



TO: All Executive Directors of Florida Continuing Care Retirement Communities (CCRCs)

RE: House Bill 749 and Guidance on Florida's Form and Rate Filing Process

On June 10, 2015, Governor Scott signed House Bill 749 into law. This law contains a number of changes to the statutes governing CCRCs and becomes effective October 1, 2015. Each CCRC provider should become familiar with these changes and prepare to implement any that are applicable to their facility. A copy of the law can be found at <http://www.flsenate.gov/Session/Bill/2015/0749/BillText/er/PDF>.

One of the areas affected by this new law pertains to the requirements for CCRC residency contracts. Specifically, the requirements related to refund options and the timing of resident refunds have been amended. As a result, this may necessitate the filing of updated residency contracts with the Office of Insurance Regulation ("Office").

Listed below are suggestions and guidance for how to navigate the filing process when submitting contract(s) to the Office for review and approval.

CCRC residency contracts and other forms are filed through the Office's [I-File Form & Rate Filing Search System](#) ("I-File System") located at: <https://iportal.fldfs.com/ifile/fass/default.asp>.

Accessing the I-File System:

To access the I-File System, a user must enter log-in information. If the user already submits a financial filing through the Office's REFS System (iPortal), they can use the same log-in information to access the I-File System. If the user does not have an iPortal account, a link is located on the left-side menu bar of the filing system webpage for creating a new account. The user name is a person's email address. This is important because an email will be sent to the user after creating the new account with instructions for activation. If the activation email is not received after creating an account or if the user has any problems during the activation process, send an email to Christopher.Struk@flor.com for assistance.

Worksheets:

To assist CCRC providers with meeting statutory mandates and to provide a resource when drafting or revising a contract, the Office created [worksheets](#) in a checklist format detailing residency and reservation contract requirements. Submitting completed worksheets with a filing will assist in the review process. As new statutory changes become effective, the Office will revise the worksheets to reflect this updated information. The worksheets are available online at: <http://www.flor.com/Sections/Specialty/CCRCindex.aspx>.

Submission Process:

To ensure a successful filing, each contract/form must contain a unique form number to identify the document and be applicable to the CCRC facility – do not list it as Form “1” or Form “A”. The number should be located in the lower left corner of the form and entered into the I-File System as such when uploading the contract(s). Providers may choose their own numbering system; however, the Office suggests the identifier consist of the following information: company code or facility name/initials, type of contract and the date (ex. 88xxx-Traditional Contract-10/1/15).

During the I-File System submission process, users will encounter a component entitled “Actuarial Memorandum”. This component must be completed for any form filing submission in order to progress to the next step in the filing process. However, CCRCs are not subject to rate review; therefore, the “Actuarial Memorandum” is not a required document. In order to move past this step, CCRCs submitting a form filing will need to upload a document stating “Not Required” or something similar into this component.

Form Submission Guidelines:

The Office may take up to 60 days to complete its review of each filing. Therefore, the Office will review contracts complying with the new requirements prior to the effective date of the new law. The cover letter submitted with the filing should clearly state the contract will only be used on or after January 1, 2016, in accordance with provisions contained in the new law. The cover letter should also list the filing ID, form number and approval date of the contract(s) the new contract(s) is replacing. A redline copy of the changes from the most recently approved contract would also help expedite the review process.

If you have any questions regarding the filing of your CCRC residency contracts, please contact Chris Struk (Programs & Policy Coordinator - Life & Health) at Christopher.Struk@flor.com or 850-413-2480.