



## INFORMATIONAL MEMORANDUM

OIR-08-4M

ISSUED

June 24, 2008

Office of Insurance Regulation

**Kevin M. McCarty**

Commissioner

**All Life and Health Insurers**

**Long-Term Care Secondary Addressee**

*The purpose of this memorandum is to notify Life and Health Insurers of legislative changes to Section 627.94073, Florida Statutes (F.S.), enacted in the 2008 Regular Session of the Florida Legislature. This notice is not intended to be a comprehensive analysis of the bill. You are encouraged to review specific bills found by legislative bill number at [www.leq.state.fl.us](http://www.leq.state.fl.us).*

### **SENATE BILL 2012**

#### **Section 20 –**

Effective January 1, 2009, and applicable to policies issued or renewed on or after January 1, 2009.

Section 627.94073, F.S. is amended to require an insurer that offers Long-Term Care insurance to notify the policyholder, at least annually, of the right to designate a secondary addressee. The notice must also inform the policyholder to update any change made to the address of the secondary addressee.

The notice of possible lapse in coverage due to nonpayment of premium shall be given by United States Postal Service proof of mailing or certified or registered mail to the policyholder and the secondary designee at the address shown in the policy or the last known address provided to the insurer.

If a policy is canceled due to nonpayment of premium, the policyholder is entitled to have the policy reinstated if specific conditions are met. Subsection (3) has been amended to include "continuous confinement in a hospital, skilled nursing facility, or assisted living facility for a period in excess of 60 days."

Contract forms must be amended and filed with the Florida Office of Insurance Regulation to include the new provisions.

If you have any questions regarding the filing process, please contact Robin Hall at [Robin.Hall@flair.com](mailto:Robin.Hall@flair.com) or (850) 413-5198 or Don Dillard at [Don.Dillard@flair.com](mailto:Don.Dillard@flair.com) or (850) 413-5154.