



## **INFORMATIONAL MEMORANDUM**

**OIR- 06-13M**

**ISSUED**

**July 6, 2006**

Office of Insurance Regulation

**Kevin M. McCarty**

Commissioner

### **All Life and Health Insurers**

#### **Freedom to Travel Act**

The purpose of this Memorandum is to notify Florida life and health insurers of changes to Part IX, Chapter 626, Unfair Insurance Trade Practices, of the Florida Insurance Code. The Freedom to Travel Act, effective date July 1, 2006, a copy of which is attached, adds paragraph (dd) to subsection (1) of Section 626.9541, Florida Statutes, and expands the protections against discrimination in regard to the underwriting of life insurance based on past lawful foreign travel experiences or future lawful foreign travel plans, with certain exceptions.

Rule 690-125.003, Florida Administrative Code, referred to as the Unfair Discrimination Because of Travel Plans, became effective on July 6, 2006, a copy is attached. Pursuant to this rule, an insurer may not refuse to issue or continue, or determine a rate for, any policy, contract or certificate of life insurance, annuity contract, accident, disability or health insurance, based solely on the intent of the applicant to engage in future lawful foreign travel or based upon past lawful foreign travel, unless the insurer can demonstrate that insureds who have traveled or who intend to travel are a separate actuarially supportable class whose loss of risk is different from those who have not traveled and do not intend to travel.

This notice is not intended to be a comprehensive analysis of the bill or the rule. You are responsible for reading both documents and taking any necessary steps to be in compliance. If you have questions about the requirements, please contact Monica Rutkowski, Director, Life & Health Product Review, at 850-413-5110.