19-8.029 Insurer Reporting Requirements and Responsibilities.

(1) Purpose. This rule specifies certain deadlines and other requirements for insurers that participate in the Florida Hurricane Catastrophe Fund (FHCF).

(2) Definitions. The definitions in the Reimbursement Contract for the applicable Contract Year also apply to this rule and the forms referenced in this rule. In addition, as used in this rule and the forms referenced in this rule:

(a) "Contract Year" is defined in Section 215.555(2), F.S.

(b) "Insurer" or "Company" means an insurer that is required to enter into a Reimbursement Contract.

(3) Data Call form.

~~(a) For the 2025/2026 Contract Year, the reporting of Company exposure data shall be in accordance with Form FHCF-D1A, "Florida Hurricane Catastrophe Fund 2025 Data Call," rev. 02/25, http://www.flrules.org/Gateway/reference.asp?No=Ref-17480, which is hereby adopted and incorporated by reference into this rule.~~

(a)~~(b)~~ For the 2026/2027 Contract Year, the reporting of Company exposure data shall be in accordance with Form FHCF-D1A, "Florida Hurricane Catastrophe Fund 2026 Data Call," rev. 02/26, http://flrules.org/Gateway/reference.asp?No=Ref-18880, which is hereby adopted and incorporated by reference into this rule.

(b) For the 2027/2028 Contract Year, the reporting of Company exposure data shall be in accordance with Form FHCF-D1A, "Florida Hurricane Catastrophe Fund 2027 Data Call," rev. XX/XX, (https://flrules.org/Gateway/reference.asp?No=Ref-XXXXX), which is hereby adopted and incorporated by reference into this rule.

(4) Loss reporting forms.

~~(a)1. For the 2025/2026 Contract Year, the reporting of Ultimate Net Loss shall be in accordance with Form FHCF-L1A, "Contract Year 2025 Interim Loss Report, Florida Hurricane Catastrophe Fund (FHCF)," rev. 02/25, http://www.flrules.org/Gateway/reference.asp?No=Ref-17483, which is hereby adopted and incorporated by reference into this rule.~~

(a)1~~2~~. For the 2026/2027 Contract Year, the reporting of Ultimate Net Loss shall be in accordance with Form FHCF-L1A, "Contract Year 2026 Interim Loss Report, Florida Hurricane Catastrophe Fund (FHCF)," rev. 02/26, http://flrules.org/Gateway/reference.asp?No=Ref-18881, which is hereby adopted and incorporated by reference into this rule.

2. For the 2027/2028 Contract Year, the reporting of Ultimate Net Loss shall be in accordance with Form FHCF-L1A, "Contract Year 2027 Interim Loss Report, Florida Hurricane Catastrophe Fund (FHCF)," rev. XX/XX, (https://flrules.org/Gateway/reference.asp?No=Ref-XXXXX), which is hereby adopted and incorporated by reference into this rule.

~~(b)1. For the 2025/2026 Contract Year, the reporting of Ultimate Net Loss shall be in accordance with Form FHCF-L1B, "Contract Year 2025 Proof of Loss Report, Florida Hurricane Catastrophe Fund (FHCF)," rev. 02/25, http://www.flrules.org/Gateway/reference.asp?No=Ref-17484, which is hereby adopted and incorporated by reference into this rule.~~

(b)1~~2~~. For the 2026/2027 Contract Year, the reporting of Ultimate Net Loss shall be in accordance with Form FHCF-L1B, "Contract Year 2026 Proof of Loss Report, Florida Hurricane Catastrophe Fund (FHCF)," rev. 02/26, https://flrules.org/Gateway/reference.asp?No=Ref-18882, which is hereby adopted and incorporated by reference into this rule.

2. For the 2027/2028 Contract Year, the reporting of Ultimate Net Loss shall be in accordance with Form FHCF~~F~~-L1B, "Contract Year 2027 Proof of Loss Report, Florida Hurricane Catastrophe Fund (FHCF)," rev. XX/XX, (https://flrules.org/Gateway/reference.asp?No=Ref-XXXXX), which is hereby adopted and incorporated by reference into this rule.

~~(c)1. For the 2025/2026 Contract Year, the applicable Detailed Claims Listing Instructions is Form FHCF-DCL, "Contract Year 2025 Detailed Claims Listing Instructions," rev. 02/25, http://www.flrules.org/Gateway/reference.asp?No=Ref-17482, which is hereby adopted and incorporated by reference into this rule.~~

(c)1~~2~~. For the 2026/2027 Contract Year, the applicable Detailed Claims Listing Instructions is Form FHCF-DCL, "Contract Year 2026 Detailed Claims Listing Instructions," rev. 02/26, https://flrules.org/Gateway/reference.asp?No=Ref-18883, which is hereby adopted and incorporated by reference into this rule.

2. For the 2027/2028 Contract Year, the applicable Detailed Claims Listing Instructions is Form FHCF-DCL, "Contract Year 2027 Detailed Claims Listing Instructions," rev. XX/XX, (https://flrules.org/Gateway/reference.asp?No=Ref-XXXXX), which is hereby adopted and incorporated by reference into this rule.

(5) Examination.

(a) Advance examination record requirements. Within 30 days after the date of the request for such information, a Company must provide the FHCF with the records indicated in the applicable Contract Year's "Exposure Examination Advance Preparation Instructions" or in the applicable Contract Year's "Claims Examination Advance Preparation Instructions." The FHCF may grant an

extension of 30 days if the Company can show that the need for the additional time is due to circumstances beyond its reasonable control.

~~1. For the 2025/2026 Contract Year, the applicable exposure examination instructions form is the "Florida Hurricane Catastrophe Fund (FHCF) Exposure Examination – Contract Year 2025 Advance Preparation Instructions," FHCF-EAP1, rev. 02/25, http://www.flrules.org/Gateway/reference.asp?No=Ref-17481, which is hereby adopted and incorporated by reference into this rule. The applicable claims examination instructions form is the "Florida Hurricane Catastrophe Fund (FHCF) Claims Examination – Contract Year 2025 Advance Preparation Instructions," FHCF-LAP1, rev. 02/25, http://www.flrules.org/Gateway/reference.asp?No=Ref-17485, which is hereby adopted and incorporated by reference into this rule.~~

12. For the 2026/2027 Contract Year, the applicable exposure examination instructions form is the "Florida Hurricane Catastrophe Fund (FHCF) Exposure Examination – Contract Year 2026 Advance Preparation Instructions," FHCF-EAP1, rev. 02/26, https://flrules.org/Gateway/reference.asp?No=Ref-18884, which is hereby adopted and incorporated by reference into this rule. The applicable claims examination instructions form is the "Florida Hurricane Catastrophe Fund (FHCF) Claims Examination – Contract Year 2026 Advance Preparation Instructions," FHCF-LAP1, rev. 02/26, https://flrules.org/Gateway/reference.asp?No=Ref-18885, which is hereby adopted and incorporated by reference into this rule.

2. For the 2027/2028 Contract Year, the applicable exposure examination instructions form is the "Florida Hurricane Catastrophe Fund (FHCF) Exposure Examination – Contract Year 2027 Advance Preparations Instructions," FHCF-EAP1, rev. XX/XX. (insert link from FAR), which is hereby adopted and incorporated by reference into this rule. The applicable claims examination instructions form is the "Florida Hurricane Catastrophe Fund (FHCF) Claims Examination – Contract Year 2027 Advanced Preparation Instructions," FHCF-LAP1, rev. XX/XX, (https://flrules.org/Gateway/reference.asp?No=Ref-XXXXX), which is herby adopted and incorporated by reference into this rule.

(b) Consequences for failure to meet the requirements contained in the FHCF-EAP1, "Exposure Examination Advance Preparation Instructions" or the FHCF-LAP1, "Claims Examination Advance Preparation Instructions." In addition to other penalties or consequences, the FHCF has the authority, pursuant to Section 215.555(4)(f), F.S., to require that the Company pay for the following services under the circumstances specified herein:

1. If the Company is responsible for the delay of an examination, the inability to conduct an examination as scheduled, or the inability to complete an examination, the Company shall be required to reimburse the FHCF for all the usual and customary expenses connected to such delay, cancellation, or incompletion.

2. If the FHCF finds any Company's records or other necessary information to be inadequate or inadequately posted, recorded, or maintained, the FHCF may employ experts to reconstruct, rewrite, record, post, or maintain such records or information, at the expense of the Company being examined.

3. A Company required to reimburse the FHCF for costs as required in subparagraphs 1. and 2., is liable for interest on the amount owed to the FHCF from the date the FHCF pays such expenses until the date payment from the Company is received. The applicable interest rate for interest charges will be the average rate earned by the SBA for the FHCF for the six months preceding the start of the Contract Year. For balances paid after the invoice due date, interest will accrue at this rate plus 5 percent. The payment of reimbursements or refunds by the FHCF to the Company will be offset by any amounts owed by that Company to the FHCF under this paragraph.

(6) Company contact information. Companies must submit Form FHCF C-1, Company Contact Information, by March 1 preceding each Contract Year to the FHCF Administrator. A New Participant must submit Form FHCF C-1 within 30 calendar days after writing its first Covered Policy. This form must be updated by the Company as the information provided thereon changes. The FHCF shall have the right to rely upon the information provided by the Company to the FHCF on this form until receipt by the FHCF of a new properly completed Form FHCF C-1 from the Company.

(7) Deadlines. If any deadline provided for herein falls on a Saturday, Sunday or on a legal State of Florida or federal holiday, then the actual due date will be the day immediately following the applicable due date which is not a Saturday, Sunday or legal State of Florida or federal holiday.

(8) All the forms adopted and incorporated by reference in this rule may be obtained from the FHCF website at https://fhcf.sbafla.com.

Rulemaking Authority 215.555(3) FS. Law Implemented 215.555(2), (3), (4), (5), (6), (7), (15), 627.351(6) FS. History–New 5-17-99, Amended 6-19-00, 6-3-01, 6-2-02, 11-12-02, 5-13-03, 5-19-04, 8-29-04, 5-29-05, 5-10-06, 5-8-07, 6-8-08, 3-30-09, 8-2-09, 3-29-10, 8-8-10, 7-20-11, 5-22-12,

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3-17-13, 4-24-14, 5-12-15, 3-13-16, 1-24-17, 2-5-18, 1-29-19, 9-17-19, 1-22-20, 2-8-21, 2-7-22, 8-18-22, 3-7-23, 2-6-24, 2-4-25, 2-11-26, XX-XX-XX.