



INFORMATIONAL BULLETIN
DFS-04-2009
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Florida Department of Financial Services
Division of Agent and Agency Services
Alex Sink, CFO

TO ALL REGISTERED SELLERS OF TRAVEL

Note: Please ensure this bulletin reaches all travel independent agents working through your travel agency. It may be found at

<http://www.MyFloridaCFO.com/Agents/Industry/Bulletins-Memos/docs/DFS-04-2009.pdf>

Recently, a significant number of travel agencies have been identified as selling travel insurance on behalf of one or more insurance companies that were not authorized to sell insurance in Florida. Some of these travel agencies also lacked the appropriate limited lines insurance agent license under s. 626.321, Florida Statutes, needed to sell these products. The purpose of this bulletin is to notify all persons who sell or solicit travel insurance¹ that you must be properly licensed and appointed to solicit or sell travel insurance in Florida and that you must sell insurance only from authorized companies.

The ramifications of soliciting or selling insurance on behalf of any unauthorized insurance company can be severe. It is classified as a third-degree felony and, under Florida law, if an unauthorized insurance company fails to pay claims, any person who sold the unauthorized coverage can be held responsible for unpaid claims. Florida Department of Financial Services' investigations have led to initiating administrative actions against insurance agents and agencies, shutting down unauthorized insurance companies, and filing criminal charges against operators or marketers of unauthorized insurance companies.

If you are an individual or business that is soliciting or selling, or plans to solicit or sell travel insurance, you should be licensed by the Department of Financial Services (see s. 626.321(1)(c), Florida Statutes). If you are not licensed, you should immediately apply by going to <http://www.MyFloridaCFO.com/Agents> and clicking on the MyProfile Log In button.

License application qualifications:

- Complete an online application for license and submit appropriate fees.
- Be a natural person at least 18 years of age, if an individual.
- Be a United States citizen or legal alien who possesses a work authorization from the United States Immigration and Naturalization Services.
- Be a full-time salaried employee of a common carrier or a full-time salaried employee or owner of a transportation ticket agency, or full-time salaried employee of such an agent. Businesses and individuals that are sellers of travel may also obtain a license.
- Be fingerprinted at one of the Department's fingerprint sites. If a business, the majority owner, partner, officer and director of the business must be fingerprinted.

¹ Section 626.321(1)(c), Florida Statutes, defines "travel insurance" as coverage for risks incidental to travel, planned travel, or accommodations while traveling, including, but not limited to, accidental death and dismemberment of a traveler; trip cancellation, interruption, or delay; loss of or damage to personal effects or travel documents; baggage delay; emergency medical travel or evacuation of a traveler; or medical, surgical, and hospital expenses related to an illness or emergency of a traveler.

- The individual must not be an employee of the United States Department of Veterans Affairs or state service office, as referred to in s. 626.833, Florida Statutes.

If you are selling travel insurance, you should use the following procedure to research whether an insurance company is authorized to sell insurance in Florida. Also, make sure you are researching the name of the actual insurance company and not merely a travel association or other intermediary. In most cases, the below procedure will identify insurance companies presently authorized in Florida. A person may use a print screen function to capture a printout of the insurance company as listed on the website and keep it in their file to show they found the authorized insurance company.

1. Make sure you have the complete and correct name of the insurance company. Many insurance company names are very similar.
2. Go to <http://www.MyFloridaCFO.com>
 - a. Click on "Looking up an insurance company or agent?"
 - b. Click on the "Insurance Company Search" button under Quick Links
 - c. Enter the insurance company's name
 - d. Click on the "Search" button
 - e. Confirm that the insurance company as identified in step 1 is listed and authorized in the line of business *Miscellaneous Casualty*. If any of the following Authorization Types are listed, it is permissible to solicit or sell travel insurance coverage on behalf of that insurance company:
 - i. Certificate of Authority
 - ii. Information Only
 - iii. Letter of Approval
 - iv. Letter of Eligibility
 - v. Letter of Registration
 - vi. License
 - vii. Provisional Certificate of Authority
 - viii. Residual Market

Insurance companies shown with an Authorization Status as "Active" and Authorization Type as "Permit" have only begun the authorization process, and are **NOT** authorized to conduct insurance business.

If the insurance company is not listed on the website or the insurance company is shown with an Authorization Type not listed above, the agent should not place insurance business with that insurance company.* Also, just because an insurance company is authorized today does not mean it will necessarily remain authorized in the future. Always check.

For travel insurance agent and agency licensing questions, please review the Division of Agent and Agency Services' website at www.MyFloridaCFO.com/Agents or call the Bureau of Licensing at (850) 413-3137.