

## "My Money": Florida's Newest Financial Literacy Program

Dear Friends,

I believe that financial literacy is essential to achieving independence in almost every aspect of life because in order to make sound financial decisions in life, we must have a solid understanding of how money works. Throughout my banking and civic careers, financial literacy has remained a topic of great importance to me.

As a father of four, my wife and I began teaching our children at an early age about the importance of money management. During my tenure as a professional banker, I worked to make sure that programs and services were available to meet the financial needs of the community. Now, as Florida's Chief Financial Officer, I have made it my mission to ensure that every Floridian has access to meaningful tools that help improve their knowledge of money, banks, investing, and debt.



**VERIFY**  
**BEFORE** ✓  
**YOU SELL**

Agents should routinely verify the licensure of the companies for which they're selling. If you suspect an entity is not authorized or licensed to transact insurance in Florida, from Florida or with residents of Florida, please notify our office. Report suspected unlicensed activity. Call 877-MY-FL-CFO (1-877-693-5236). [Read more >](#)

Furthermore, it has been my own experiences that have led me to build upon the existing financial literacy programs offered through our Department. I believe that financial literacy is ultimately achieved through awareness, education and above all, access. As Florida's population continues to grow and become more diverse, we must work together to establish programs that improve the lives of our residents, regardless of socioeconomic status, age, or ability.

In this spirit, we've established partnerships across Florida, with many organizations, including the Florida Developmental Disabilities Council, Florida Department of Education, Governor's Commission on Jobs, Agency for Persons with Disabilities, The ARC, Disability Rights Florida, the National Disability Institute, and The Florida Alliance for Assistive Services and Technology to create a free, brand-new financial literacy program for individuals with developmental disabilities called [My Money](#).

The purpose of the My Money program is to offer a holistic approach to learning -- to help others understand that financial literacy involves more parts and components than just numbers. Not only will it offer important financial skills while also providing resources to family members, support providers, and caregivers, but the program also includes educational lessons on money basics, safety, banks, and features other tools like how-to videos and games.

Families, support providers, and caregivers can use the material to access resources and contacts from other government agencies, such as the Social Security Administration and the Florida Department of Children and Families. The program also provides guidelines on how to apply for a new type of savings account called

Achieving a Better Life Experience (ABLE) Savings Accounts, which helps individuals with developmental disabilities to bank more independently. Most importantly, the material is designed to reach individuals of all ages and ability levels.

This initiative is another positive stride made to create increased education opportunities for individuals with developmental disabilities. I am proud of our collaborative efforts to establish such a vital financial program for our state. Not only are we able to increase awareness, educate, and create information that is accessible, we will be able to help people improve their lives. These are the kinds of outcomes that I strive for as a public official.

I hope that you will join me in learning more about the My Money program. Please take advantage of the program material, as well as other vital financial literacy information by visiting our Your Money Matter\$ website at [www.myfloridacfo.com/YMM](http://www.myfloridacfo.com/YMM).

Sincerely,



Jeff Atwater  
Chief Financial Officer  
State of Florida



## In The Know

- Keeping you informed is what it's all about

### Division Contact Information - How to Get Help

The Division offers several email addresses that allow our licensees to direct their questions to the appropriate sections and provide the fastest response from us. We have noticed many licensees write to the email address that reflects their license type regardless of the nature of their inquiry or request for assistance, which requires rerouting to the appropriate section, creating a delay in our response.

Our email addresses are published on the "[Contact Us](#)" page of every newsletter:

[AgentLicensing@MyFloridaCFO.com](mailto:AgentLicensing@MyFloridaCFO.com) - this is the email address for our Bureau of Licensing. **This is the section of the Division that handles all licensing and education matters, and responds to questions about licensing, appointments, qualifications, requirements, pre-licensing education and testing, continuing education, etc.** This section also processes license-specific requirements such as temporary bail bond agent hours certifications, submission of bonds required under certain license types, and all "deficiencies" related to an application for an agent, adjuster or agency, or other license.

There are several email addresses that are designated for compliance questions or issues, such as reference to laws, questions about possible violations, etc. The addresses can also be used by licensees to report suspected non-compliant activities pertaining to another licensee:

[Title@MyFloridaCFO.com](mailto:Title@MyFloridaCFO.com) - for title insurance agents and agencies

[BailBond@MyFloridaCFO.com](mailto:BailBond@MyFloridaCFO.com) - for bail bond agent and agencies

[Adjusters@MyFloridaCFO.com](mailto:Adjusters@MyFloridaCFO.com) - for all types of insurance adjusters and adjusting firms

[askDFS@MyFloridaCFO.com](mailto:askDFS@MyFloridaCFO.com) - for general compliance questions unrelated to licensing or education

Using these valuable email addresses properly will allow the Division to respond to your inquiry as quickly and comprehensively as possible because the emails are directed to team members with the appropriate knowledge and experience in the specific subject matter.

### From the Centers for Medicare & Medicaid Services (CMS) ~

**Open Enrollment is right around the corner**

Did you know there are less than two months left before the start of plan year 2017 Open Enrollment?

Plan ahead and complete plan year 2017 Federally-facilitated Marketplace (FFM) registration requirements now! Plan year 2017 FFM agent and broker registration and training is now available on the [CMS Enterprise Portal](#).

Training is offered by CMS on the Marketplace Learning Management System (MLMS), and through two CMS-approved vendors: America's Health Insurance Plans, Inc. (AHIP) and the National Association of Health Underwriters (NAHU).

CMS-approved vendors are required to cover, at a minimum, the same topic areas as are covered in the CMS training, and may offer continuing education unit (CEU) credits, depending on the state where you are licensed. Vendors may charge a fee for taking their training. Training on the MLMS platform is offered again this year at no charge.

### **Plan year 2017 FFM registration and training VIDEOS now available**

Need assistance completing plan year 2017 FFM registration and training? Help has arrived! CMS has released two videos on the [Agents and Brokers Resources webpage](#) that include step-by-step demonstrations of completing plan year 2017 FFM registration and training:

- [Plan Year 2017 FFM Registration and Training for Agents and Brokers NEW to the FFMs](#): This video walks through the seven FFM registration steps for agents and brokers who did not participate in the FFMs for plan year 2016.
- [Plan Year 2017 FFM Registration and Refresher Training for Agents and Brokers RETURNING to the FFMs](#): This video walks through the streamlined registration process, including Refresher Training for the Individual Marketplace, for agents and brokers returning to the FFMs after completing FFM registration for plan year 2016.

### **CMS Webinar Slides posted: Are you ready to assist consumers with complex situations to enroll in Marketplace coverage?**

Open Enrollment for plan year 2017 is just around the corner. Are you ready to assist consumers who have complex situations enroll in qualified health plans (QHPs) through the Federally-facilitated Marketplaces (FFMs)?

Check out our "[Assisting Consumers with Complex Situations: Tips for Agents and Brokers Assisting Consumers in the FFMs](#)" resource for pointers on helping consumers who:

- Are part of multi-tax households
- Have family members enrolling in different QHPs
- Need to understand how to deal with advance payments of the premium tax credit and the premium tax credit
- Find they are eligible for other coverage (Medicare/Medicaid/Children's Health Insurance Program) when also enrolled in a QHP through the FFMs

Looking for more information about assisting consumers with complex situations? Check out these resources as well: "[Common Complex Scenarios: Consumers who Receive an Offer of Employer-Sponsored Coverage](#)" and "[Common Complex Scenarios: Family Circumstances: Eligibility and Household Complications](#)."

### **Contact Us:**

- For information about the FFM agent and broker program, contact the Producer and Assister Help Desk via email at [FFMProducer-AssisterHelpDesk@cms.hhs.gov](mailto:FFMProducer-AssisterHelpDesk@cms.hhs.gov) or call the Agent and Broker Call Center at 1-855-267-1515 and select option "1."

- Direct questions about a client's Individual Marketplace plan to the Marketplace Call Center at 1-800-318-2596.
- Direct questions about Small Business Health Options Program (SHOP) Marketplace coverage to the SHOP Call Center at 1-800-706-7893.

## Protecting Consumers – Helpful Resources

As an agent or broker, consumers may come to you for questions about their rights in the Marketplace and/or how to protect themselves against fraud. Check out the [Agents and Brokers Resources webpage](#) for the following fact sheets that provide important guidance on these topics.

- [The Health Insurance Marketplace: Know Your Rights](#): This resource includes guidance for consumers about how to get information on what their plan covers, coverage for emergency services, requesting coverage for a prescription drug that is not normally covered by their plan, and helpful resources for appealing an issuer's decision not to pay a claim.
- [Protect Yourself from Fraud](#): This document includes tips to help consumers protect themselves against fraud while getting health coverage through the Marketplace at HealthCare.gov.

## Learn how selling Marketplace plans through HealthCare.gov can help you grow your business

Finding affordable health and dental plans for consumers can be a challenge. Watch our new ["Sell Marketplace Insurance, Build Your Business" video](#) to learn how participating in the Federally-facilitated Marketplaces (FFMs) makes it easier to sell affordable coverage, can help you expand your client base, and allows for the same commissions you would receive when selling plans off the Marketplace.

## Aerial Imaging Software Sharpens Citizens' Eye on Storm Damage, Fraud

Citizens has acquired a new technology that uses aerial photography to produce high-resolution, 3-D building images, which employees will use to get more detailed assessments of policyholders' claims after catastrophes, such as hurricanes.

Pictometry International's Rapid Access® software uses aerial photographs, which are usually captured two to three days post landfall of a storm to provide sharp views of policyholders' properties and improve Citizens' ability to estimate and respond to major storm damage.

"The new software is a game-changer," Citizens' Chief of Claims Jay Adams said. "Not only does it capture detailed views of storm-struck areas, but it provides an overlay that shows which properties are insured by Citizens – and for how much."

Citizens also acquired Pictometry's CONNECTExplorer®, which provides a repository of historical and regularly updated aerial photography so Citizens can view and track building conditions over time, which will assist in investigating policyholders' claims.

"Its use is wide-ranging, including applications as a fraud- and abuse-fighting tool," said Mark Hartman, a Claims Manager who helped Citizens implement the technology. "For example, if a policyholder files a claim for a roof five years after filing one for the same roof, we can check to see whether the previous work ever was done."

The software provides rotating views of buildings and is perhaps most useful for examining roofs, which are often the most costly and susceptible feature of a structure. Citizens insures many commercial customers for wind-only damage, and roofs are the major building feature most likely to be damaged by wind.

After a catastrophe, Citizens will use Rapid Access for triage, assigning adjusters to the hardest-hit areas. Citizens also has the ability to initiate contact with owners of commercial property – who may not even realize damage occurred – to respond quickly and prevent further damage, Hartman said.

“The real value is in providing better service to policyholders, especially after a hurricane,” Hartman said. “This new technology provides a great tool for us.”

## **The Florida Statutes Are Available Online**

The Florida Statutes can be viewed at [Online Sunshine - Title XXXVII Insurance](#).

© 2016 Florida Department of Financial Services

## In The Know

- Keeping you informed is what it's all about

### Division Contact Information - How to Get Help

The Division offers several email addresses that allow our licensees to direct their questions to the appropriate sections and provide the fastest response from us. We have noticed many licensees write to the email address that reflects their license type regardless of the nature of their inquiry or request for assistance, which requires rerouting to the appropriate section, creating a delay in our response.

Our email addresses are published on the "[Contact Us](#)" page of every newsletter:

[AgentLicensing@MyFloridaCFO.com](mailto:AgentLicensing@MyFloridaCFO.com) - this is the email address for our Bureau of Licensing. **This is the section of the Division that handles all licensing and education matters, and responds to questions about licensing, appointments, qualifications, requirements, pre-licensing education and testing, continuing education, etc.** This section also processes license-specific requirements such as temporary bail bond agent hours certifications, submission of bonds required under certain license types, and all "deficiencies" related to an application for an agent, adjuster or agency, or other license.

There are several email addresses that are designated for compliance questions or issues, such as reference to laws, questions about possible violations, etc. The addresses can also be used by licensees to report suspected non-compliant activities pertaining to another licensee:

[Title@MyFloridaCFO.com](mailto:Title@MyFloridaCFO.com) - for title insurance agents and agencies

[BailBond@MyFloridaCFO.com](mailto:BailBond@MyFloridaCFO.com) - for bail bond agent and agencies

[Adjusters@MyFloridaCFO.com](mailto:Adjusters@MyFloridaCFO.com) - for all types of insurance adjusters and adjusting firms

[askDFS@MyFloridaCFO.com](mailto:askDFS@MyFloridaCFO.com) - for general compliance questions unrelated to licensing or education

Using these valuable email addresses properly will allow the Division to respond to your inquiry as quickly and comprehensively as possible because the emails are directed to team members with the appropriate knowledge and experience in the specific subject matter.

### From the Centers for Medicare & Medicaid Services (CMS) ~

**Open Enrollment is right around the corner**

Did you know there are less than two months left before the start of plan year 2017 Open Enrollment?

Plan ahead and complete plan year 2017 Federally-facilitated Marketplace (FFM) registration requirements now! Plan year 2017 FFM agent and broker registration and training is now available on the [CMS Enterprise Portal](#).

Training is offered by CMS on the Marketplace Learning Management System (MLMS), and through two CMS-approved vendors: America's Health Insurance Plans, Inc. (AHIP) and the National Association of Health Underwriters (NAHU).

CMS-approved vendors are required to cover, at a minimum, the same topic areas as are covered in the CMS training, and may offer continuing education unit (CEU) credits, depending on the state where you are licensed. Vendors may charge a fee for taking their training. Training on the MLMS platform is offered again this year at no charge.

### **Plan year 2017 FFM registration and training VIDEOS now available**

Need assistance completing plan year 2017 FFM registration and training? Help has arrived! CMS has released two videos on the [Agents and Brokers Resources webpage](#) that include step-by-step demonstrations of completing plan year 2017 FFM registration and training:

- [Plan Year 2017 FFM Registration and Training for Agents and Brokers NEW to the FFMs](#): This video walks through the seven FFM registration steps for agents and brokers who did not participate in the FFMs for plan year 2016.
- [Plan Year 2017 FFM Registration and Refresher Training for Agents and Brokers RETURNING to the FFMs](#): This video walks through the streamlined registration process, including Refresher Training for the Individual Marketplace, for agents and brokers returning to the FFMs after completing FFM registration for plan year 2016.

### **CMS Webinar Slides posted: Are you ready to assist consumers with complex situations to enroll in Marketplace coverage?**

Open Enrollment for plan year 2017 is just around the corner. Are you ready to assist consumers who have complex situations enroll in qualified health plans (QHPs) through the Federally-facilitated Marketplaces (FFMs)?

Check out our "[Assisting Consumers with Complex Situations: Tips for Agents and Brokers Assisting Consumers in the FFMs](#)" resource for pointers on helping consumers who:

- Are part of multi-tax households
- Have family members enrolling in different QHPs
- Need to understand how to deal with advance payments of the premium tax credit and the premium tax credit
- Find they are eligible for other coverage (Medicare/Medicaid/Children's Health Insurance Program) when also enrolled in a QHP through the FFMs

Looking for more information about assisting consumers with complex situations? Check out these resources as well: "[Common Complex Scenarios: Consumers who Receive an Offer of Employer-Sponsored Coverage](#)" and "[Common Complex Scenarios: Family Circumstances: Eligibility and Household Complications](#)."

### **Contact Us:**

- For information about the FFM agent and broker program, contact the Producer and Assister Help Desk via email at [FFMProducer-AssisterHelpDesk@cms.hhs.gov](mailto:FFMProducer-AssisterHelpDesk@cms.hhs.gov) or call the Agent and Broker Call Center at 1-855-267-1515 and select option "1."



- o Direct questions about a client's Individual Marketplace plan to the Marketplace Call Center at 1-800-318-2596.
- o Direct questions about Small Business Health Options Program (SHOP) Marketplace coverage to the SHOP Call Center at 1-800-706-7893.

## Protecting Consumers – Helpful Resources

As an agent or broker, consumers may come to you for questions about their rights in the Marketplace and/or how to protect themselves against fraud. Check out the [Agents and Brokers Resources webpage](#) for the following fact sheets that provide important guidance on these topics.

- [The Health Insurance Marketplace: Know Your Rights](#): This resource includes guidance for consumers about how to get information on what their plan covers, coverage for emergency services, requesting coverage for a prescription drug that is not normally covered by their plan, and helpful resources for appealing an issuer's decision not to pay a claim.
- [Protect Yourself from Fraud](#): This document includes tips to help consumers protect themselves against fraud while getting health coverage through the Marketplace at HealthCare.gov.

## Learn how selling Marketplace plans through HealthCare.gov can help you grow your business

Finding affordable health and dental plans for consumers can be a challenge. Watch our new ["Sell Marketplace Insurance, Build Your Business" video](#) to learn how participating in the Federally-facilitated Marketplaces (FFMs) makes it easier to sell affordable coverage, can help you expand your client base, and allows for the same commissions you would receive when selling plans off the Marketplace.

## Aerial Imaging Software Sharpens Citizens' Eye on Storm Damage, Fraud

Citizens has acquired a new technology that uses aerial photography to produce high-resolution, 3-D building images, which employees will use to get more detailed assessments of policyholders' claims after catastrophes, such as hurricanes.

Pictometry International's Rapid Access® software uses aerial photographs, which are usually captured two to three days post landfall of a storm to provide sharp views of policyholders' properties and improve Citizens' ability to estimate and respond to major storm damage.

"The new software is a game-changer," Citizens' Chief of Claims Jay Adams said. "Not only does it capture detailed views of storm-struck areas, but it provides an overlay that shows which properties are insured by Citizens – and for how much."

Citizens also acquired Pictometry's CONNECTExplorer®, which provides a repository of historical and regularly updated aerial photography so Citizens can view and track building conditions over time, which will assist in investigating policyholders' claims.

"Its use is wide-ranging, including applications as a fraud- and abuse-fighting tool," said Mark Hartman, a Claims Manager who helped Citizens implement the technology. "For example, if a policyholder files a claim for a roof five years after filing one for the same roof, we can check to see whether the previous work ever was done."

The software provides rotating views of buildings and is perhaps most useful for examining roofs, which are often the most costly and susceptible feature of a structure. Citizens insures many commercial customers for wind-only damage, and roofs are the major building feature most likely to be damaged by wind.

After a catastrophe, Citizens will use Rapid Access for triage, assigning adjusters to the hardest-hit areas. Citizens also has the ability to initiate contact with owners of commercial property – who may not even realize damage occurred – to respond quickly and prevent further damage, Hartman said.

“The real value is in providing better service to policyholders, especially after a hurricane,” Hartman said. “This new technology provides a great tool for us.”

## **The Florida Statutes Are Available Online**

The Florida Statutes can be viewed at [Online Sunshine - Title XXXVII Insurance](#).

© 2016 Florida Department of Financial Services

## Education Central

- Things to know about your continuing education

### Are You Compliant with Your CE or Not?

To be CE compliant requires more than just taking CE courses. Below are a few suggestions for remaining CE compliant:

- **CE requirements change.** You should regularly review your CE status through your [MyProfile](#) account. Your total hours have specific allocation requirements that must be met. Be sure to take all the right categories of CE courses.
- **Check for late hours.** Hours taken after your due date will still post on your compliance evaluation screen, but they will be noted as "Late". Though your hours requirement may have been met, late completion of your continuing education requirement will result in penalties.
- **Check prior evaluation periods.** Always check previous compliance periods to make sure you are not delinquent for a prior period. Be sure to click on **VIEW ENFORCEMENT NOTICE** just below the Not Compliant text to check for any outstanding fines.
- **Check your transcript.** The **same** course cannot be taken with the **same** provider within a three-year period and receive credit. This is noted on your transcript as a duplicate course. You will need to take a different course to meet your CE requirement.

We wish you success in completing your hours to remain knowledgeable in an ever-changing insurance market. And remember, your CE compliance date is your DUE date, not your DQ date.

Because many factors may affect your continuing education requirement (e.g. licenses held, number of years licensed, etc.), we encourage you to periodically check your [MyProfile](#) account to determine your individual continuing education compliance requirements and status. You will also be able to find more approved CE courses after logging in to your [MyProfile](#) account versus the [public search option](#), which limits the results to the first 100 course offerings.

## Compliance Corner

This section has been created to assist you in keeping your insurance business in compliance. The items are intended as reminders only. Note: Division publications may include references to the [Florida Statutes](#) and/or the [Florida Administrative Code](#). The laws noted in our publications are/were in effect at the time of publication but may have been repealed, amended or replaced and new laws may have been enacted subsequently.



### Compliance Topic of the Month ~ Navigators

What is a navigator?

"Navigator" means an individual authorized by the Federally-Facilitated Exchange (Exchange), also known as the Marketplace to serve as a navigator, or who works on behalf of an entity authorized by the Exchange to serve as a navigator, pursuant to 42 U.S.C. s. 18031(i)(1), who facilitates the selection of a qualified health plan through the exchange and performs any other duties specified under 42 U.S.C. s. 18031(i)(3).

To be registered as a navigator, the individual must:

- Be a natural person at least 18 years of age.
- Be a United States citizen or legal alien who possesses work authorization from the United States Bureau of Citizenship and Immigration Services.
- [Submit the application for registration by answering all of the questions and paying the fees to complete the online application.](#)
- Provide official certification that he or she has successfully completed all required training by the federal government and has been certified by them as a Marketplace Navigator. The certificate of completion that states it is "not an official certification record" is not sufficient. Please provide the official certificate that has the navigator's unique ID number assigned by the HHS (U.S. Department of Health and Human Services) and the organization where they are employed.
- [Submit fingerprints for a criminal background check.](#)
- Certain crimes would either permanently bar an individual from registration or disqualify an applicant for specified periods.

More information can be found on the qualifications page by [clicking here](#).

Navigators are prohibited from:

- Soliciting, negotiating, or selling health insurance;
- Recommending the purchase of a particular health plan or represent that one health plan is preferable over any other;

- Recommending or assisting with the cancellation of insurance coverage purchased outside the Exchange;
- Receiving compensation or anything of value from an insurer, health plan, business, or consumer in connection with performing activities as a navigator, other than from the Exchange or an entity or individual who has received a navigator grant under the PPACA.

#### **How do I apply to become registered as a navigator?**

To apply for registration as a navigator, you must go to [MyProfile](#) and apply. If you do not already have a MyProfile account, you will need to create one first.

#### **If I'm interested in becoming a navigator, who should I contact?**

You should contact the Navigator entities that are awarded grants by the federal government.

**Certified Marketplace Application Counselors** are not required to be registered as a navigator by the Florida Department of Financial Services (DFS) as they are not regulated by DFS. If you are a certified Marketplace Application Counselor, please do not apply for registration as a Florida navigator.

#### **Unlicensed Agency Personnel**

Unlicensed personnel have limited discretion as to how they can support the operations of an insurance agency. Permitted and prohibited activities are described in Rule Chapter [69B-222](#), F.A.C. Incidental activities and compensation are two of the most important points to remember when employing unlicensed personnel. Incidental activities as described in the rules cannot exceed 10% of an employee's overall activities and compensation cannot be made based on the individual production of the unlicensed person. **The following actions are never allowable by unlicensed personnel:**

- Comparing insurance products; advising as to insurance needs or insurance matters; or interpreting policies or coverage.
- Binding new, additional or replacement coverage for new or existing customers; or binding coverage on or recording additional property under existing policies.
- Soliciting the sale of insurance by telephone, in person, or by other communication. However, the unlicensed person may telephone persons to set appointments for licensed and appointed agents, customer representatives, or to obtain basic policy information as to existing insurance coverage. The unlicensed person may not engage in a substantive discussion of insurance products.

Transacting insurance without the appropriate license and appointment, regardless of the line of business, is a third-degree felony, punishable as provided in s. [775.082](#), s. [775.083](#), or s. [775.084](#), F.S.

## **Title Insurance Agencies - Consumer Inquiries**

We are providing brief regulatory guidance about a few topics related to title insurance activities that we've receive consumer inquiries about:

#### **How long do I have after a closing to record the deed and mortgage?**

The liability to the insurance company remains open ended until the deed and the mortgage are properly recorded. Therefore, it is in everyone's best interest to record these documents as soon after the closing as possible. Failing to record the documents could create a claim for the insurer, which could put the agency in violation of the Florida Statutes, as well as jeopardize the agency's contract to represent that title insurer.

## How do I properly record a rebate my agency is giving?

Both the premium and the rebate must be disclosed as separate items on the Closing Disclosure form.

## Can I charge for the examination of the title records?

The examination or evaluation of records to determine the insurability of a property is considered part of the primary title services, which are a component of the premium and a separate fee is not charged to the consumer.

## Can we charge for the storage of the closing records?

The Florida Statutes require the title insurance agency and the title insurance company to retain copies of the records related to the issuance of the title insurance policy and the funds disbursed from the escrow account. These fees should not be passed on to the consumer as separate line item charges. The title insurance agency may include the cost of storage of these records in the agency's calculations for the closing services fee.

To ensure you and your agency are complying with the Florida Insurance Code, we recommend all licensees become familiar with Florida Statutes Chapter 626, [Part V](#) - Title Insurance Agents, Rule Chapter [69B-186](#), and [690-186](#) of the Florida Administrative Code, and the [FAQs](#) on this topic available at the Division's website. Compliance questions can be sent to [Title@MyFloridaCFO.com](mailto:Title@MyFloridaCFO.com).

## Late Appointment Renewals

A non-refundable \$25 late fee is required in addition to the \$60 appointment fee for each appointment renewed late. The late fee must be paid by the appointing entity and cannot be charged back to the appointee. [See s. [624.501](#), s. [626.331\(4\)](#), s. [626.381](#), and s. [648.383](#), F.S.]

For example, if an appointment expiration date is March 31, 2017, the invoice would become available for payment on March 1, 2017. On April 1, 2017, late fees are assessed, and the invoice remains available for payment until May 15, 2017. On May 16, 2017, if payment has not been received, the appointment is cancelled.

If the appointing entity wishes to reinstate an appointment after the appointment was cancelled for CE Non-Compliance, the appointing entity must pay a \$60.00 appointment reinstatement fee to reestablish the prior appointment. If the CE requirement is not met prior to the original appointment's expiration date, the appointment cannot be reinstated without occurring additional fees.

Other than for an appointment cancellation for CE Non-Compliance, if the appointing entity wishes to backdate an appointment to show no lapse in appointment coverage and the requested appointment date is more than 45 days from the submission date, and is within 24-months from the submission date, a \$250 late fee will be assessed. A new appointment submission with the requested effective date must be submitted through the appointing entity's eAppoint account.

If the appointing entity wishes to backdate an appointment more than 24-months, the appointing entity must complete an Affidavit of Insurance Activity While Not Properly Appointed form, found under Miscellaneous Forms on our website at, <http://www.myfloridacfo.com/Division/Agents/Licensure/Forms/default.htm>, and submit the form per the instruction on the form.

For more information, see s. [626.331\(4\)](#), s. [626.371](#), and s. [648.382](#) of the Florida Statutes

## Referral Fees

We receive numerous inquiries weekly about referral fees, and it's been a frequent topic in newsletter articles. We are including it again to provide clarification.

An agent may pay an unlicensed person for referrals of potential clients as long as it complies with s. [626.112\(8\)](#) which states "No insurance agent, insurance agency, or other person licensed under the Insurance Code may pay any fee or other consideration to an unlicensed person other than an insurance agency for the referral of prospective purchasers to an insurance agent which is in any way dependent upon whether the referral results in the purchase of an insurance product."

Often, licensees ask if they can pay "referral fees, compensation, finder's fee", etc. to other agents for referring business to them. When a licensee provides any compensation to another licensee for the referral of business, it is considered commission sharing. Lawful commission sharing can only take place between like-licensed individual agents. However, commissions can be paid to a licensed insurance agency. For example, to facilitate paying a share of the commission to a general lines agent for the referral of life insurance business, life insurance commissions can be paid to the general lines agent's licensed insurance agency [See s. [626.753](#), s. [626.794](#), and s. [626.838](#), F.S.

## Compliance Information

Department licensees and consumers can access compliance information at the Division of Insurance Agent and Agency Services' web page [Compliance Information](#). Additional information is available by type of license at our [Frequently Asked Questions](#) web page.

## Case Notes

The following are instances in which licensees or other persons violated the Florida Insurance Code and the administrative action the Department has taken against them. Note: All administrative investigations are subject to referral to the [Division of Investigation & Forensic Services](#) for criminal investigation.

**Case:** An attorney-owner of a title insurance agency filed a complaint alleging a title insurance agent embezzled \$150,000 in agency funds. These funds were provided to the agent for deposit in the agency's escrow account for property closings. The title agent converted the funds for personal gain. Investigators obtained affidavits from the two consumers involved, ages 79 and 81, stating that prior to the closing they gave their checks to the title agent. Prior to the planned closing date, the title agent called the consumers and told them not to attend the closing. The consumers attended the closing anyway and signed the closing documents. The following day, a family member was evicted from the property. Investigators obtained copies of the negotiated checks proving the title agent had deposited both cashier's checks into an account for which the title agent was the sole account owner.

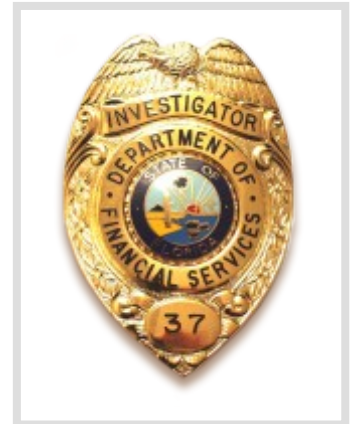
**Disposition:** License revoked. The former agent was arrested by the Division of Investigation & Forensic Services' Bureau of Insurance Fraud and charged with multiple counts of Exploitation of the Elderly, Theft from Elderly, Grand Theft, and Diversion of Insurance Funds.

**Case:** Investigators opened a case after receiving a referral from the Division of Investigation and Forensic Services' Bureau of Insurance Fraud advising a general lines agent submitted a policy reinstatement form to an insurance company that did not bear the true signature of the consumer. The document in question was an attestation to be signed by the insured affirming there had been no claims during the period of time the policy was lapsed, a "Statement of No Losses". According to a statement taken from the consumer, he refused to sign the document because he had in fact been involved in an accident. The document the agent sent to the consumer for his signature was already completed and notarized, even though the consumer had not signed it. Because the consumer was forthcoming about the accident, the insurance company agreed to cover the loss.

**Disposition:** License suspended for six months.

**Case:** This case was opened based on a referral resulting from an examination conducted by the Division of Funeral, Cemetery and Consumer Services. The referral indicated, that a life, health, and variable annuity agent was signing life insurance applications to fund pre-need final expense contracts at a funeral home without meeting with the insured/applicants. Investigators determined the consumers met with pre-need sales agents at the funeral home and signed blank life insurance applications in conjunction with the pre-need sale, without the presence of the licensed life agent. The investigator spoke with several consumers who confirmed they met with pre-need sales agents at the funeral home, not the agent who signed the life insurance applications.

**Disposition:** License revoked.





Case: An insurance company filed a complaint alleging a general and personal lines agent falsified proof of prior insurance documentation for a number of consumers, indicating they had held prior insurance coverage although this was not true. Investigators determined the agent falsified the existence of prior coverage to obtain more favorable rates for the consumers.

Disposition: License suspended for one year.

**Case:** The Department was notified by a surety company that one of their bail bond agents had failed to pay an outstanding forfeiture of more than \$17,000 to the respective Clerk of Court. The bail bond agent had verbally agreed to make payments, which she did for a few payments, then she stopped repaying the debt. After investigators became involved, the bail bond agent paid the balance owed in full.

Disposition: Fined \$1,000 and placed on probation for one year.

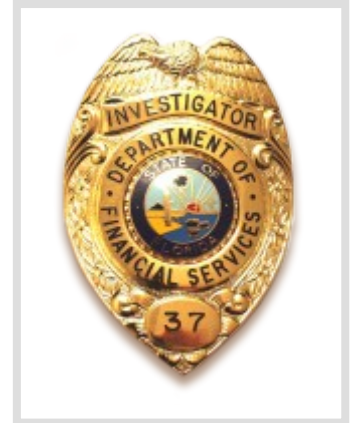
Case: This case was opened after investigators learned of an action filed against a life and variable annuity agent by the Financial Industry Regulatory Authority (FINRA). The action stated the agent failed to provide documents and information requested during the course of a FINRA investigation. Investigators determined that the underlying case involved the agent improperly obtaining more than \$99,000 from a bank trust account. The agent was subsequently barred by FINRA.

Disposition: Permanently removed from the insurance business in Florida.

## Enforcement Actions

- August 2016

Some of the following enforcement actions were resolved through a settlement process resulting in an order for discipline. Notification of enforcement actions is in the public interest. While every effort is made to provide correct information, our readers are cautioned to check with the Department before making a decision based upon this listing. This listing does not reflect pending appeals or requests for hearings. The license or registration status may have changed since the filing of these orders. We suggest that you search the [Licensee Search](#) or make a [public records request](#) to verify the current status of any license or registration.



**IMPORTANT NOTE:** Actions taken before July 1, 2015 are located at [FLDFS Final Orders](#). Actions taken after July 1, 2015, can be searched for at the Florida Division of Administrative Hearings' (DOAH) [website](#). For further information, you may make a public records request via [email](#) or contact the [Public Records Unit](#).

Warning: No part of this listing may be used by a licensee to gain an unfair competitive advantage over any person named herein. Any licensee who does so could be in violation of Section 626.9541(1)(c), Florida Statutes.

LAST/BUSINESS NAME	FIRST NAME	LICENSE	LICENSE TYPE	DISPOSITION	FINE/COST	CITY, STATE	DOCUMENT
Avila	Giselle	W115152	General Lines	License Revoked		Miami, FL	<a href="#">Consent Order</a>
Bannister	Candius	P130259	Life, Health, Variable Annuity	License Suspended 6 Months		Sarasota, FL	<a href="#">Order of Suspension</a>
Burrows	Daryl	P112462	Bail Bond, Managing General Agent	License Revoked		Jacksonville, FL	<a href="#">Order of Revocation</a>
Calvo	Mayory	P135440	Health	License Suspended Indefinitely		Doral, FL	<a href="#">Notice of Temporary Suspension</a>
Campbell	Romie	W099104	Life, Health, Variable Annuity	License Revoked		Winter Haven, FL	<a href="#">Notice of Revocation</a>
Colon	Deysi	W131898	Bail Bond	License Revoked		Bradenton, FL	<a href="#">Order of Revocation</a>

Consolidated Insurance Nation, Inc. dba Insurance Nation		L032644	Insurance Agency	Probation and Fine	\$35,000	Miami, FL	<a href="#">Consent Order</a>
Fernandez	Alina	A082772	Customer Representative	License Suspended Indefinitely		Miami, FL	<a href="#">Notice of Temporary Suspension</a>
First Family Insurance, Inc.		L055397	Agency	Fined	\$5,000	Fort Myers, FL	<a href="#">Consent Order</a>
Frederick	Leigh	E140644	Title	License Revoked		Ormond Beach, FL	<a href="#">Consent Order</a>
Frederick Title Services Inc. dba Summit Title Group		E180744	Title Agency	License Revoked		Ormond Beach, FL	<a href="#">Consent Order</a>
Grinstein	Benjamin	P189729	General Lines	Probation and Fine	\$500	Jacksonville, FL	<a href="#">Consent Order</a>
Jeveli	Theodore	W082231	Life, Health, Variable Annuity	License Revoked		Fort Myers, FL	<a href="#">Consent Order</a>
Le	Katherine	D025184	Life, Health, Variable Annuity	License Suspended Indefinitely		Houston, MD	<a href="#">Notice of Temporary Suspension</a>
Lopez	Rigoberto	W086826	Public Adjuster	License Suspended 2 Months		Miami, FL	<a href="#">Order of Suspension</a>
Marra	Jason	E097588	Life, Health, Variable Annuity	Probation and Fine	\$5,000	Fort Myers, FL	<a href="#">Consent Order</a>
Mastrapa	Robert	P099083	Bail Bond	Fined	\$5,816	Miami, FL	<a href="#">Consent Order</a>
Middleton	Christopher	P063126	Bail Bond	License Suspended Indefinitely		Holiday, FL	<a href="#">Notice of Temporary Suspension</a>
Morcate	Carlos	E069831	Public Adjuster	Cease & Desist and Fine	\$2,500	Plantation, FL	<a href="#">Consent Order</a>
Pyle	John	E037832	Title	Probation and Fine	\$5,000	Ormond Beach, FL	<a href="#">Consent Order</a>
Rene	Nakens	P091284	General Lines, Bail Bond	License Suspended 2 Months		Oakland Park, FL	<a href="#">Order of Suspension</a>
Schneider	Shawn	W059625	Life, Health Variable Annuity, Industrial Fire/Burglary	License Suspended 3 Months		Melbourne, FL	<a href="#">Consent Order</a>
Sporn	Dylan	P117160	Life, Health, Variable Annuity	License Surrendered		Boca Raton, FL	<a href="#">Consent Order</a>

Thomas	Shana	W173274	Life, Health, Variable Annuity	License Revoked		Davenport, FL	<a href="#">Order of Revocation</a>
Thompson, Jr.	Richard	A264632	Life, Health, Variable Annuity	License Revoked		Indialantic, FL	<a href="#">Order of Revocation</a>
Yencho	Patricia	A292027	General Lines	Probation and Fine	\$7,500	Vero Beach, FL	<a href="#">Consent Order</a>
Zinman	Andrew	W136383	General Lines	Probation and Fine	\$3,000	Fort Lauderdale, FL	<a href="#">Search</a>

© 2016 Florida Department of Financial Services



# Contact Us

- We're always here for you

## Bureau of Licensing

[AgentLicensing@MyFloridaCFO.com](mailto:AgentLicensing@MyFloridaCFO.com) - For general inquiries about licensing.

[Educa.on@MyFloridaCF.O.com](mailto:Educa.on@MyFloridaCF.O.com) - For education-related questions (prelicensing, continuing educaon, providers, etc.)

[MyProfile](#) - Check your up-to-the-minute application status, education information, and more.

Licensees are reminded to update any change in their name, addresses (including email) or phone numbers by logging in to their [MyProfile](#) account. If you also have an agency license, don't forget to log in to your agency's MyProfile account and update it as well.

200 East Gaines Street  
Larson Building, Room 419  
Tallahassee, FL 32399-0319

## Bureau of Inves.g aon

Compliance issues, licensees and insurers only:

[Title@MyFloridaCFO.com](mailto:Title@MyFloridaCFO.com) - For title insurance ma ers

[BailBond@MyFloridaCFO.com](mailto:BailBond@MyFloridaCFO.com) - For bail bond ma ers

[Adjusters@MyFloridaCFO.com](mailto:Adjusters@MyFloridaCFO.com) - For adjuster ma ers

For all other ma ers not related to licensing or educaon:

[askDFS@MyFloridaCFO.com](mailto:askDFS@MyFloridaCFO.com) -

200 East Gaines Street  
Larson Building, Room 412  
Tallahassee, FL 32399-0320

## Title Insurance Data Call

[TitleAgencyReporng@floir.com](mailto:TitleAgencyReporng@floir.com) - For questions about the filing process

[TitleDataCall@floir.com](mailto:TitleDataCall@floir.com) - For all other questions about the data call

# Insurance *Insights* Editor/Publisher

[Susan Jordan](#)

We welcome suggestions and inquiries concerning Insurance *Insights*. Please direct them to [Susan Jordan](#).

Reproduction in whole or in part of Insurance *Insights*, or any publication by this division, without permission is prohibited.

© 2016 Florida Department of Financial Services