

THE Journal of Public Adjusting

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The Florida Division of Emergency Management Can Help Reduce the Impact of Disasters to Your Home and Business

Hurricane Hermine is a strong reminder that having a solid disaster plan in place is an essential part of being a Florida resident. The Florida Division of Emergency Management offers a comprehensive online resource for creating both a home and business plan to better prepare you for weather-related and man-made catastrophes.

FloridaDisaster.Org features vital information from the Florida Division of Emergency Management that describes itself as planning for and responding to both natural and man-made disasters. These range from floods and hurricanes to incidents involving hazardous materials or nuclear power. The division prepares and implements a statewide Comprehensive Emergency Management Plan, and routinely conducts extensive exercises to test state and county emergency response capabilities.

The division is the state's liaison with federal and local agencies on emergencies of all kinds. Division staff members provide technical assistance to local

governments as they prepare emergency plans and procedures. They also conduct emergency operations training for state and local governmental agencies.



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DFS Steps Up Law Enforcement Strategy through Recently-Formed Division of Investigative and Forensic Services

The Department of Financial Services (DFS) announced earlier this summer of its goal to streamline the way it conducts business by combining the Division of Insurance Fraud, the Bureau of Fire and Arson Investigations and the Office of Fiscal Integrity under one unit known as the Division of Investigative and Forensic Services (DIFS).

In a press release issued by the DFS, Division Director Simon Blank is quoted as stating, "As a nationally-recognized leader in the fight against fraud, our ability to share intelligence and resources is paramount as we continually raise the bar by adjusting our methods and adapting our

techniques to match an ever-evolving crime. By combining forces, we're able to extend our reach and do more to protect the people of Florida from falling victim to acts of insurance fraud, arson or the misuse of state funds."

According to the press release, the Department's Office of Communications will continue to serve as the primary liaison with the news media for any inquiries regarding investigations, regulations, and activities involving the new Division of Investigative and Forensic Services. ♦



The Florida Division of Emergency Management, New DFS Division, Florida OIR

Conference, FAIR Diligent Effort Complaint Portal and More

Our September issue of *The Journal of Public Adjusting* is packed full of timely industry news. First, in the wake of Hurricane Hermine, we have an extensive article on the wide array of disaster resources offered through the Florida Division of Emergency Management.

Next, we are taking a brief look at the newly-formed DFS Division of Investigative and Forensic Services created to help the department operate more efficiently.

FAIR is in the news this month with its upcoming awards dinner along with its diligent effort complaint portal designed to give insurance agents an opportunity to anonymously report diligent effort law offenders.

Also in the lineup this time is information on the Florida Office of Insurance Regulation 2016 Industry Conference.

Finally, we are providing links to the Citizens 2017 rate hearing statements and presentation available for download online.

As always, we appreciate your relying on *The Journal of Public Adjusting* for up-to-date industry information.

Thank you for your continued support,

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FAIR 4th Annual Awards Dinner Scheduled for September 29, 2016

Florida insurance industry professionals are invited to attend the Florida Association for Insurance Reform's awards dinner taking place on September 29, 2016, at the Kovens Conference Center at Florida International University in Miami.

In addition to dinner, the event will feature entertainment and a silent auction.

The organization is expecting over 200 guests from across the state at the awards dinner that will recognize and honor dynamic leaders whose contributions have made a meaningful impact on the lives of policyholders in Florida.



2016 FAIR Annual Awards Recipients:

- Tom Jerger, President and CEO of American Traditions/Modern USA Insurance, is the recipient of the Founder's Award.
- Florida State Senator Anitere Flores, Florida State Senator Maria Lorts Sachs, and Florida Representative Holly Raschein are recipients of the Outstanding Legislator Award.
- Jeff Atwater, Florida Chief Financial Officer, is the recipient of the Consumer Champion Award.

Visit the FAIR website at <https://floridainsurancereform.org/awards-dinner/> to purchase a ticket, reserve a hotel room and find out about available sponsorships. ♦

Florida Office of Insurance Regulation 2016 Industry Conference Slated for Oct.25-26

The Florida Office of Insurance Regulation 2016 Industry Conference is scheduled for October 25-26, 2016. Limited to 230 attendees, the conference is being held at the Florida State Conference Center located at 555 W. Pensacola Street in Tallahassee.

Early registration continues through September 21 at a cost of \$210. Regular registration is from September 22-October 18 at a fee of \$265.

For more registration information, email register@capd.fsu.edu or call (850) 644-7559 or (850) 644-3807. ♦

Citizens 2017 Rate Hearing Statements and Presentation Available Online

Information pertaining to the Citizens 2017 rate proposal, including opening statements by President/CEO and Executive Director Barry Gilway and Chief Risk Officer John Rollins are available on the Citizens website in the 2017 Rate Hearing kit.

County-by-county rate recommendations for homeowners (HO-3) insurance policies and a copy of the slide presentation are also available in the Media Resources section under the News icon.

Visit <https://www.citizensfla.com/news> to access the above information. ♦



<https://www.citizensfla.com/news>

The Florida Division of Emergency Management Can Help Reduce the Impact of Disasters to Your Home and Business continued from page 1

After a disaster, the division conducts damage assessment surveys and advises the governor on whether to declare an emergency and seek federal relief funds. The division maintains a primary Emergency Operations Center (EOC) in Tallahassee. The EOC serves as the communications and command center for reporting emergencies and coordinating state response activities. The division also operates the State Warning Point, a state emergency communications center staffed 24 hours each day. The center maintains statewide communications with county emergency officials.

Through its sections, the Florida Division of Emergency Management operates several mitigation programs. Mitigation is the first of the four phases of emergency management: mitigation, preparedness, response, and recovery.

Site information includes shelters, evacuation routes and zones, along with an opportunity for Florida motorists to submit their information to the new emergency contact information system (ECI) implemented by the Florida Department of Highway Safety and Motor Vehicles. The new system allows Florida motorists to voluntarily provide emergency contact information online using their Florida driver licenses or Florida identification cards. The information can then be accessed by law enforcement officers to notify designated contacts if a motorist is seriously injured in a traffic accident.

Other site features include information on creating a disaster supply kit, preparedness information for elders, family disaster planning and creating a pet plan.

Additionally, FloridaDisaster.org is a gateway to a number of resources developed to assist business owners during natural disasters.

Flvbeoc.org - The Florida Virtual Business Emergency Operations Center can help you keep your business on track during a hurricane or other disaster through:

- ⊙ **Direct Communications to ESF-18.** - Emergency Support Function. Flvbeoc.org defines the role of ESF-18 as coordinating local, state and federal agency actions that will provide immediate and short-term assistance for the needs of business, industry and economic stabilization. Preparedness and response assistance may include accessing the financial, workforce, technical, and community resources that may affect a community's ability to restore business operations as quickly as possible and resume focus on long-term business strategies. Coordination of local, state and federal business assistance is done primarily through networks of local and regional economic, workforce and tourism development partners, as well as business support organizations who determine the ways to manage the access to these services at the local and regional level. ESF-

18 will support the State Emergency Response Team's (SERT's) efforts via identification and solicitation of resources to meet identified needs. ESF-18 will also support SERT efforts by facilitating and coordinating the delivery of intermediate and long term economic impact statements.

- ⊙ **Preparedness Information** including a business disaster toolkit, access to the Disaster Contractors Network, and other resources such as links to information on SBA disaster loans, Florida small business bridge loans and business damage assessment information.
- ⊙ **Business Registration, Resource Identification, Disaster Situation Reports, Research on Business Needs and Community Outreach** are other services provided through The Florida Virtual Business Emergency Operations Center.

The site also features a link to the Center for Disaster Risk Policy (CDRP) along with contact information for ESF-18 issues and business outreach issues.

Watch for more information on the Florida Division of Emergency Management in upcoming issues of *The Journal of Public Adjusting*. ♦

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EXPERIENCE
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CORPORATE & BUSINESS

FAIR Complaint Portal Allows Insurance Agents to Anonymously Report Diligent Effort Law Violators

The FAIR website provides the following information about its diligent effort complaint portal feature for insurance agents:

The Florida Association for Insurance Reform (FAIR) routinely receives calls from licensed Florida insurance agents complaining that certain insurance agents have been illegally pushing the sale of unregulated surplus lines insurance policies to board members who govern commercial residential complexes (apartments and condominiums primarily). This is often termed "illegal exportation." FAIR has opened a special portal where insurance agents can anonymously report violators of Florida statute 626.916, the eligibility for export law, also called the diligent effort law.

The current complaint scenario as it is being reported to our organization is as follows:

Typically, an insurance agent who is appointed with an admitted, regulated insurance company to bind commercial residential risks (condominium associations as an example) has a policy in force. Upon the renewal or often during the term of an existing policy, a competing insurance agent who is NOT appointed with an admitted, regulated insurance company offers to sell the condominium association a surplus lines policy, even though there is a competitive admitted market willing to underwrite or has already underwritten the risk. The agent that has provided the admitted, regulated insurance company quote often terms the competing agent's activity "poaching" and this activity is a clear violation of Florida Statute 626.916. Poaching has resulted in lawful insurance agents losing a significant

portion of their commercial residential book of business to those agents that either are unaware or choose to ignore the current diligent effort law.

Florida insurance agents who have lost a commercial residential account as a result of these bad actors can file a complaint with the Florida Division of Insurance Agent and Agency Services by sending an email complaint to the address below. If preferred, they can anonymously provide us the information we request below and FAIR will file the complaint for you.

To submit a complaint directly to the Florida Division of Insurance Agent and Agency Services please send your email complaint to the address: AgentLicensing@MyFloridaCFO.com.

If you prefer FAIR to file the complaint on your behalf anonymously, fill out the data fields provided on the website at <https://floridainsurancereform.org/file-a-complaint>.

The FAIR Foundation, a 501 (c) (3) organization, was created to educate consumers and policy makers about risk management and insurance issues. The Foundation serves as a resource for both the private and public sector to better understand issues such as the economics of wind and water mitigation, improving resiliency to reduce risk, how reinsurance markets work, and how risk management issues impact communities and society in general. The Foundation will also work to promote new higher education programs for insurance and risk management that are holistic and incorporate social responsibility and ethics. The FAIR Foundation is designed to be an academic resource center for all stakeholders impacted by insurance and risk management.

Look for more on FAIR in future issues of *The Journal of Public Adjusting*. ♦

The screenshot shows the FAIR website interface. At the top, there is a green header with the FAIR logo and navigation links: Home, FAIR's Story, News, PACE, Join, Newsletters, Events, Foundation, Compliance, CONTACT. Below the header, the main content area is titled 'FILE A COMPLAINT'. On the left, there is a 'Compliance Corner' section with a 'General Insurance Complaint and Service Request Portal' and a brief description of the Florida Division of Consumer Services. On the right, there is a 'FREE Membership' section with a sign-up form for a newsletter.