duration, and associated costs for reemployment and rehabilitation of injured workers.	69L-22.008	Transferred from Department of Education rule chapter 6A-22; Issue 40/Vol.12
Chapter Law 2014-86, L.O.F., s. 4; and Chapter Law 2014-123, L.O.F., s. 28	627.7015(4)(b); Mandatory Rulemaking	The department shall adopt by rule a property insurance mediation program for qualifications, denial of application, suspension, revocation of approval, and other penalties for mediators.	Chapter 69J-166	Issue 41/Vol. 146; edits being made based on comments by the Florida Insurance Council before publishing Notice of Proposed Rule
Chapter Law 2014-86, L.O.F., s. 7; and Chapter Law 2014-123, L.O.F., s. 28	627.7074(18); Mandatory Rulemaking	The department shall adopt rules of procedure for the neutral evaluation process and adopt rules for certifying, denying certification of, suspending certification of, and revoking the certification as a neutral evaluator.	Chapter 69J-8	Issue 40/Vol. 245; Issue 41/Vol. 70
Chapter Law 2014-109, L.O.F., s. 4	440.49(9)(b)1.; Mandatory Rulemaking	Payment of Special Disability Trust Fund assessments shall be made to the department pursuant to department rule establishing such method of payment.	69L-4.001	Issue 40/Vol. 30; Issue 40/Vol. 80
Chapter Law 2014-112, L.O.F., s. 9	626.8419(1)(a) & (b); Mandatory Rulemaking	The department shall adopt rules for alternative methods to meet fidelity bonds and errors and omissions insurance if fidelity bonds or errors and omissions insurance is unavailable generally to title insurance agencies.	N/A	**Written Explanation Why Law May be Implemented Without Rulemaking:** The Department confirmed, and JAPC agreed, that fidelity bonds and errors and omissions insurance are generally available for title insurance agents to meet the

				requirements of paragraphs 626.8419(1)(a) & (b); therefore, the rulemaking mandate was not triggered.
Chapter Law 2014-119, L.O.F., s. 1	414.39(5)	This law provides enhanced criminal penalties if the value of public assistance or identification wrongfully received, retained, misappropriated, sought, or used is of an aggregate value exceeding specified amounts; the law sets forth award criteria. This bill requires the CFO to pay a reward to a person who reports information relating to violations of the state's public assistance fraud laws to the Department of Children & Family Services, the Department of Law Enforcement, or the Department of Financial Services.	No related rules	**Written Explanation Why Law May be Implemented Without Rulemaking:** No rulemaking authority given to the Department of Financial Services.
Chapter Law 2014-123, L.O.F., s. 27	627.4553; Mandatory Rulemaking	When an agent recommends the surrender of an annuity or life insurance policy and does not recommend that the proceeds be used to purchase another policy, the agent shall provide on a form that satisfies the requirements of the rule adopted by the department certain information relating to the annuity or policy to be surrendered.	69B-215.090	Issue 40/Vol. 172; Issue 40/Vol. 249 (NOTE: Notice of withdrawal of rule published in Issue 41/Vol. 121, because the passage of Chapter Law 2015-180, Laws of Florida, negated the need for a rule change.)
Chapter Law 2014-145, L.O.F., s. 3	280.04(1)	The CFO shall determine the collateral requirements and collateral-pledging level for each qualified public depository following procedures established by rule.	69C-2	Related rulemaking is listed on Attachment A to this report.
Chapter Law 2014-154, L.O.F., s. 28	633.212(1); Mandatory Rulemaking	The division shall by rule establish an informal process of rendering nonbinding interpretations of the Florida Fire Prevention Code.	69A-60.011 (previously existed)	Issue 37/Vol. 20; Issue 39/Vol. 33
Chapter Law 2014-191, L.O.F., s. 12	633.304(4)(d)3.; Mandatory Rulemaking	The State Fire Marshal shall adopt rules providing for the amounts of required insurance coverage for fire suppression equipment licensees.	Rule 69A-21.112	Issue 41/Vol. 64; Issue 41/Vol. 184
Chapter Law 2014-198, L.O.F., s. 3	961.06(4)	The Chief Financial Officer shall issue payment in the amount determined by the department to an insurance company or other financial institution admitted and authorized to issue annuity contracts in this state to purchase an annuity or annuities, selected by the wrongfully incarcerated person, for a term of not less than 10 years. The Chief Financial Officer is directed to execute all necessary agreements to implement this act and to maximize the benefit to the wrongfully incarcerated person.	No related rules.	**Written Explanation Why Law May be Implemented Without Rulemaking:** No rulemaking authority given to the Chief Financial Officer.
Chapter Law 2015-29,	843.08 & .085(1); 921.0022(3)(b)	This bill revises the list of officials who are prohibited from being falsely	N/A	**Written Explanation Why Law May be Implemented Without**

L.O.F., ss. 1, 2 & 3		personated to include firefighters and fire or arson investigators of the department.		**Rulemaking:** No rulemaking authority given.
Chapter Law 2015-42, L.O.F., s. 2	440.13(12)(e)4.	This law mostly affects OIR, but this section revised the due date for a biennial report relating to methods to improve the workers' compensation health care delivery system.	N/A	**Written Explanation Why Law May be Implemented Without Rulemaking:** No rulemaking authority given.
Chapter Law 2015-121, L.O.F., s. 1	627.6699(12)	Deletes the requirement that the Chief Financial Officer appoint a health benefit plan committee.	N/A	**Written Explanation Why Law May be Implemented Without Rulemaking:** No rulemaking authority given to the Department of Financial Services.
Chapter Law 2015-135, L.O.F., s. 6	627.7074(3)	Clarifies that an insurer has to notify a policyholder of the availability of neutral evaluation of a sinkhole claim only if there is coverage available under the policy and the claim was submitted within the statutory timeframe.	N/A	**Written Explanation Why Law May be Implemented Without Rulemaking:** No rulemaking authority given to the Department of Financial Services.
Chapter Law 2015-141, L.O.F., s. 3	373.41492 and 552.30(3)	Requires the State Fire Marshal to conduct a study for the mitigation of wetland resources lost to mining activities within the Miami-Dade County Lake Belt Plan.	N/A	**Written Explanation Why Law May be Implemented Without Rulemaking:** No rulemaking authority given.
Chapter Law 2015-152, L.O.F., ss. 1 & 2	717.1382 & 717.1383	These laws provide for escheatment to the state of unclaimed United States savings bonds; for judicial determina-- tion of escheatment; for procedures for challenging escheatment; for deposit of the proceeds of escheatment; and provides that a person claiming a United States savings bond may file a claim with the Department of Financial Services.	N/A	**Written Explanation Why Law May be Implemented Without Rulemaking:** No rulemaking authority given.
Chapter Law 2015-154, L.O.F., s. 1	631.401(10); Discretionary Rulemaking	The department may adopt rules specifying procedures for claiming, distributing, and using excess surcharge account funds held by the receiver under this section and for the purposes specified in subsection (6) (re collecting surcharges).	No related rules.	**Written Explanation Why Law May be Implemented Without Rulemaking:** Title insurance rules are promulgated by OIR. The Financial Services Commission was also given discretionary rulemaking authority in s. (9) of the law to adopt rules specifying procedures for the collection, use, and transfer of surcharges, including excess surcharges.
Chapter Law 2015-179, L.O.F., s. 4	626.9895	The department established the Automobile Insurance Fraud Task Force pursuant to Chapter Law 2012-197, L.O.F., to support the prosecution, investigation, and prevention of motor vehicle insurance fraud. The direct-support organization (DSO) has engaged in limited organizational activity during its	69D-3	Related rulemaking is listed on Attachment A to this report.

		existence, and this bill repeals the statute authorizing the DSO.		
Chapter Law 2015-180, L.O.F., s. 3	626.221(2)(j); Mandatory Rulemaking	The department shall adopt rules establishing standards for the approval of curriculum for licensure as an all-lines adjuster.	Rule 69B-227.320	Expect to publish Notice of Rule Development prior to 11/1/15.
Chapter Law 2015-180, L.O.F., s. 5	626.2817(2); Mandatory Rulemaking	The department shall adopt rules establishing standards for the approval, registration, discipline, or removal from registration of course providers, instructors, and school officials.	Rule 69B-227.350	Expect to publish Notice of Rule Development prior to 11/1/15.
Chapter Law 2015-180, L.O.F., s. 8	626.7351(3); Mandatory Rulemaking	The department shall adopt rules establishing standards for the approval of curriculum for qualifications for licensure as a customer representa-tive.	Rule 69B-227.320	Expect to publish Notice of Rule Development prior to 11/1/15.

II. Pursuant to s. 120.74(1)(b), F.S., please see Attachment A, a listing of rules the agency expects to promulgate during the 2015-2016 fiscal year.

III. Pursuant to s. 120.74(1)(c), F.S., please see Attachment B, the agency's update to the prior year's regulatory plan. It should be noted that in addition to the regulatory plan submitted by the agency for the 2014-2015 fiscal year, the agency also performed a comprehensive review of all of its rules (1,425), and during the time period July 1, 2014 through June 30, 2015, the agency amended 76 rules; made technical changes to 59 rules; created 4 new rules; and repealed 49 rules.

IV. Pursuant to s. 120.74(2), F.S., the agency has done the following:

a. published its regulatory plans on its website with clearly labeled hyperlinks to the current plan and past plans on the agency's primary website homepage at http://www.myfloridacfo.com/Rule_Review/;
b. electronically furnished a copy of this plan with its certification to the Joint Administrative Procedures Committee;
c. published in the *Florida Administrative Register* a notice identifying the date of publication of the agency's regulatory plans which included hyperlinks providing direct access to the published plans; and
d. posted the agency's regulatory plans from the years 2012, 2013 and 2014 on its active website, which the agency will maintain for ten years after the date of initial publication on the agency's website.

ATTACHMENT A
RULEMAKING DURING 2015-2016

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RULE NUMBER	TITLE	EXPLANATION	INTENDED TO: A. Simplify or clarify B. Increase efficiency C. Improve coordination with other agencies D. Reduce regulatory costs; or E. Delete obsolete, unnecessary, or redundant rules
69A-2	Explosives	The rules in 69A-2 are all more than 40 years old. While the Florida Statutes have not changed, federal law and rules and industry standards have changed and should be reviewed to determine whether this chapter needs to be updated. References in the rules to the Interstate Commerce Commission or the ICC need to be eliminated and replaced with applicable rules of the US Department of Transportation, which took over regulation of the transportation of explosive materials beginning in 1970. Its rules are contained in Title 49, ch. 51 of the Code of Federal Regulations.	A
69A-2.006	Storage; General	Subsection (5) needs to be amended to update the American Table of Distances from the 1955 revision to the "June 1991 edition which incorporates changes through October, 2011." The link to IME publications should be added.	A
69A-37.037	Firefighter Training Course Medical Examination	The Division should determine whether the 2007 edition of NFPA 1582-5.1 is the correct edition for this rule.	A
69A-37.039	Prescribed Forms for Training and Certification	Amend to include new forms referenced in 69A-37.065.	A
69A-37.065	Programs of Study and Vocational Courses	Amend to add an additional program, Florida Urban Search Rescue (FLSUAR) and Hazardous Materials Program.	B
69A-46.017	Required Continuing Education	Forms DFS-K3-1239 [subsection 6)] and DFS-K3-1240 [(subsection (8)] need to be amended to change s. 633.537 to s. 633.332, F.S.	A
69A-51.001	Scope	Subsection (3) refers to "the Authorized Shop Inspector." This phrase is not defined in law or rule. The rules need to be amended to either correct this phrase or define it in 69A-51.005.	A
69A-51.005	Definitions	Subsection (3) in 51.001 refers to "the Authorized Shop Inspector." This phrase is not defined in law or rule. That subsection will either be amended to correct this phrase or it will be defined here.	A
69A-51.010	Codes Adopted	Update the three books containing national codes as the State Boiler Code for the safe construction, installation, inspection, maintenance, and repair of boilers.	A, B
69A-51.040	Disciplinary Proceedings	Every section and subsection in this rule is redundant of the statutes implemented. The rule should be repealed.	E
69A-51.050	Inspection Requirements	Subsection (2)(e) states that Boiler Safety Program may, in its discretion, permit longer periods between certificate inspections. There is no statutory authority to do this, and the rule doesn't provide any basis for making this determination. Technical. Subsection (2)(e) should be deleted.	A, E

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		This rule refers to the Chief Inspector, Deputy Inspector, Special Inspector, Authorized Inspector, inspector and inspector authorized to inspect. Other suggested changes would be to insert Authorized Inspector in subsection (1) in place of Chief, Deputy or Special Inspector; do the same in subsection (5); replace inspector with Authorized Inspector in subsection (6); replace "inspector authorized to inspect boilers" with Authorized Inspector in subsection (7); insert Authorized Inspector in subsection (9) in place of Chief, Deputy or Special Inspector; and insert Authorized in front of Inspector in (19)(a)4, 8 and 10.	
69A-57.003	Standards of the National Fire Protection Association Adopted	Determine whether reference to NFPA edition should be updated and whether the standard for a "slow" evacuation capability in subsection (1)(c) conflicts with 69A-57.005(3).	A
69A-57.004	Occupancy Capacity of Each AFCH	The Adult Family Care Home Act defines "Resident" as "a person receiving room, board, and personal care in an adult family-care home." The rule diverges from the statute by basing occupancy on the number of occupants and defines occupant "as a resident of the AFCH" other than the provider's family. AHCA's rule, which is referenced in this rule, also uses the word "residents." The rule should be amended to conform to the law and the AHCA rule by using the word resident instead of occupant. Section 429.67(7), F.S., provides that "any relative who lives in the adult family-care home and who is a disabled adult or frail elder must be included in the limitation" of the number of residents. Relative means a relative of the provider who is licensed to operate the home.	A
69A-57.005	Evacuation Capability	Subsections (3) and (4) in conjunction with 69A-57.003(1)(c) are confusing. It is not clear whether an AFCH that does not achieve an evaluation capability of prompt on the second fire exit drill no longer meets the required safety requirements even if it complied with the subdivisions of the NFPA cited in subsection (4). The rule should be amended to clarify these provisions.	A
69A-57.006	Fire Exit Drills	This rule requires that each AFCH achieve a capability of prompt evacuation without considering 69A-57.003(1)(c), which allows a "slow" capability if the AFCH complies with additional provisions of the NFPA. The rule should be amended to clarify evacuation capability requirements. Also, Form DFS-K3-1437 has a later revision date of 8/07.	A

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69A-62.0001	Definitions	The definition of "Act" is limited to ss. 633.502-633.508, F.S., although Part V of ch. 633, F.S., continues on to 633.536, F.S. The definition of "fire department" does not include special-district fire service providers.	A
69A-62.021	Minimum Requirements for Firefighter Employer Comprehensive Safety and Health Program	The web link in (3)(d) does not work. Form DFS-K4-1569 adopted in (7)(b) contains an old effective date.	A
69A-62.030	Definitions	Determine why the definitions of fatality, hazard and illness in this rule differ from the definitions of the same words in 62.040.	A
69B-124.001	Definitions	Section 626.9551, F.S., was amended in 1999 to expand all of its requirements to any loan or extension of credit, not just mortgage transactions. The definitions of lender and borrower should be amended so that they are not limited to mortgages.	A
69B-124.002	Rights of Borrower	Review this rule to determine whether it should be repealed for lacking authority and extending the statute implemented.	E
69B-124.010	Substitution of Policies	The DFS authority is to adopt rules to identify specific methods of competition or acts or practices which are prohibited. This rule creates a right for consumers to change insurance policies. The words "at each anniversary" should be deleted from subsection (2). The lender may not charge a fee for changing, replacing, etc., the policy at any time. However, an exception was added to the law in 1999 in s. 626.9551(1)(c), F.S., that is not reflected in this subsection. Section 626.9551(1)(b), F.S., provides that a person may not unreasonably disapprove the insurance policy provided by a borrower. The rule could be rewritten to prohibit a lender from unreasonably disapproving the extension of the existing insurance policy in force or the substitution to, replacement of, or changes to the existing insurance policy in force. "Unreasonable" is essentially defined in the statute. Subsection (2) should be amended in accordance with the issues identified.	A
69B-124.011	Renewals; Selection and Approval	This rule is not necessary. Repeal this rule and simply add "renewal" into the list of actions included in 69B-124.010.	E
69B-124.013	Statement of Anti-Coercion; Form	Issue under 69B-124.002 above. In addition, if a form is to be adopted, this rule should be updated to reflect the additional provisions added to the law in 1999.	A
69B-124.014	Continuous or Prepaid Policies	This rule is limited to restricting the right of a mortgagor in the choice of insurer. The rule should be amended to say: "No lender may require a borrower to provide a continuous renewal insurance policy or three-year or more prepayment plan of	A

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		insurance with a loan or extension of credit."	
69B-124.015	Lender, Insurance Information	Subsection (1) is redundant to s. 626.9551(1)(d), F.S., as it existed when the rule was adopted in 1964. The law was amended in 1999. It no longer refers to disclosure that is detrimental to the borrower or is to the advantage of the lender. It applies to disclosure of any insurance information. The amendment also specifically addresses subsection (2) so (2) is redundant of the statute. This rule should be repealed. It does not reflect current law, and the issues are fully set forth in current law.	E
69B-124.016	Title Insurance	The statutes cited do not contain any reference to title insurance. In fact, the amendments in 1999 adopted subsection (3) that list sales of certain insurance products that are not subject to s. 626.9551. Title insurance sales are not included. If it is inappropriate for title insurance sales to be subject to the rule and law, the DFS should seek to amend to law to so state.	E
69B-124.021	Purpose	This rule was based on Chapter 240, F.S. This chapter was repealed in 2002; repeal rule.	E
69B-124.022	Scope	This rule was based on Chapter 240, F.S. This chapter was repealed in 2002; repeal rule.	E
69B-124.023	Qualification for Student Loan Not Contingent on Purchase of Insurance From Insurance Company	This rule was based on Chapter 240, F.S. This chapter was repealed in 2002; repeal rule.	E
69B-124.024	Disclosure Form	This rule was based on Chapter 240, F.S. This chapter was repealed in 2002; repeal rule.	E
69B-124.025	Readability of Statement	This rule was based on Chapter 240, F.S. This chapter was repealed in 2002; repeal rule.	E
69B-151.107	Effective Date	The rule is obsolete and unnecessary; repeal.	E
69B-151.201	Purpose and Scope	The history notes contain unnecessary references to Laws of Florida.	A
69B-151.202	Requirements	Subsection (1) is obsolete and redundant to the statutes Subsections (3), (4), and (5) apply only to insurers. Delete subsections (1), (3), (4), and (5).	A, E
69B-151.203	Adoption of Form OIR-D0-1180	The OIR bureau listed for obtaining the form does not exist anymore. Replace bureau name and address with weblink: www.floir.com/siteDocuments/OIR-D0-1180.pdf to obtain the form.	A
69B-153.001	Definitions	This rule chapter deals with the submission of false claims to insurers and HMOs. The subject of the rule chapter is in the jurisdiction of OIR.	E

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69B-153.002	Deceptive Acts or Practices	This rule chapter deals with the submission of false claims to insurers and HMOs. The subject of the rule chapter is in the jurisdiction of OIR.	E
69B-153.003	Example of a False Claim	This rule chapter deals with the submission of false claims to insurers and HMOs. The subject of the rule chapter is in the jurisdiction of OIR.	E
69B-156.013	Permitted Compensation Arrangements	Repeal this rule. The rules in this Chapter were adopted originally by the Department of Insurance. Both OIR and DFS then adopted the rules. OIR has authority to adopt this rule. DFS does not.	E
69B-156.014	Required Disclosure Provisions	Repeal this rule. OIR has authority to adopt this rule. DFS does not. This rule only applies to issuers of Medicare supplement coverage.	E
69B-156.015	Requirement for Application Forms and Replacement Coverage	Repeal this rule. OIR has authority to adopt this rule. DFS does not. This rule only applies to issuers of Medicare supplement coverage.	E
69B-156.050	Separability	Repeal or change to severability if "any rule in this chapter" is held invalid rather than "any provision of this regulation." Also change "remainder of the regulation" to "remainder of the chapter."	A, E
69B-156.101	Purpose	These rules were adopted by the Department of Insurance in 1979. They have not been amended by DFS since the regulation of insurance companies and insurance agents was split between DFS and OIR in 2003. Section 626.016(3), F.S., provides that DFS has jurisdiction to enforce provisions of the Unfair Insurance Trade Practices Act with respect to persons who engage in actions for which a license issued by the department is legally required. OIR of course has jurisdiction to enforce the act with respect to insurance companies. OIR adopted identical rules in Chapter 69O-156. The rule chapter should be amended so that it applies to "insurance representatives" and not to insurers. Rules that apply strictly to insurers should be repealed. These rules will still exist as OIR rules.	A, E
69B-156.102	Applicability	It should be amended to say that these rules apply to advertisements disseminated by insurance representatives. Language regarding dissemination by insurers should be deleted.	A
69B-156.103	Definitions	"Insurance representatives" should be defined in 69B-156.103 and it would replace use of the phrase "agent, broker, producer, solicitor" throughout the chapter. Insurance representatives include insurance agencies, MGAs, customer representatives, and service representatives but not solicitors since that license has been repealed. Rules 69B-156.103(2) (a), (b), (c) and (e) should be deleted because	A, E

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		they apply to insurers only.	
69B-156.105	Unfair or Deceptive Acts or Practices Defined	Terms should be reviewed and updated.	A
69B-156.107	Form and Content of Advertisement	Subsection (3) applies only to insurers and should be deleted. In subsections (4), (5), (6) and (9), "insurer, agent, broker, producer, solicitor" should be replaced by "insurance representative."	A, E
69B-156.108	Advertisements of Benefits Payable, Losses Covered or Premiums Payable	Delete subsection (1)(e) since it only applies to insurers.	A, E
69B-156.110	Testimonials or Endorsement by Third Parties	If this rule is applicable to agents, it needs to be rewritten to apply to insurance representatives.	A
69B-156.114	Jurisdictional Licensing and Status of Insurer	Delete subsection (1) that applies only to insurers. Delete "an insurer" in subsection (3) and insert "insurance representative."	A, E
69B-156.115	Identity of Insurer	Delete subsections (1) and (12) that apply only to insurers. Amend subsection (13) to replace "agents, producers, brokers or solicitors" with "insurance representatives."	A, E
69B-156-117	Introductory, Initial, or Special Offers	Subsections (2) and (3) apply only to insurers and should be deleted.	A, E
69B-156.123	Prior Rules	Obsolete - repeal.	E
69B-157.023	Reporting	Repeal this rule, as it only applies to insurance companies. OIR has rulemaking authority under s. 627.9407(1), F.S., for implementing Part XVIII of ch. 627.	E
69B-157.101	Purpose	Determine whether the stated purposes are within the jurisdiction of the department. Delete provisions in the rule that are not within the department's jurisdiction.	A, E
69B-157.102	Applicability and Scope	Delete subsection (4) - it's obsolete.	A, E
69B-157.103	Definitions	Except for subsection (11), nursing home, none of the other definitions in this rule are used in any of the rules in this chapter. Ten rules that previously were included in this chapter have been repealed. In addition, the rule says that these definitions apply to long-term care insurance policies. The department does not have jurisdiction to define terms for insurance policies. The definition of nursing home is not needed. Repeal the entire rule.	E
69B-157.110	Requirements for Application Forms and Replacement Coverage	Delete subsections (3) and (4), as they contain requirements that are only applicable to insurers.	A, E

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69B-157.116	Suitability	Subsections (2), (4), (7) and (8) contain requirements that are only applicable to insurers. The "Notice to Applicant Regarding Replacement" [subsection (6)] is not specifically identified or adopted by reference by this rule or the identical OIR rule. Delete subsections (2), (4), (7) and (8). The rule needs to be amended to adopt a specific form by reference.	A, E
69B-157.121	Requirement to Deliver Shopper's Guide	The shopper's guide is not specifically identified or adopted by reference by this rule or the identical OIR rule. The rule needs to be amended to adopt a specific form by reference.	A
69B-196.023	Premium Finance Companies	Repeal this rule or consideration should be given to adopting a rule in this chapter to cross-reference 69O-196.010, .020 and .021.	A, E
69B-211.002	General Procedures	Many of the forms listed in subsections (3) to (35) have been revised since the dates listed in the rule. A couple of provisions are obsolete. A number of the forms were not available for review on the internet or intranet. Subsection (2)(b) appears to be obsolete since the rules it refers to have been repealed. Subsection (20) needs to be completely revised to provide current fingerprinting procedures. Subsection (25) needs to be amended because the primary agent designation was repealed from law in 2005. It should read: Adjusting firms filing information regarding primary adjuster designations for adjusting firms shall complete and submit Form 63/64, "Designation of Primary Adjuster for Adjusting Firm," rev. 09/07. Subsections (32) and (33) need to be deleted because the administrative agent designation was repealed in 2003.	A, E
69B-211.007	Effective Date of Termination of Appointment	Subsection (1) cites incorrect subsections of the statute. Referring to the statute is unnecessary anyway. Some of the language is redundant of the statute. Subsection (2) has similar problems.	A, E
69B-211.022	Character and Credit Reports Required	Discuss with Division whether to repeal this rule.	E
69B-211.040	Purpose and Scope	Subsection (2) refers to licensure as an "agent, adjuster, sales representative, or	A

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RULE NUMBER	TITLE	EXPLANATION	INTENDED TO: A. Simplify or clarify B. Increase efficiency C. Improve coordination with other agencies D. Reduce regulatory costs; or E. Delete obsolete, unnecessary, or redundant rules
		other licensure under the Florida Insurance Code." The "other" license categories should be listed as they are in other parts of the rule chapter: customer representative, service representative managing general agent and reinsurance intermediary.	
69B-211.041	Definitions	Potential changes by the Division of Insurance Agent & Agency Services.	A, B, E
69B-211.042	Effect of Law Enforcement Records on Applications for Licensure	Potential changes by the Division of Insurance Agent & Agency Services.	A, B, E
69B-213.060	Appointment of Customer Representative and Designation of Supervising Agent	Subsections (1) and (2) should be deleted. Subsection (1) of the rule is redundant to the cited statute. Subsection (2) of the rule is redundant to section 626.112(1)(a), F.S. Section 626.7353 F.S., provides that "the department shall prescribe by rule forms to administer" the requirement that customer representatives be appointed by an agent or agency. This rule addresses the appointment process but does not adopt a form. Form DFS-H2-501 states that "the Department of Financial Services online appointment process, eAppoint, must be used for effectuating new appointments and may be accessed on the Department's website at http://www.fldfs.com/. This form is only to be used at the instruction of the department. If you have not already obtained approval to submit this form, please call us at (850) 413-3137. All forms submitted without prior approval will be returned." The weblink in Form 509 leads only to the DFS homepage, not to eAppoint. Subsection (3) should be amended to provide additional information on the appointment process, including a reference to Form DFS-H2-501 and to eAppoint. "Once approval has been granted you will need to forward this completed form along with any required fees to the department." Technical issue: Subsection (4) states that the form for designation of the supervising agent can be obtained from a MyFloridaCFO link but the address is not a weblink and if typed into a browser, it does not work. At the end of this subsection, a weblink is just hanging out with no indication of why it is there. However, clicking on this link does connect a user to the form. Subsection (4) should be amended to move the working weblink to replace the reference to MyFloridaCFO. Subsection (4)(b) is redundant to the definition of designated supervising agent in 69B-213.020. It should be deleted. The entire rule would be renumbered appropriately.	A, E

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69B-213.070	Termination of Appointment or Supervision	Review whether subsection (4)(a) should be amended to refer to termination filing Form DFS-H2-39 or through eAppoint . Since 69B-213.060 requires agencies to designate the supervisory agent by filing a form with the Bureau, it would seem that subsection (5) should be amended to require the termination notice to be filed with the Bureau as well. Then all instances in which the subsection refers to "filed" or "filing" will make sense. In (5)(b)1., "agency's primary agent" should be changed to "agent in charge of the agency" since agencies do not have primary agents anymore.	A
69B-213.090	Duties of Appointing Agency	Amend these subsections in the same manner as recommended for 69B-213.060 and 69B-213.070.	A
69B-220.001	Licensure of Emergency Adjusters	Due to changes in adjuster laws in 2012, there are some technical changes that need to be made. In subsection (3)(a), strike "company employee adjuster or independent" and insert "all-lines." Also strike ", and whether limited licensure or unlimited licensure." In subsection (5)(a), which states that emergency adjusters have to be provided with "proof of authority to represent the insurer." In subsection (5)(a), delete "insurer" at the end of the very lengthy second sentence and insert "appointing entity or person." Subsection (6)(b) should be deleted because there is only one licensure type and class - all-lines. Delete 626.858, F.S., from law implemented. It was repealed.	A, E
69B-221.001	License Required	This rule does not implement s. 648.35, F.S., as it indicates.	A
69B-221.006	Immigration Bonds Exclusion	Determine relevance of ss. 648.27, 648.279, 648.30 or 648.45, F.S., as listed in law implemented, to this rule.	A
69B-221.055	Permanent Office Records Required	This rule does not implement s. 648.25, F.S.; it contains definitions.	A
69B-221.070	Build-up Funds; Reporting	The rule requires each insurer to submit a report on build-up trust accounts to the department. However, the law implemented requires each MGA to also submit a report. The rule should be amended to add MGAs. Also, a comma should be added after "each bail bond agent or agency" in the fourth sentence.	A
69B-221.085	Rate Filing; Approval;	The rule doesn't specify that the rates it is referring to are rates charged by	A

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	Proof	professional bail bond agents. The form that is adopted is the form for filing of rates by professional bail bond agents. The rule also includes a sentence applicable to all bail bond agents stating that they must charge the rate approved by the OIR. The form number has been changed to DFS-H2-503 and was last revised in 10/07. Amend the title of the rule to: Rate Filings by Professional Bail Bond Agents. Amend the rule to specify in the first sentence that the rates referred to are professional bail bond agent rates. Amend the rule to delete the last sentence relating to charging approved rates and not advertising reduced rates. Charging premium based on approved rates is covered in 69B-221.105 and not advertising reduced rates is prohibited by s. 648.44(6)(c), F.S. Amend the rule to change the form number and revision date.	
69B-221.125	Collateral Security; Affidavit; Form	The rule does not implement s. 648.44(1)(m), F.S., or s. 648.45, F.S. Amend the rule to delete these two statutes from the law implemented.	A
69B-221.130	Collateral Security; Statement; Form	The rule requires the statement to be filed with the bail bond. Section 903.14(1), F.S., provides that the statement must be filed within 30 days of the undertaking. The rule does not implement s. 648.44(1)(m), F.S., or s. 648.45, F.S. Amend the rule to comply with the statute. Amend the rule to delete these two statutes from the law implemented.	A
69B-221.140	Indemnity Agreement; Form	Repeal this rule, as it is redundant of s. 648.442(10), F.S.	E
69B-221.150	Department May Request Information	Repeal this rule. Sections 624.318(1), 648.36, and 648.295 all provide that the licensee's records shall be available to the department. The rule says that the Department may request a licensee to furnish information. The law is clear that a licensee must make all records available to the department for examination, reproduction, etc. The rule serves no purpose.	E
69B-227.180	Course Offering and Attendance Records	Change number of days within which to submit application from fifteen to five.	A
69B-227.260	Study Aids	Remove "Limited Customer Representative" from (1)(a).	A
69B-227.320	Curriculum Standards for Special Designation	Add s. 626.7351, F.S., to Rulemaking Authority pursuant to Chapter Law 2015-180, Laws of Florida, section 8.	A
69B-227.350	Duration of Suspension or Revocation, and Effect of Suspension or Revocation	This is a new rule to address the duration of suspension or revocation, as well as the effect of suspension or revocation, upon associated authorizations in the prelicensing rules (ch. 69B-227, FAC).	A

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	Upon Associated Authorizations		
69B-228.010	Purpose	The Division is amending its continuing education rules to simplify and clarify.	A
69B-228.020	Scope	The Division is amending its continuing education rules to simplify and clarify.	A
69B-228.030	Definitions	The Division is amending its continuing education rules to simplify and clarify.	A
69B-228.040	Course Providers	The Division is amending its continuing education rules to simplify and clarify.	A
69B-228.050	School Officials	The Division is amending its continuing education rules to simplify and clarify.	A
69B-228.060	Instructors and Supervising Instructors	The Division is amending its continuing education rules to simplify and clarify.	A
69B-228.080	Course Approval; Requirements; Guidelines	The Division is amending its continuing education rules to simplify and clarify.	A
69B-228.090	Course Offerings and Attendance Records	The Division is amending its continuing education rules to simplify and clarify.	A
69B-228.100	Certification of Students	The Division is amending its continuing education rules to simplify and clarify.	A
69B-228.110	Textbooks	The Division is amending its continuing education rules to simplify and clarify.	A
69B-228.120	Course Fees	The Division is amending its continuing education rules to simplify and clarify.	A
69B-228.130	Facilities	The Division is amending its continuing education rules to simplify and clarify.	A
69B-228.150	Advertising	The Division is amending its continuing education rules to simplify and clarify.	A
69B-228.160	Prohibited Practices	The Division is amending its continuing education rules to simplify and clarify.	A
69B-228.180	Forms	The Division is amending its continuing education rules to simplify and clarify.	A
69B-228.190	Transition Time in the Event of Rule Changes	The Division is amending its continuing education rules to simplify and clarify.	A
69B-228.210	Penalties for Course Providers, School Officials, Supervising Instructors, Instructors, and Monitors	The Division is amending its continuing education rules to simplify and clarify.	A
69B-228.220	Licensee Compliance; Requirements; Penalties for Non-Compliance	The Division is amending its continuing education rules to simplify and clarify.	A
69B-228.230	Extensions	The Division is amending its continuing education rules to simplify and clarify.	A
69B-228.240	Applicability of Continuing Education Requirement for New Licensees	The Division is amending its continuing education rules to simplify and clarify.	A

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69B-228.250	Exempted Licensees	The Division is amending its continuing education rules to simplify and clarify.	A
69B-228.260	Timeline for Submissions	The Division is amending its continuing education rules to simplify and clarify. (new)	A
69B-228.270	Course Audits	The Division is amending its continuing education rules to simplify and clarify. (new)	A
69B-231.030	Definitions	The definition of Crimes Involving Moral Turpitude in subsection (5) cross-references Rule 69B-211.042(23) and (24). 69B-211.042 has been amended to delete the list of crimes identified as involving moral turpitude. Delete this subsection.	A, E
69B-231.080	Penalties for Violation of Section 626.611, F.S.	The provisions of s. 626.611, F.S., were renumbered in 2014, but the rule that imposes penalties for violating those sections has not been updated. Do a technical change to this rule to update to correspond to the new statute subsections.	A
69B-250	Mediators	The Division of Insurance Agent & Agency Services is creating new rules to provide for qualifications, denial of application, suspension, revocation of approval, and other penalties for mediators (mandated by ch. laws 2014-86 and 2014-123, Laws of Florida). These rules are SEPARATE FROM the rules of the Division of Consumer Services.	A, B
69B-251	Neutral Evaluators	The Division of Insurance Agent & Agency Services is creating rules to provide for procedure for certifying, denying, suspending or revoking certification of neutral evaluators (mandated by ch. laws 2014-86 and 2014-123, Laws of Florida). These rules are SEPARATE FROM the rules of the Division of Consumer Services.	A, B
69C-1.003	Definitions	The arrangement of the contents of the Account Analysis in subsection (7) is confusing. It would seem appropriate for the Division to create a form for this report. Also, I think it must include the account balance and the portion of the account balance that will be deposited in the State Treasury.	A
69C-1.004	Approval of Clearing Accounts	Determine whether subsection (2) conflicts with s. 17.58(1), F.S., which is the law implemented, and needs to be deleted.	A, E
69C-1.005	Administration of Clearing Accounts	This rule hasn't been amended in 25 years. Review the rule.	A
69C-2.004	Definitions	Confirm all applicable definitions are current, listed, and consistent with information on DFS website. The form numbers in subsections (1), (3), (5), (6), (9), (10), (13), (14), (16), (17), (18), (21), (23) and (25) need to be changed from the DI4 format to the DFS-J1 format. The revision date for 1004 in subsection (1) should either be deleted or changed to 09/03. Capitalize "instruction" in subsection (10). The title for form 1001, referred to in subsection (18) has been changed to "Collateral Control Agreement Public Deposits Program."	A, E

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69C-2.005	Qualifications for Participation by Banks and Savings Associations	Make technical changes to correct format of form numbers. Change the title of form 1001 to "Collateral Control Agreement Public Deposits Program."	A
69C-2.006	Administration of Collateral Requirements	Make technical changes to correct format of form numbers. Change the title of form 1001 to "Collateral Control Agreement Public Deposits Program." See (3)(a). Also, in subsection (6), the form numbers have been reversed: 1010 is the certification form number and 1011 is the income payment form number.	A
69C-2.007	Eligible Collateral Criteria and Restrictions	Information on the department website should be included in this rule since it contains other eligibility requirements for the use of CD as collateral.	A, B
69C-2.009	Forms	The list of forms needs to be updated, and the form numbers need to be changed.	A, B
69C-2.0095	Electronic Data Transmission of Information, Reports, and Forms	Section 280.05(19), F.S., in the Law Implemented is incorrect. It should be 280.05(16).	A
69C-2.010	Additional Reports and Inspections	Due to an amendment to ss. 280.04(2) and 280.05(16), F.S., in 2014, it appears that references to "capital accounts" should be changed to "tangible equity capital." Consult with the Division to verify that subsections (1) and (2) of the rule should be amended.	A
69C-2.022	Requirements of Public Depositors	Correct format of form numbers. See subsections (2) and (3). Change revision date for form 1009 to 09/03.	A
69C-2.024	Criteria and Guidelines to be Used by the Chief Financial Officer in Administering and Protecting the Integrity of the Public Deposits Program	Due to amendments to s. 280.04, F.S., in 2014, it appears that the percentage levels for determining collateral requirements in this rule need to be amended. Consult with the Division to determine whether the percentage levels need to be amended and whether the rule should refer to percent of "average daily balance of public deposits." Consult with the Division to determine whether Banks and Savings Associations Advisory Committees still exist. If not, this language needs to be amended in subsection (3).	A
69C-2.026	Administration of Payment of Losses	Correct the format of the form numbers. See subsections (1) and (4).	A
69C-2.028	Ownership of Collateral by an Operating Subsidiary of the Qualified Public Depository	Change the title of form 1001 to "Collateral Control Agreement Public Deposits Program." See subsections (2) and (4). Correct format of form numbers.	A

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69C-2.029	Authorized Agent	Change the title of form 1001 to "Collateral Control Agreement Public Deposits Program." See subsection (3). Correct the format of the form number.	A
69C-2.030	Use of Agents by Custodians of Collateral	Correct the cross-reference in subsection (1) to 280.02(10), F.S. Correct the format of the form number in subsection (2).	A
69C-2.031	Format for Confirmation from Custodians	Change the title of form 1001 to "Collateral Control Agreement Public Deposits Program." See subsection (9). Correct the format of the form number.	A
69C-2.032	Execution of Forms, Proof of Authorization	Change the title of form 1001 to "Collateral Control Agreement Public Deposits Program." See paragraph (1)(b). Correct the format of the form numbers. Update revision dates of forms.	A
69C-3.004	Transfer of Funds from an Eligible Fund to an Investment Account	The Division of Treasury would like to update the verbiage for this rule because the language is outdated and needs to be revised.	A
69C-3.006	Transfer of Funds from the Investment Account to an Eligible Fund	The Division of Treasury would like to update the verbiage for this rule because the language is outdated and needs to be revised.	A
69D-3.001	Definitions	The department established the Automobile Insurance Fraud Task Force pursuant to Chapter Law 2012-197, L.O.F., to support the prosecution, investigation, and prevention of motor vehicle insurance fraud. The direct-support organization (DSO) has engaged in limited organizational activity during its existence, and the statute authorizing the DSO was repealed in Chapter Law 2015-179, L.O.F. Accordingly, this rule needs to be repealed.	E
69D-3.002	Governance of Organization	The department established the Automobile Insurance Fraud Task Force pursuant to Chapter Law 2012-197, L.O.F., to support the prosecution, investigation, and prevention of motor vehicle insurance fraud. The direct-support organization (DSO) has engaged in limited organizational activity during its existence, and the statute authorizing the DSO was repealed in Chapter Law 2015-179, L.O.F. Accordingly, this rule needs to be repealed.	E
69D-3.003	Use of Division Property or Facilities	The department established the Automobile Insurance Fraud Task Force pursuant to Chapter Law 2012-197, L.O.F., to support the prosecution, investigation, and prevention of motor vehicle insurance fraud. The direct-support organization (DSO) has engaged in limited organizational activity during its existence, and the statute authorizing the DSO was repealed in Chapter Law 2015-179, L.O.F. Accordingly, this rule needs to be repealed.	E

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69H-2.004	Certificate of Coverage	Amend rule to adopt a form.	A
69H-2.007	Loss Prevention Program	Amend rule to adopt a form.	A
69I-10.082	Forgeries	Amend rule to adopt revised Form DFS-A1-409, which was revised effective 01/14.	A
69I-20.030	Definitions	The effective date is not printed on Form DFS-UP-150, and there are changes and additions to definitions.	A
69I-20.034	Report of Property Presumed Abandoned	Under Rulemaking Authority, (2)(g) should be deleted. Paragraph (g) is in subsection (1). In law implemented, s. 717.134, F.S., should be deleted because the rule does not implement penalties for reporting violations. Also, unclaimed property was previously called abandoned property. The title to this rule and subsections (1), (4), including the names of the forms adopted, and (6) should be amended to replace "abandoned" with "unclaimed."	A
69I-20.038	Late Annual Report(s), Late Payment(s), and Late Delivery of Abandoned Property	Retitle and amend applicable provisions.	A
69I-20.040	Written Notice	Amend to add language.	A
69I-20.041	Unclaimed Property Reporting Instructions	In addition to general authority in s. 717.138, F.S., specific authority for adopting reporting forms and electronic reporting procedures, and requiring other information not set forth in the statute, is contained in s. 717.117(1), F.S. Also, the rule provides a 5/3/10 effective date for the Unclaimed Property Reporting Instructions Manual. The Manual states that it was revised on 1/1/14. Amend rule to provide latest effective date and to say that the manual can be found on the DFS website, instead of a physical street address.	A
69I-44.021	Claim to Funds Paid to the CFO	Repeal this rule, as it has been superseded by s. 717.124(8), F.S.	E
69I-51.002	Definitions	Confirm whether identified standards are the correct edition for defining primary government and other stand alone government. If not, revise.	A
69I-51.004	Determination of Reporting Entity	Determine whether the identified edition is the correct edition for generally accepted accounting principles. If not, revise.	A
69I-69.002	Statement of County Funded Court-Related Functions	Form DFS-A6-693 was revised effective 9/1/12. The rule needs to be amended to reflect the latest form revision date.	A
69J-8.008	Selection of Neutral	Amend rule, based upon comments provided by the Florida Insurance Council, to	A

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	Evaluator	revise the period of time an insurer has to contact the policyholder.	
69J-8.009	Evaluation Process	Amend rule, based upon comments provided by the Florida Insurance Council, to revise the period of time an insurer has to contact the policyholder.	A
69J-176.022	Mediation of Bodily Injury and Property Damage Claims	The request for mediation form has been renumbered as DFS-I0-510 and was revised in 08/12. The revision eliminated the space formerly used by the mediator to report the results of the mediation pursuant to 69B-176.022(8)(a). The mediator application form (DFS-H2-591) was revised in 10/02. This form does not contain the disclosure regarding the use of social security numbers. The mediator invoice form has been renumbered as DFS-I0-1121 and was revised in 09/05. Amend the rule as follows: Correct DFS-I0-510 in (2)(a), (4)(a), and (6)(c): update (8)(a) to reflect the fact that DFS-I0-510 cannot be used for the mediator's report; update the mediator application form revision date in (5)(a); correct the form number and revision date for DFS-I0-1121 in (5)(h); and the Bureau of Licensing should be advised to add the social security disclosure to Form DFS-H2-591.	A
69K-1.001	List of Approved Forms; Incorporation by Reference	The list of forms needs to be updated.	A
69K-1.003	Miscellaneous Fees; Name Changes; and Duplicate Licenses	Amend the rule to reflect updated terms and references.	A
69K-5.0021	Application for Preneed License Branch Office License	Amend (1)(a) to strike through DFS-COAB-12/00, effective 9-18-01, and insert DFS-PNLB-1, revised 8/12. Amend (1)(b) to change the fee from $150 to $155 as set forth on the form.	A
69K-5.0022	Application for Transfer of a Preneed License	Amend (1)(a) to strike through DFS-COAT-1, effective 5-13-97, and insert DFS-PNLT-1, revised 8/12. Amend (1)(b) to change the fee from $100 to $105 as set forth on the form. Amend (3) to strike through "moral" in the phrase "good moral character" to conform to s. 497.453(2)(f), F.S. Amend (3)(c) so that the last 2 sentences are flush left. These sentences apply to all 3 paragraphs in the subsection.	A
69K-5.0024	Remittances to the Regulatory Trust Fund	Update form reference in subsection (6).	A
69K-5.0026	Preneed License Renewal	Amend subsection (1) to reflect correct form numbers and dates. In (2)(a) and (b), strike through COA.	A
69K-5.002	Application for Preneed License	Amend (1)(a) to strike through DFS-COA-1, effective 2-7-95 and insert DFS-PNL-1, revised 8/12. Also strike through 7/01, incorporated herein by reference, effective 6-	A

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		26-02 and insert revised 8/12. Amend (1)(b) to change the fee to $505. Amend (5) to strike through "moral" in the phrase "good moral character" to conform to s. 497.453(2)(f), F.S. The word "moral" was deleted from the law in 2004. Amend (5)(c) so that the last 2 sentences are flush left. These sentences apply to all 3 paragraphs in the subsection.	
69K-5.009	Regulatory Standards for Evaluating Applications by the Board	The law has been changed to require a cemetery site to contain no less than 30 contiguous acres. Amend (1)(b) to change 15 acres to 30 acres. Amend (2)(a) and (c) to delete "as referenced in Rule 69K-5.002" and replace it with "Form DFS HistS."	A
69K-5.011	Preneed Sales Agent Renewal	In (1), change "registration" to "appointment." Change s. 497.466(4), F.S., to s. 497.466(7), F.S. In (4), change "registration" to "appointment." Check with the Division regarding form information.	A
69K-5.012	Application and Renewal Procedures for Broker of Burial Rights License	The revision date for Form DFS-C-BBRI is incorrect. Delete the revision date and incorporation language since the form is adopted in Rule 69K-1.001. Do the same thing in (2) for Form DFS-N1-1771.	A
69K-5.013	Procedure for Report of Identification for an Exempt Cemetery	Form DFS-EC-1 has been revised. Delete the effective date and incorporation language since the form is adopted in Rule 69K-1.001.	A
69K-6.002	Care and Maintenance of Existing Cemetery	Repeal this rule, as it is redundant of laws implemented.	E
69K-6.004	Safekeeping of Records	The manner of storage of computer files set forth in (2) and (3) are obsolete; amend the rule to update (2) and (3).	A
69K-6.0051	Accounts Receivable Records	The second "sentence" in subsection (1) passes the spell check test but a verb cannot be found in this sentence. Consult with the Division to determine how to amend this provision. This provision probably needs to begin with "Accounts receivable records shall contain..."	A
69K-6.0052	Examination Work Papers	The rulemaking authority cites sections of statutes that provide authority for the Board to adopt rules. However, DFS has authority over financial examinations and has rulemaking authority with regard to examinations. The rulemaking authority should be changed to ss. 497.103(2)(a), (c), (5)(b), 497.161(1)(f), 497.276(3), F.S.	A
69K-6.0054	Written Contracts Required	Amend rule to identify all disclosure requirements of Chapter 497 that are required to be in each form pursuant to subsection (4) of this rule.	A
69K-7.006	Wholesale Purchase Price	Make technical amendments to (1) language. Amend title.	A
69K-9.004	Consumer Brochure	The forms referred to in this rule were adopted in Rule 69K-1.001, as noted at the end	A, B

ATTACHMENT A
RULEMAKING DURING 2015-2016

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		of the rule. Delete the effective dates and the last sentence about incorporation. This is unnecessary language. Insert a hyperlink for each of the 2 forms so that they may be obtained online. Change "Pre-need" to "Preneed" in the title of the brochure.	
69K-11.001	Disciplinary Guidelines	Review rule and amend or repeal.	A, E
69K-11.002	Minor Violations; Notice of Noncompliance	Strike (d) from the rulemaking authority of s. 497.155(2)(d), F.S. Add (2) to the law implemented of s. 497.155, F.S.	A
69K-11.003	Citations	Subsection (2)(a) refers to "registrant." This should be deleted. Add (1) to s. 497.155, F.S., in the rulemaking authority and the law implemented.	E
69K-12.001	Installation of Monuments	Subsection (11), which states that a cemetery cannot require a monument installer to have insurance, is no longer valid. The law implemented, s. 497.278, F.S., was amended in 2010 to allow cemeteries to require any person or firm that delivers, installs, places, or sets a monument to show proof of liability insurance coverage and, if required by law, workers' compensation insurance coverage. Adopt a new rule and forms to implement s. 497.553(6), F.S., regarding changes in ownership and changes in location of monument establishments. This can be corrected by simply deleting the rule because the valid parts of it are redundant of the statute, s. 497.278(3), F.S.	A, E
69K-12.002	Procedure for Licensing a Monument Establishment	Form DFS-C-MON1 was revised in 7/2012. The fees set forth in (1)(b) and (c) do not accurately reflect the fees set forth in the application form. In (1)(a), delete "effective 3-3-97" and insert "revised 7/2012." Also insert a hyperlink for people to obtain the form. Amend (1)(b) and (c) to conform to the fees set forth in Form DFS-C-MON1.	A
69K-13.001	General Provisions	Based on the statement in subsection (1) that the Construction Specifications adopted herein are to be used until July 1, 2001, when the Florida Building Code will take effect, it appears that this section, as well as 13.002 and 13.003 are obsolete. Construction of Mausoleums and Columbariums are subject to the Florida Building Code, Chapter 4, Section 430.	E
69K-13.002	Definitions	This rule is obsolete; repeal.	E
69K-13.003	General Construction Specifications	This rule is obsolete; repeal.	E
69K-15.001	Course in Mortuary Science	To reflect statutory amendments in 2010, the rule needs to be amended regarding an accredited school or college. This rule should be moved to Rule 69K-1.005, License Application Procedures, or to Rule 69K-100.035, both of which address educational requirements under ss. 497.368 and 497.370, F.S. The last part of this rule that refers to the subjects of the course is redundant of the statute.	A, E

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69K-15.002	Associate in Arts Degree in Mortuary Science	See above. This rule should be moved to Rule 69K-1.005, License Application Procedures, or to Rule 69K-100.035, both of which address educational requirements under s. 497.373, F.S.	A, E
69K-16.002	Examination for Funeral Director Applicants	Subsection (2) requires applicants to pass the National Board Examination on funeral service arts and funeral service science; however, the statute provides that the department can require passage only of the NBE exam on funeral service arts, not funeral service science. The rule should be amended to delete funeral service science. In addition, the rule could be simplified and clarified.	A
69K-16.004	Examination for Licensure by Endorsement	The rule could be simplified and clarified.	A
69K-16.006	Examination Review Procedures	The law implemented did not exist when this rule was adopted. Section 497.144, F.S., was created in 2004 and reads, in part: "Except for national examinations approved and administered pursuant to this section, procedures shall be established by rule for applicants who have taken and failed a written examination to review their examination questions, answers, papers, grades, and grading key for the questions the candidate answered incorrectly or, if not feasible, the parts of the examination failed." The rule needs to be amended to provide procedures for applicants to review examinations questions, etc., after failing an examination.	A, E
69K-18.002	Funeral Director Intern Training Program	It is not necessary to refer to a form "which is incorporated by reference in Rule 69K-1.001"; however, there should be a hyperlink for the form to be accessed.	A
69K-18.004	Intern Training Agencies	The form number in subsection (2) is incorrect. Insert a hyperlink for the form to be accessed.	A
69K-21.004	Fees	Subsections (7) and (8) should be amended to include the specific forms that must be filed for a change of name.	A
69K-21.008	Notification of Change in Funeral Director in Charge	There are two rules that address changes related to funeral establishments (see 69K-21.055). These rules should be combined, should include the forms that have been adopted to file changes, and should include changes in other information that are required by s. 497.380(12), F.S., that are not referenced in the current rules. Section 497.380(12), F.S., needs to be added to the rulemaking authority and the law implemented.	A
69K-21.009	Disinterment Reporting	The rule should include the form number for the report along with a hyperlink to obtain the form.	A
69K-22.001	Application for Licensure;	Insert the name and number of the application form and a hyperlink to obtain the	A

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	Consequences of Operating Prior to Licensure	form. Subsection (1) states that a license shall be issued to an applicant if the Board or its designee "certifies" that the applicant has met the licensing requirements. The statute only requires that the licensing authority "determine" that the applicant has met the licensing requirements.	
69K-22.004	Operating Procedures	Subsection 497.606(9)(a), F.S., provides that standards for refrigeration and storage of dead human bodies shall be established by rule. This rule chapter does not establish such standards. Subsection (2) of the rule is redundant of s. 497.606(9)(b), F.S., and should be deleted. Subsection (4) of the rule may be in conflict with 497.606(9)(g), F.S., which states that human remains shall not be placed in a cremation chamber unless the remains are in an alternative container. The rule does not address the requirement in s. 497.606(9)(j), F.S., that cinerator facilities file a periodic report of names of persons cremated, date and county of death, etc. Amend the rule to add a new subsection (8) to reference applicable form.	A, E
69K-23.001	Manner of Application	Amend rule for clarity.	A
69K-23.004	Direct Disposal Establishments	The application form and fee needs to be added. The information to be contained in the application is redundant of the law. Subsection (2) needs to be amended because many additional licensure requirements were added to s. 497.604, F.S., in 2004 that have not been addressed in the rule. Form numbers need to be added to rules regarding notices of changes. Also, some forms apparently need to be adopted. Subsection (7) of section 497.604, F.S., was created in 2004 to require each licensee to provide notice as required by rule prior to any change in location or control of the licensee or licensed person in charge of the licensee's operations.	A
69K-24.010	Application for Licensure of Removal Services, Refrigeration Facilities, and Centralized Embalming Facilities	The law has changed substantially since this rule was last amended. It needs to include form numbers, names and hyperlink. The title should be amended to reflect changes in information.	A, B
69K-24.020	Licensure of Removal Services	Repeal this rule, as the rule purports to require registration of removal services operated independently of funeral establishments. Removal service businesses are licensed pursuant to 24.010.	E
69K-24.022	Inspection Criteria for Removal Services	Due to changes in the law implemented, one additional inspection is required and one additional inspection may be required. Also, the requirements are the same for refrigeration services. That can be added here and 69K-24.032 can be repealed. The	A, E

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		rule referred to in subsection (2) no longer exists, and no rule on the same issue was found.	
69K-24.023	Duplicate License and Renewal Penalty Fees for Removal Services	Amend for clarity and efficiency.	A, B
69K-24.030	Licensure of Refrigeration Services	Repeal this rule. Refrigeration services no longer register with the Board. They must be licensed pursuant to statute and 69K-24.010. Subsections (1)-(3) are obsolete. There is no statutory language to support subsection (4).	E
69K-24.032	Inspection Criteria for Refrigeration Services	Repeal this rule, as this is covered by the proposed amendment to 69K-24.022.	E
69K-24.033	Duplicate License and Renewal Penalty Fees for Refrigeration Services	Repeal this rule, as this is covered by the proposed amendment to 69K-24.023.	E
69K-24.040	Licensure of Centralized Embalming Facilities	Repeal this rule. Centralized embalming facilities no longer register with the Board. They must be licensed pursuant to statute and rule 69K-24.010. Subsections (1)-(3) are obsolete. There is no statutory language to support subsection (4).	E
69K-24.0425	Operating Procedures for Centralized Embalming Facilities	Amend as follows: Insert (1) in front of current rule. Then add (2) as follows: (2) Each centralized embalming facility must file form DFS-N1-1754, "Centralized Embalming Facility -- Monthly Report of Cases Embalmed and Bodies Handled," with the division within X days of the end of each month.	A
69K-24.043	Duplicate License and Renewal Penalty Fees for Centralized Embalming Facilities	Repeal this rule, as it is covered by the proposed amendment to 69K-24.023.	E
69K-25.003	License as Temporary Embalmer or Temporary Funeral Director; Manner of Requesting and Fee; Practice Limitations; Expiration	In subsection (1), strike through "registered" in 2 places and insert "licensed." Also, strike through the last sentence since the fee will be covered in new 69K-25.005. Delete subsection (2) since it will be covered in new 69K-25.005.	A, E
69K-25.005	Application for Licensure by Endorsement	Create a new rule, Application for Licensure by Endorsement.	B
69K-27.001	Embalmer Apprentice	The application forms should be included within the rule and hyperlinks inserted for	A

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	Program	access to the forms.	
69K-30.001	Disciplinary Guidelines and Penalties for Funeral Directors and Establishments, Embalmers, Removal Services, Refrigeration Services, Direct Disposers and Establishments, and Cinerator Facilities	The rulemaking authority and primary law being implemented is s. 497.154, F.S. The division should review the entire chapter to determine whether the rules comply with the legislative intent of s. 497.152, F.S., and present its findings to the board. The board should then review the entire chapter to determine whether the rules comply with the legislative intent.	A, B, E
69K-31.001	Procedure Required	There is only one rule in this chapter; it is much more appropriate for the rule to be moved to the end of 69K-22.007.	A, E
69K-32.002	Approved Courses	Section 497.367, F.S., was repealed in 2010, to eliminate the HIV course requirement. The requirement was also deleted from s. 497.378, F.S. Education requirements for HIV have been repealed. There is only one rule left in this chapter. Repeal this rule and create a new rule in chapter 69K-1.	A, B, E
69L-7.601	Copying Charges for Medical Records	Repeal this rule, as it is redundant of s. 440.13(4)(b), F.S.	E
69L-7.604	Permanent Impairment	The reference to s. 440.15(3)(a)2, F.S., in subsection (1) is no longer correct due to statutory amendments. The reference to "uniform disability rating schedule" in subsection (1) is incorrect. Subsection (1) should refer to the Schedule adopted in subsection (2) as the uniform permanent impairment rating schedule. Amend the last sentence in (1). Confirm that Rating Schedule is still the edition in use.	A, E
69L-31.006	Consolidation of Petitions	Subsection (2) provides that the timetable for the Department to render a decision on consolidated petitions is expanded to 120 days rather than the 60 day requirement contained in the statute at the time of adoption of the rule. The statute was amended in Chapter 2013-141, Florida Laws, to provide a 120 day timetable for all petitions. Subsection (2) should be deleted or amended to provide a longer timetable for consolidated petitions.	A
69L-31.007	Service of Petition on Carrier and Affected Parties	This is a technical correction. Paragraph 69L-7.602(5)(q), referenced in subsection (1), was transferred to 69L-7.710(5)(q). Correct this reference.	A
69L-31.008	Computation of Time	Pursuant to an amendment in Chapter 2013-141, Florida Laws, the 30-day time	A

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		period referred to in subsection (1) was changed to 45 days. Amend subsection (1) to change 30 to 45 in two places. Paragraph 69L-7.602(5)(q), referenced in subsection (1), was transferred to 69L-7.710(5)(q). Correct this reference.	
69L-31.009	Carrier Response Requirements	Pursuant to an amendment in Chapter 2013-141, Florida Laws, the 10-day time period referred to in subsection (1) was changed to 30 days. Amend subsection (1) to change 10 to 30 in two places.	A
69L-31.012	Joint Stipulation of the Parties	Pursuant to an amendment in Chapter 2013-141, Florida Laws, the 60-day time period for the Department to issue a determination was changed to 120 days. Amend the rule to change this 60 day provision to 120 days.	A
69L-31.016	Contractual Reimbursement Agreements	DWC would like to initiate new rulemaking regarding reimbursement disputes where a contract or managed care arrangement is involved.	A, B, D, E
69L-56.301	Electronic First Report of Injury or Illness	Rule 69L-24.0231, F.A.C., is referenced in (4)(a). This rule was repealed in 2010. It does not appear that its provisions were included in the new rules adopted in chapter 69L-24 in 2010. Correct hyperlink in subsection (9).	A

ATTACHMENT B – UPDATE TO
DEPARTMENT OF FINANCIAL SERVICES
PROPOSED RULES FOR 2014-2015 FISCAL YEAR

Division(fn1)	Statute	Rule Number	Rule Title	Citation to F.A.R./Reason Law May Be Implemented Without Rulemaking
SFM	633.128	69A-37.059	Types of Instructor Certificates Issued	Rule Development Notice: Issue 40/Vol. 126; Proposed Rule Notice: Issue 40/Vol. 193
SFM	633.216	69A-39.009	Renewal of Firesafety Inspector and Fire Code Administrator Certification	Rule Development Notice: Issue 40/Vol. 227; Proposed Rule Notice: Issue 41/Vol. 184
SFM	633.406	69A-37.050	Types of Training Certificates Issued	Repealed because new section 633.406 defined types of certification, and the rule is redundant; Proposed Rule Notice: Issue 40/Vol. 58
SFM	633.128	69A-37.055	Curriculum Requirements for Training Firefighter Recruits or Firefighters	Rule Development Notice: Issue 41/Vol. 135; Proposed Rule Notice: Issue 41/Vol. 165
SFM	633.406	69A-37.065	Programs of Study and Vocational Courses	Rule Development Notice: Issue 40/244; Proposed Rule Notice: Issue 41/Vol. 57
SFM	509.211	69A-70	Carbon Monoxide Hazards in Public Lodging Establishments	Department staff has discussed governing statutes and rule promulgation and implementation with DBPR staff. A draft rule has been prepared and anticipated that a rule development notice will be published in next 30 days.
Agent and Agency	627.4553 (created)	69B-215.090	Information to be Provided When Recommending the Surrender of an Annuity or Life Insurance Policy with a Cash Value	Rule Development Notice: Issue 40/Vol. 172; Proposed Rule Notice: Issue 40/Vol. 249; Notice of Withdrawal (based on JAPC comments): Issue 41/Vol. 121
DIF	626.9892(4)	69D-1.003	Definitions	Rulemaking unnecessary; definitions already exist under 69D-1.003.
Accounting and Auditing	215.971(2)(b)	69I-40.003	Uniform Procedures for Grant Management	Rulemaking unnecessary; handled via CFO Memorandum 02 (2012-2013).
Accounting and Auditing	717.124(7)	69I-20.00211	Procedures for Filing Claim	Rule Development Notice: Issue 41/Vol. 179; Workshop scheduled for 10/7/15.

ATTACHMENT B – UPDATE TO
DEPARTMENT OF FINANCIAL SERVICES
PROPOSED RULES FOR 2014-2015 FISCAL YEAR

DWC	440.13 440.525	69L-7.720	Forms Incorporated by Reference for Medical Billing, Filing and Reporting	Rule Development Notice: Issue 40/Vol. 107; Proposed Rule Notice: Issue 41/Vol. 91
DWC	440.13 440.525	69L-7.730	Health Care Provider Medical Billing and Reporting Responsibilities	Rule Development Notice: Issue 40/Vol. 107; Proposed Rule Notice: Issue 41/Vol. 91
DWC	440.13 440.525	69L-7.740	Insurer Authorization and Medical Bill Review Responsibilities	Rule Development Notice: Issue 40/Vol. 107; Proposed Rule Notice: Issue 41/Vol. 91
DWC	440.13 440.525 440.593	69L-7.750	Insurer Electronic Medical Report Filing to the Division	Rule Development Notice: Issue 40/Vol. 107; Proposed Rule Notice: Issue 41/Vol. 91
DWC	440.13 440.525	69L-8.071	Materials for use with the Workers' Compensation Health Care Provider Reimbursement Manual	Rule Development Notice: Issue 40/Vol. 107; Proposed Rule Notice: Issue 41/Vol. 91.
DWC	440.13 440.525	69L-8.072	Materials for use with the Workers' Compensation Reimbursement Manual for Ambulatory Surgical Centers	Rule Development Notice: Issue 40/Vol. 107; Proposed Rule Notice: Issue 41/Vol. 91
DWC	440.13 440.525	69L-8.073	Materials for use with the Workers' Compensation Hospital Reimbursement Manual	Rule Development Notice: Issue 40/Vol. 107; Proposed Rule Notice: Issue 41/Vol. 91
DWC	440.13 440.525	69L-8.074	Materials for use throughout Rule Chapter 69L-7, F.A.C.	Rule Development Notice: Issue 40/Vol. 107; Proposed Rule Notice: Issue 41/Vol. 91

Fn1:

SFM = Division of State Fire Marshal (69A rules)

Agent and Agency = Division of Insurance Agent and Agency Services (69B rules)

DIF = Division of Insurance Fraud (69D rules)

Accounting and Auditing = Division of Accounting and Auditing (69I rules)

DWC = Division of Workers' Compensation (69L rules)