



## OFFICE OF INSURANCE REGULATION

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June 12, 2014

Commissioner Roger A. Sevigny, Chair  
Interstate Insurance Product Regulation Commission  
444 North Capitol Street, NW  
Hall of the States, Suite 700  
Washington, DC 20001-1509

Dear Chair Sevigny:

In Chapter 2013-140, Laws of Florida, the Florida Legislature expressed its intention, subject to certain additional terms and conditions, to accept the offer to become a compacting state and a member of the Interstate Insurance Product Regulation Commission (Commission), effective July 1, 2014. These terms and conditions included specific public records protections; an opt-out of various Compact standards, including long-term care in its entirety and others specified in the legislation or in conflict with Florida standards; and rejection of the exclusivity provision.

The Compact Commission has not yet communicated its assent to these additional terms and conditions and formalized Florida's status. Based on previous informal communications between Commission staff and my office, I have reason to believe the Commission may consider Florida's response a counteroffer and constitute a material variance, and not an acceptance sufficient to join the Compact. Consequently, Florida awaits your formal response to this matter.

As Florida's legislatively designated representative to the Commission, I am also hereby notifying the Commission that Florida cannot proceed with implementing the Compact unless and until such time as the Commission communicates its assent to the terms and conditions imposed by the Legislature. Since our legislation takes effect on July 1, I would appreciate a response to the counteroffer by that date.

In the meantime, we intend to preserve all rights inuring to a new member of the Compact until such time as the Commission takes action regarding the terms and conditions adopted by the Florida Legislature.

Thank you for your consideration.

Sincerely,

  
Kevin M. McCarty