

69D-2.003 Insurer Anti-Fraud Plans; Mandatory Reporting of Suspected Fraudulent Acts.

(1) An insurer subject to subsection 626.9891(2), F.S., shall file with the Division a completed insurer anti-fraud plan and shall submit the plan electronically via the Division's website at www.myfloridacfo.com. The completed plan shall be submitted on Form DFS-L1-1689, <http://www.flrules.org/Gateway/reference.asp?No=Ref-09343>, Anti-Fraud Plan (Rev. 03/18), which is hereby incorporated by reference and available on the Division's website. The insurer's filing of the information required on Form DFS-L1-1689 shall constitute an adequately detailed description of its designated anti-fraud unit as required by subsection 626.9891(2), F.S. An insurer that elects to contract with others to investigate and report possible fraudulent insurance acts pursuant to subparagraph 626.9891(2)(a)2., F.S., shall also electronically file a copy of the executed contract with the Division.

(2)(a) Insurers or other entities or persons subject to mandatory reporting requirements of subsection 626.989(6), F.S., shall report suspected fraudulent acts electronically on Form DFS-L1-1691, <http://www.flrules.org/Gateway/reference.asp?No=Ref-09344>, Suspected Fraud Referral Form (Rev. 03/18), on the Division's website at www.myfloridacfo.com or via an electronic reporting interface that is linked to the Division (e.g. the National Insurance Crime Bureau or ISO sites). Form DFS-L1-1691 is hereby incorporated by reference. Insurers shall electronically provide the following with regard to reporting suspected fraudulent activity:

1. An acknowledgment that all reports of suspected insurance fraud shall contain information that clearly defines and supports the allegation of suspicious activity.

2. An acknowledgment that the insurer or anti-fraud investigative unit shall record the date that suspected fraudulent activity is detected, and shall record the date that reports of such suspected insurance fraud are sent directly to the Division.

(b) Insurers shall include the acknowledgements set forth in subparagraphs (2)(a)1. and 2., electronically on Form DFS-L1-1689, the Anti-Fraud Plan.

(3) The filing of the information required herein is not intended to constitute a waiver of an insurer's privilege, trade secret, confidentiality or any proprietary interest in its anti-fraud investigative unit, its anti-fraud investigative unit description, or its anti-fraud investigative unit policies and procedures.

Rulemaking Authority 624.308, 626.9891 FS. Law Implemented 624.307, 626.989, 626.9891 FS. History—New 10-5-06, Amended 5-8-18.