

69N-121.066 Informal Conferences.

(1) Informal Conferences Authorized. The Office head or a hearing officer designated by the Office may order an informal conference prior to a formal or informal proceeding.

(2) Procedures for Conferences Held Pursuant to section 624.319(1), F.S.

(a) Every insurer will receive a draft of a report of examination (draft report) resulting from an examination under section 624.316, F.S. The insurer may review the draft report for a period of up to 30 days as determined from the date of the report's receipt by the insurer. If the insurer desires modifications to the draft report, the insurer shall request an informal conference, as permitted by section 624.319(1), F.S., by writing to the Office no later than 30 days from the date of the report's receipt by the insurer as shown on the return receipt requested card returned to the Office by the U.S. Postal Service. Requests for an informal conference must be directed to: Bureau Chief, (Name of appropriate solvency bureau), Office of Insurance Regulation, Larson Building, 200 East Gaines Street, Tallahassee, Florida. The zip code for the Life and Health bureau is 32399-0327; the zip code for the Property and Casualty bureau is 32399-0329. Requests may be made by facsimile transmission.

(b) Although section 624.319, F.S., uses the word "hearing" to refer to this meeting, the "hearing" is conducted pursuant to section 624.324, F.S., and is not within the scope of chapter 120, F.S. Instead it is an informal conference at which the insurer has an opportunity to resolve disputed provisions of the draft examination report prior to the Office filing the report as a public document. The Office has found that the following procedures are helpful in reaching an informed resolution in a fair and efficient manner. Therefore, an insurer requesting the informal conference shall comply with the requirements of this subsection.

1. The request for an informal conference must contain a specific listing for each point in the draft report for which the insurer requests a modification. The listing for each point must state all of the facts and provide documentation which support the position of the insurer relative to a modification of the report.

2. Due to the varied nature of requests for modifications to a draft report, the informal conference does not have any specific agenda. During the informal conference the insurer may present any information or evidence relative to the facts which it believes will support its position that modification should be made to the draft report.

(c) After reviewing the information and documentation presented at the informal conference, the Office will either: provide a new draft report to the company in accordance with the conditions of section 624.319(2), F.S.; perform additional field examination work; or notify the company that it intends to file the report as presented in the draft form.

(d) In the absence of a timely request, the Office shall file the draft report as a finalized report and make it a public document.

(e) If disputed points are not settled in the conference, and the Office notifies the company that it intends to file the report and make it a public document as presented in the draft form, the insurer may request a formal hearing to resolve the disputed issues, as provided for under chapter 120, F.S., and in accordance with the Notice of Rights which are a part of the Office's notification.

Rulemaking Authority 20.05(5), 120.53, 624.308 FS. Law Implemented 120.53, 120.54, 120.56, 120.57, 120.58, 624.307(1), 624.319, 624.324 FS. History—New 1-1-75, Formerly 4-38.37, Amended 2-5-87, Formerly 4-38.037, Amended 12-19-94, Formerly 4-121.066.