

1                                   A bill to be entitled  
 2           An act relating to Insurance; amending s. 627.351,  
 3           F.S.; revising membership of the Joint Underwriting  
 4           Association; amending s. 766.315, F.S.; revising  
 5           membership of the Florida Birth-Related Neurological  
 6           Injury Compensation Association; providing an  
 7           effective date.

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 9   Be It Enacted by the Legislature of the State of Florida:

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 11           Section 1. Paragraph (c) of subsection (4) of section  
 12   627.351, Florida Statutes, is amended to read:

13           627.351 Insurance risk apportionment plans.—

14           (4) MEDICAL MALPRACTICE RISK APPORTIONMENT.—

15           (c) The Joint Underwriting Association shall operate  
 16   subject to the supervision and approval of a board of governors  
 17   consisting of representatives of five of the insurers  
 18   participating in the Joint Underwriting Association, an attorney  
 19   to be named by The Florida Bar, a physician to be named by the  
 20   Florida Medical Association, a dentist to be named by the  
 21   Florida Dental Association, and a hospital representative to be  
 22   named by the Florida Hospital Association. The Chief Financial  
 23   Officer shall select the representatives of the five insurers.  
 24   One insurer representative shall be selected from  
 25   recommendations of the American Insurance Association. One  
 26   insurer representative shall be selected from recommendations of

27 the Property Casualty Insurers Association of America Alliance  
 28 ~~of American Insurers~~. One insurer representative shall be  
 29 selected from recommendations of the Florida Insurance Council.  
 30 ~~National Association of Independent Insurers~~. Two insurer  
 31 representatives shall be selected to represent insurers that are  
 32 not affiliated with these associations. The board of governors  
 33 shall choose, during the first meeting of the board after June  
 34 30 of each year, one of its members to serve as chair of the  
 35 board and another member to serve as vice chair of the board.  
 36 There shall be no liability on the part of, and no cause of  
 37 action of any nature shall arise against, any member insurer,  
 38 self-insurer, or its agents or employees, the Joint Underwriting  
 39 Association or its agents or employees, members of the board of  
 40 governors, or the office or its representatives for any action  
 41 taken by them in the performance of their powers and duties  
 42 under this subsection.

43 Section 2. Paragraph (a) of subsection (2) of section  
 44 766.315, Florida Statutes, is amended to read:

45 766.315 Florida Birth-Related Neurological Injury  
 46 Compensation Association; board of directors.—

47 (2) (a) The Chief Financial Officer may select the  
 48 representative of the participating physicians from a list of at  
 49 least three names to be recommended by the American Congress of  
 50 Obstetricians and Gynecologists, District XII; ~~Florida Obstetric~~  
 51 ~~and Gynecologic Society~~; the representative of hospitals from a  
 52 list of at least three names to be recommended by the Florida

53 Hospital Association; the representative of casualty insurers  
54 from a list of at least three names, one of which is recommended  
55 by the American Insurance Association, one by the Florida  
56 Insurance Council, ~~Alliance of American Insurers~~, and one by the  
57 Property Casualty Insurers Association of America ~~National~~  
58 ~~Association of Independent Insurers~~; and the representative of  
59 physicians other than participating physicians from a list of  
60 three names to be recommended by the Florida Medical Association  
61 and a list of three names to be recommended by the Florida  
62 Osteopathic Medical Association. In no case shall the Chief  
63 Financial Officer be bound to make any appointment from among  
64 the nominees of such respective associations.

65 Section 3. This act shall take effect upon becoming a law.