



INFORMATIONAL BULLETIN

DFS-03-2009

ISSUED

June 23, 2009

Florida Department of Financial Services

Alex Sink

Chief Financial Officer

All Carriers, Assessable Mutual Insurance Companies, Self-Insurance Funds and Self-Insured Employers

Orders Setting Assessment Rates for the Workers' Compensation Administration Trust Fund and the Special Disability Trust Fund

Attached are copies of the Orders that set assessment rates for the Workers' Compensation Administration Trust Fund for calendar year 2010 and the Special Disability Trust Fund for fiscal year 2009-2010.

At the end of each calendar quarter, carriers, assessable mutual companies and self-insurance funds will be provided with their Carrier and Self-Insurance Fund Quarterly Premium Report Form and Premium Documentation Form. The carriers, assessable mutual companies and self-insurance funds must complete and return both forms to the Division of Workers' Compensation, Assessment Unit, along with any applicable assessment payment due, within 30 days of the end of the calendar year quarter.

The Division will compute self-insurer assessments and provide self-insurers with a copy of their Assessment Computation Sheet and quarterly invoices reflecting the four quarterly installments due. The self-insurers must return the quarterly invoice along with any applicable assessment payment due to the Division of Workers' Compensation, Assessment Unit, within 30 days of the end of the quarter for which the assessment is due.

If you have questions or need additional information about these assessments, please call Evelyn Vlasak, Assessments Coordinator, at (850) 413-1644.

Attachments



REPRESENTING
ALEX SINK
CHIEF FINANCIAL OFFICER
STATE OF FLORIDA

FILED

JUN 26 2009

Chief Financial Officer
Docketed by: LB

001324

IN THE MATTER OF:

ASSESSMENT RATE FOR WORKERS'
COMPENSATION ADMINISTRATION TRUST
FUND FOR CALENDAR YEAR 2010

CASE No. 105011-09-WC

ORDER

THIS CAUSE came on for consideration pursuant to the provisions of Section 440.51(1), Florida Statutes, which require the Department of Financial Services (hereinafter referred to as the "Department") to annually notify carriers and self-insurers of the assessment rate necessary for the administration of Chapter 440, Florida Statutes. The Department, having considered the amounts necessary for the administration of Chapter 440, Florida Statutes, for calendar year 2010, and being otherwise fully advised in the premises, hereby finds and orders as follows:

1. Section 440.51(1), Florida Statutes, requires the Department to estimate annually in advance the amounts necessary for the administration of Chapter 440, Florida Statutes. Pursuant to Section 440.51(1)(a), Florida Statutes, the Department shall, by July 1 of each year, notify carriers and self-insurers of the assessment rate, which shall be based on the anticipated expenses of the administration of Chapter 440, Florida Statutes, for the next calendar year.
2. With respect to calendar year 2010, the Department has estimated the amount necessary for the administration of Chapter 440, Florida Statutes.

IT IS THEREFORE ORDERED:

Each carrier and self-insurer, including each insurance company writing workers' compensation insurance in the State of Florida, each group self-insurance fund under Section 624.4621, Florida Statutes, each commercial self-insurance fund under Section 624.462, Florida Statutes, each electric cooperative self-insurance fund under Ch. 2009-119, Section 2, Laws of Fla., and each assessable mutual insurer under Section 628.6011, Florida Statutes, shall pay an assessment for deposit into the Workers' Compensation Administration Trust Fund in the amount of eight-tenths of one percent (0.80%) of the net premiums collected (or earned, as per Division of Workers' Compensation Bulletin Number 228) on workers' compensation insurance issued by the company in the State of Florida. Pursuant to Chapter 2000-150, Laws of Florida, the net premiums assessed for the calendar quarter shall be adjusted to include the deductible premium credits or discounts the company has applied to its deductible policies.

Beginning on the self-insurer's anniversary date falling within calendar year 2010, each individual self-insured employer under Section 440.38, Florida Statutes, shall pay an assessment for deposit into the Workers' Compensation Administration Trust Fund in the amount of eight-tenths of one percent (0.80%) of net premiums computed by the Division of Workers' Compensation, as if the company had purchased workers' compensation insurance in the State of Florida.

The Workers' Compensation Administration Trust Fund assessment shall become due and be paid to the Division of Workers' Compensation quarterly, within thirty (30) days of receipt of notice.

DONE and ORDERED this 26th day of June 2009.

Alex Sink
ALEX SINK



NOTICE OF RIGHTS

You have a right to an administrative hearing concerning this proposed agency action by the Department under sections 120.569 and 120.57, Florida Statutes. To request a hearing, you must file a written petition. The petition shall be legible and on 8 ½ by 11 inch white paper. Unless printed, the impression shall be on one side of the paper only and lines shall be double-spaced.

If your petition disputes any material fact contained in the proposed action, you are entitled to a hearing under sections 120.569 and 120.57(1), Florida Statutes, at which you may be represented by counsel, present evidence and argument on the issue(s), examine witnesses, submit a proposed recommended order, and file exceptions to the recommended order of the Administrative Law Judge. A petition for a hearing under sections 120.569 and 120.57(1), Florida Statutes, must comply with Rule 28-106.201, Florida Administrative Code. The petition must contain a) the name and address of each agency affected and each agency's file or identification number, if known; b) the name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination; c) a statement of when and how the petitioner received notice of the agency decision; d) a statement of all disputed issues of material fact; if there are none the petition must so indicate; e) a concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; f) a statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and g) a statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action.

If your petition does not dispute any material fact contained in the proposed action, you are entitled to a hearing under sections 120.569 and 120.57(2), Florida Statutes, at which you may be represented by counsel, present documentary evidence, and present a written statement in opposition to this action. A petition for a hearing under sections 120.569 and 120.57(2), Florida Statutes, must comply with Rule 28-106.301, Florida Administrative Code. The petition must contain a) the name and address of each agency affected and each agency's file or identification number, if known; b) the name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination; c) an explanation of how the petitioner's substantial interests will be affected by the agency determination; d) a statement of when and how the petitioner received notice of the agency decision; e) a concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; f) a statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action; g) a statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action; and h) a statement that no material facts are in dispute.

Any petition for hearing regarding this agency action must be received by the Department within twenty-one (21) days of your receipt of the action. The petition must be filed with Tracey Beal, DFS Agency Clerk, Department of Financial Services, 612 Larson Building, 200 E. Gaines Street, Tallahassee, Florida 32399-0390. **FAILURE TO FILE A PETITION WITHIN THE TWENTY-ONE (21) DAYS CONSTITUTES A WAIVER OF YOUR RIGHT TO AN ADMINISTRATIVE HEARING CONCERNING THIS AGENCY ACTION.** Mediation under section 120.573, Florida Statutes, is not available.



REPRESENTING
ALEX SINK
CHIEF FINANCIAL OFFICER
STATE OF FLORIDA

FILED

JUN 26 2009

Chief Financial Officer
Docketed by:

001325

IN THE MATTER OF:

ASSESSMENT RATE FOR SPECIAL
DISABILITY TRUST FUND
FOR FISCAL YEAR BEGINNING
JULY 1, 2009

CASE No. 105012-09-WC

ORDER

THIS CAUSE came on for consideration pursuant to the provisions of Section 440.49(9), Florida Statutes, which require the Department of Financial Services (hereinafter referred to as the "Department") to estimate annually in advance the amount necessary for the administration of the Special Disability Trust Fund and make such assessment in the manner provided therein. The Department, having considered the amounts necessary for the administration of the Special Disability Trust Fund for the fiscal year beginning July 1, 2009, and being otherwise fully advised in the premises, hereby finds and orders as follows:

1. Pursuant to Section 440.49(9)(b)1., Florida Statutes, the Special Disability Trust Fund shall be maintained by annual assessments upon the insurance companies writing compensation insurance in the State of Florida, the commercial self-insurers under Sections 624.462 and 624.4621, Florida Statutes, the assessable mutuals as defined in Section 628.6011, Florida Statutes, and the self-insurers under Chapter 440, Florida Statutes. Pursuant to Ch. 2009-119, Section 2, Laws of Fla., an

electric cooperative self-insurance fund that meets the requirements of that law is subject to assessments set forth in section 440.49(9), Florida Statutes.

2. Section 440.49(9)(b)1., Florida Statutes, requires the Department to estimate annually in advance the amount necessary for the administration of Section 440.49(9), Florida Statutes, and the maintenance of the Special Disability Trust Fund, and to make such assessment in the manner provided for therein.

3. Pursuant to Section 440.49(9)(c), Florida Statutes, the assessment rate for the Special Disability Trust Fund shall not exceed 4.52 percent.

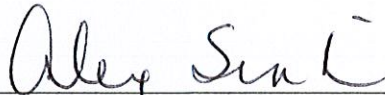
4. With respect to the fiscal year beginning July 1, 2009, the Department has calculated the assessment rate for the administration of Section 440.49(9), Florida Statutes, and the maintenance of the Special Disability Trust Fund. If the calculated assessment rate were applied, it would exceed the statutory limit of 4.52 percent.

IT IS THEREFORE ORDERED:

Each insurance company writing compensation insurance in the State of Florida, each commercial self-insurer under Section 624.462 or Section 624.4621, Florida Statutes, each electric cooperative self-insurance fund under Ch. 2009-119, Section 2, Laws of Fla., and each assessable mutual under Section 628.6011, Florida Statutes, shall pay a Special Disability Trust Fund assessment equal to four and fifty-two hundredths percent (4.52%) of the net workers' compensation premiums written in the State of Florida. Each self-insurer under Section 440.38, Florida Statutes, shall pay a Special Disability Trust Fund assessment equal to four and fifty-two hundredths percent (4.52%) of the net premiums computed by the Division of Workers' Compensation, as if the company had purchased workers' compensation insurance in the State of Florida.

The Special Disability Trust Fund assessment shall become due and be paid to the Division of Workers' Compensation quarterly at the same time and in addition to assessments for the Workers' Compensation Administration Trust Fund, as provided for in Section 440.51, Florida Statutes.

DONE and ORDERED this 26th day of June 2009.



ALEX SINK



NOTICE OF RIGHTS

You have a right to an administrative hearing concerning this proposed agency action by the Department under sections 120.569 and 120.57, Florida Statutes. To request a hearing, you must file a written petition. The petition shall be legible and on 8 ½ by 11 inch white paper. Unless printed, the impression shall be on one side of the paper only and lines shall be double-spaced.

If your petition disputes any material fact contained in the proposed action, you are entitled to a hearing under sections 120.569 and 120.57(1), Florida Statutes, at which you may be represented by counsel, present evidence and argument on the issue(s), examine witnesses, submit a proposed recommended order, and file exceptions to the recommended order of the Administrative Law Judge. A petition for a hearing under sections 120.569 and 120.57(1), Florida Statutes, must comply with Rule 28-106.201, Florida Administrative Code. The petition must contain a) the name and address of each agency affected and each agency's file or identification number, if known; b) the name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination; c) a statement of when and how the petitioner received notice of the agency decision; d) a statement of all disputed issues of material fact; if there are none the petition must so indicate; e) a concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; f) a statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and g) a statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action.

If your petition does not dispute any material fact contained in the proposed action, you are entitled to a hearing under sections 120.569 and 120.57(2), Florida Statutes, at which you may be represented by counsel, present documentary evidence, and present a written statement in opposition to this action. A petition for a hearing under sections 120.569 and 120.57(2), Florida Statutes, must comply with Rule 28-106.301, Florida Administrative Code. The petition must contain a) the name and address of each agency affected and each agency's file or identification number, if known; b) the name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination; c) an explanation of how the petitioner's substantial interests will be affected by the agency determination; d) a statement of when and how the petitioner received notice of the agency decision; e) a concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; f) a statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action; g) a statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action; and h) a statement that no material facts are in dispute.

Any petition for hearing regarding this agency action must be received by the Department within twenty-one (21) days of your receipt of the action. The petition must be filed with Tracey Beal, DFS Agency Clerk, Department of Financial Services, 612 Larson Building, 200 E. Gaines Street, Tallahassee, Florida 32399-0390. **FAILURE TO FILE A PETITION WITHIN THE TWENTY-ONE (21) DAYS CONSTITUTES A WAIVER OF YOUR RIGHT TO AN ADMINISTRATIVE HEARING CONCERNING THIS AGENCY ACTION.** Mediation under section 120.573, Florida Statutes, is not available.