

THE Journal of Public Adjusting

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FAPIA Positioned to Battle Two Recent Attempts at Further Reducing PA Fees

FAPIA Ambassadors in House District 29 and 81 are reportedly addressing two separate attempts to further reduce PA fees.

The first occurred at a February AOB workshop in which FAPIA was asked to participate. At the workshop panel hosted by Chairman John Woods, Representative Kevin Rader, an insurance agent, asked to address the panel, although he was not a part of the committee. When granted the opportunity to speak, Rader broached the subject of further reducing PA fees, aiming his question at FAPIA lobbyist Senator Steven Geller.

The video can be viewed in its entirety at: <http://thefloridachannel.org/videos/2915-house-insurance-banking-subcommittee>. (item 1)

The second attempt was carried out by Representative Scott Plakon, owner and publisher of Claim Pages, who filed HB 947 with a strike out on the provision removing the 10 percent fee cap on claims subject to a state of emergency after one year.

Read the bill in its entirety at: <http://www.flsenate.gov/Session/Bill/2015/0947>.



FAPIA urges PAs to refrain from contacting either representative until further notice.

Additionally, the FAPIA lobby team plans on having a presence during the entire legislative session slated through May 2, 2015. ♦

DFS Website Offers Comprehensive Resource for Staying Up-to-Date on Florida Statutes and Rules

Keeping current with what's happening compliance-wise is a little less daunting with the Statutes and Rules page on the DFS website. From the Insurance Agent and Agency Services page found at <http://www.myfloridacfo.com/Division/Agents>, click on Industry Awareness on the sidebar and then select laws and administrative regulations under Laws and Rules. Here you will find the below all-inclusive portal to Florida Administrative Codes, links to the Florida Senate and House, and more.

Statutes and Rules

It is a licensee's responsibility to be familiar with all laws and administrative regulations applicable to the license(s) that individual holds. Links

to the Florida Insurance Code (statutes and administrative rules) are located below.

Links

- State of Florida Statutes (Insurance)
- Florida Administrative Code (Rules)
- Pre-licensing rules
- Continuing Education rules > Full CE Rule Chapter (69B-228)



FAPIA Positions to Fight More Attempts at Fee Reductions,

Understanding Why HB 491 Can Significantly Impact Appraisers and Umpires, A Look at How DFS Can Help you Maintain Compliance More Easily and More

Our March issue of *The Journal of Public Adjusting* brings the launch of the 2015 legislative session. And to help keep you up-to-date on issues that could strongly impact your business, we are providing information on two of the hottest bills on the floor this session.

First, in, "FAPIA Positioned to Battle Two Recent Attempts at Further Reducing PA Fees," we address the recent AOB committee meeting in which Representative Kevin Radar challenges the FAPIA lobby team on PA fees. Also in the same article, we touch on another fee reduction attempt by Representative Scott Plakon who was responsible for filing HB 947, striking out the provision removing the 10 percent fee cap on claims subject to a state of emergency after one year.

Other topics this issue include an easy way for you to stay current on statutes and rules in, "DFS Website Offers Comprehensive Resource for Staying Up-to-Date on Florida Statutes and Rules."

Also this time, we're giving you a heads-up about NAPIA's new website along with a preliminary look at FAPIA's Spring Golf Tournament and Conference.

Happy Reading,

Harold Y. Levy, ESQ.

HL Law Group, P.A.
330 SW Davie Boulevard
Fort Lauderdale, FL 33315
(954) 713-1212
(954) 760-4239 (FAX)
Harold@HLLawGroup.com

Controversial HB 491 Addresses Licensing of Appraisers and Umpires

Highlighting this year's legislative session is HB 491 submitted earlier this year by Representative Frank Artiles. A hot topic of debate among industry professionals, the bill proposes to create a property insurance appraisal umpire licensing program and property insurance appraiser licensing program within DBPR. The department would be authorized to establish fees, provide licensing and continuing education requirements, provide grounds for compulsory refusal, suspension, or revocation of license and ethical standards.

Current law allows adjusters with either a current or revoked license the opportunity to offer appraiser and umpire services.

Below are selected excerpts from the bill:

468.8511 Fees.—

1. The department, by rule, may establish fees to be paid for application, examination, reexamination, licensing and renewal, inactive status application, reactivation of inactive licenses, and application for providers of continuing education. The department may also establish by rule a delinquency fee. Fees shall be based on department estimates of the revenue required to implement the provisions of this part. Fees shall be remitted with the application, examination, reexamination, licensing and renewal, inactive status application, and reactivation of inactive licenses, and application for providers of continuing education.
2. The application fee shall not exceed \$200 and is nonrefundable. The examination fee shall not exceed \$200 plus the actual per applicant cost to the department to purchase the examination, if the department chooses to purchase the examination. The examination fee shall be in an amount that covers the cost of obtaining and administering the examination and shall be refunded if the applicant is found ineligible to sit for the examination.
3. The fee for an initial license shall not exceed \$250.

4. The fee for an initial certificate of authorization shall not exceed \$250.
5. The fee for a biennial license renewal shall not exceed \$500.
6. The fee for application for inactive status shall not exceed \$125.
7. The fee for reactivation of an inactive license shall not exceed \$250.
8. The fee for applications from providers of continuing education may not exceed \$600.
9. The fee for fingerprinting shall be included in the department's costs for each background check.

468.8515 Application for license as a property insurance appraisal umpire.—

1. The department shall not issue a license as a property insurance appraisal umpire to any person except upon written application previously filed with the department, with qualification and advance payment of all applicable fees. Any such application shall be made under oath or affirmation and signed by the applicant. The department shall accept the uniform application for a nonresident property insurance appraisal umpire. The department may adopt revised versions of the uniform application by rule.
2. In the application, the applicant shall set forth:
 - a. His or her full name, age, social security number, residence address, business address, mailing address, contact telephone numbers, including a business telephone number, and e-mail address.
 - b. Proof that he or she has completed or is in the process of completing any required pre-licensing course.
 - c. Whether he or she has been refused or has voluntarily surrendered or has had suspended or revoked a professional license by the supervising officials of any state.

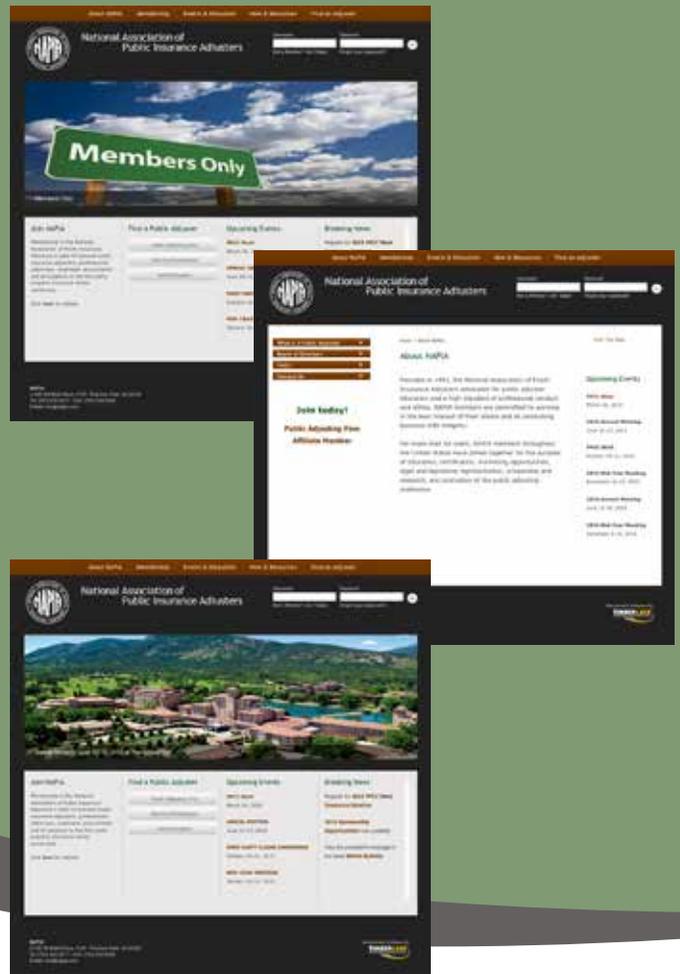
To read the bill in its entirety, visit myfloridahouse.gov. ♦

NAPIA Launches Updated Website

If you haven't been to the NAPIA website in a while, you may want to have a look. Totally revamped and refreshed, the home page features a quick link for joining, a glance at upcoming events and a section on breaking news. There is also a link for an online directory of members.

Other site features include drop-down menus providing more in-depth information on NAPIA including FAQs, Code of Conduct and a Board of Directors list. The Events and Education drop-down guides readers to a page on the association's certification program. The News and Resources drop-down tab offers fast access to a wide range of industry-related websites along with NAPIA press releases and newsletters.

Explore everything the new NAPIA website has to offer at www.napia.com. ♦



www.napia.com

DFS Website Offers Comprehensive Resource for Staying Up-to-Date on Florida Statutes and Rules

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About the Statutes

You may view all of the Florida Statutes online at www.leg.state.fl.us. A complete listing of statutes of the Florida Department of Financial Services' Division of Agent and Agency Services can be found in Title 37, Chapters 624-651.

To search for a specific statute at www.leg.state.fl.us: Click on the link and open their page, then type in the statute number (e.g., 626.015) in the search field located in the upper right of their page. Be sure that you are reviewing the proper year of the applicable statute as well.



www.leg.state.fl.us

About the Rules

You may view all Florida Administrative Rules online at www.flrules.org. A complete listing of administrative rules of the Florida Department of Financial Services'

Division of Agent and Agency Services can be found in Chapter 69B of the Florida Administrative Code.

To search for a specific rule at www.flrules.org: Click on the link and open their page, then type in the rule number (e.g., 1B-11.004) in the search field located in the upper center of their page.

In case you missed them, code 69B-220.051 addressing Conduct of Public Adjusters and code 69B-220.201 addressing Ethical Requirements have an effective date of January 5, 2015. Both codes are available for download on the Florida Administrative Code & Florida Administrative Register at www.flrules.org. ♦



www.flrules.org

HL Law Group, P.A.
330 SW Davie Boulevard
Fort Lauderdale, FL 33315

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The Journal of Public Adjusting is published by HL Law Group. Our editor welcomes your input. If you have a question, suggestion, comment or article contribution, please e-mail us at info@hllawgroup.com.

FAPIA Gears Up for Spring Golf Tournament and Spring Training Conference

FAPIA has released some preliminary information on its Spring 2015 Golf Tournament and Spring Training Conference, so get out your calendar and mark these dates:

2015 Spring Golf Tournament

When: Sunday, May 17, 2015

Where: The Diplomat Resort – Hallandale

Golfers will have a chance to win a \$25,000 cash prize for the Hole In One Contest and other valuable prizes. Each participant will receive a voucher for a free golf club along with a goody bag featuring other giveaways.

FAPIA Golf Tournaments are a fun way to help an important charitable cause and network with other professionals.



2015 Spring Training Conference

When: Monday, May 18 to Tuesday, May 19, 2015

Where: Kovens Conference Center FIU North Campus – North Miami

Make your reservation at the Marriott Residence Inn by April 17 to receive the discounted rate of \$145 per night. Call (800) 331-3131 and mention FAPIA for the special rate.

The conference speaker line-up and courses are still being finalized.

For more information, visit www.fapia.net.

