

## CHAPTER 2025-11

### House Bill No. 655

An act relating to pet insurance and wellness programs; amending s. 624.604, F.S.; revising the definition of the term “property insurance” to include a pet insurance option; amending s. 626.9541, F.S.; providing that certain practices relating to pet wellness programs are unfair methods of competition and unfair or deceptive acts or practices; creating s. 627.71545, F.S.; providing a short title; providing purpose; providing applicability; providing construction; providing definitions; requiring pet insurers that use such defined terms in their pet insurance policies to use and include the statutory definitions in their policies; requiring pet insurers to also make such definitions available on their websites or their program administrators’ websites; requiring pet insurers to make certain disclosures to pet insurance applicants and policyholders; requiring pet insurers to provide a summary of their bases or formulas for determination of claim payments under a pet insurance policy on their websites or their program administrators’ websites; requiring pet insurers to disclose certain requirements for required medical examinations of a pet by a veterinarian; requiring pet insurers to create a document with a summary of certain disclosures, to post such document on their websites or their program administrators’ websites, and, upon issuance or delivery of a policy to a policyholder, to provide such document to the policyholder; requiring additional written disclosures; providing that certain required disclosures are in addition to disclosures required by the Florida Insurance Code or the Financial Services Commission rules; authorizing pet insurance applicants and policyholders to examine and return insurance policies and riders under certain circumstances; requiring that premiums be refunded under certain circumstances; requiring that pet insurance policies and riders have a specified notice printed on or attached to the first page; authorizing pet insurers to issue policies that exclude coverage on the basis of preexisting conditions with appropriate written disclosure to the applicant or policyholder; providing that the pet insurer has a specified burden of proof with regard to such exclusions; authorizing pet insurers to issue new policies that impose a waiting period of up to a specified period of time for specified illnesses, diseases, or conditions; prohibiting pet insurers from issuing policies imposing a waiting period for accidents; requiring pet insurers who issue a policy that imposes a waiting period to include a provision allowing for waiver of the waiting period upon completion of a medical examination of the covered pet by a veterinarian; authorizing pet insurers to require an examination to be conducted by a veterinarian after the purchase of the policy; providing requirements and authorizations relating to such examination; prohibiting a pet insurer from requiring a medical examination of the covered pet to renew a policy; requiring that certain benefits comply with certain provisions of the Florida Insurance Code; prohibiting insurance applicants’ eligibility from being based on participation or lack of

participation in wellness programs; requiring pet insurers to ensure that their agents are trained on specified topics; providing rulemaking authority; providing an effective date.

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

Section 1. Section 624.604, Florida Statutes, is amended to read:

624.604 “Property insurance” defined.—“Property insurance” is insurance on real or personal property of every kind and of every interest therein, whether on land, water, or in the air, against loss or damage from any and all hazard or cause, and against loss consequential upon such loss or damage, other than noncontractual legal liability for any such loss or damage. Property insurance may include pet insurance that provides coverage for accidents and for illnesses of pets. Property insurance may contain a provision for accidental death or injury as part of a multiple peril homeowner’s policy. Such insurance, which is incidental to the property insurance, is not subject to the provisions of this code applicable to life or health insurance. Property insurance does not include title insurance, as defined in s. 624.608.

Section 2. Paragraph (hh) is added to subsection (1) of section 626.9541, Florida Statutes, to read:

626.9541 Unfair methods of competition and unfair or deceptive acts or practices defined.—

(1) UNFAIR METHODS OF COMPETITION AND UNFAIR OR DECEPTIVE ACTS.—The following are defined as unfair methods of competition and unfair or deceptive acts or practices:

(hh) Sales practices for pet wellness programs.—

1. A pet insurance agent may not market a wellness program as pet insurance.

2. If a wellness program is sold by a pet insurance agent:

a. The purchase of the wellness program may not be a prerequisite to the purchase of pet insurance;

b. The costs of the wellness program must be separate and identifiable from any pet insurance policy sold by the pet insurance agent;

c. The terms and conditions of the wellness program must be separate from any pet insurance policy sold by the agent;

d. The products or coverages available through the wellness program may not duplicate the products or coverages available through the pet insurance policy; and

e. The advertising of the wellness program must not be misleading.

Section 3. Section 627.71545, Florida Statutes, is created to read:

627.71545 Pet insurance; noninsurance wellness programs.—

(1) This section may be cited as the “Pet Insurance Act.”

(2) The purpose of this section is to promote the public welfare by creating a comprehensive regulatory framework within which pet insurance may be sold in this state.

(3) This section applies to all of the following:

(a) Pet insurance policies that are issued to any resident of this state or that are sold, solicited, negotiated, or offered in this state.

(b) Pet insurance policies or certificates that are delivered or issued for delivery in this state.

(4)(a) This section may not be construed to prohibit or limit the types of exclusions pet insurers may use in their policies or to require pet insurers to include in such policies any of the limitations or exclusions specified in subsection (9).

(b) All other applicable provisions of the Florida Insurance Code apply to pet insurance, except that this section supersedes any general provisions of the Florida Insurance Code which otherwise apply to pet insurance.

(5)(a) As used in this section, the term:

1. “Chronic condition” means a condition that can be treated or managed, but not cured.

2. “Congenital anomaly or disorder” means a condition that is present from birth, whether inherited or caused by the environment, and that may cause or contribute to illness or disease.

3. “Hereditary disorder” means an abnormality that is genetically transmitted from parent to offspring and may cause illness or disease.

4. “Orthopedic conditions” means a condition that affects the bones, skeletal muscle, cartilage, tendons, ligaments, or joints. The term includes, but is not limited to, elbow dysplasia, hip dysplasia, intervertebral disc degeneration, patellar luxation, and cranial cruciate ligament rupture, but does not include any cancer or any metabolic, hematopoietic, or autoimmune disease.

5. “Pet insurance” means an insurance policy that provides coverage for accidents and for illnesses and diseases of pets. Such insurance reimburses a policyholder for expenses associated with medical advice, diagnosis, care, or

treatment provided by a veterinarian, including, but not limited to, the cost of drugs prescribed by the veterinarian.

6. “Pet insurance policy” or “policy” includes pet insurance certificates.

7. “Preexisting condition” means a condition for which any of the following is true before the effective date of or during a waiting period applicable to a pet insurance policy:

a. A veterinarian provided medical advice.

b. The pet received previous treatment.

c. Based on information from verifiable sources, the pet had signs or symptoms directly related to the condition for which a claim is being made.

A condition for which coverage is afforded on a policy is not deemed to be a preexisting condition on any renewal of the policy.

8. “Renewal” means the issuance and delivery at the end of an insurance policy period of a policy that supersedes the policy previously issued and delivered by the same pet insurer or affiliated pet insurer and that provides types and limits of coverage substantially similar to those contained in the policy being superseded.

9. “Veterinarian” means a health care practitioner who is licensed to engage in the practice of veterinary medicine in this state under chapter 474.

10. “Waiting period” means the period of time specified in a pet insurance policy which is required to run before some or all of the coverage in the policy may begin. This period may not be applied to renewals of existing coverage.

11. “Wellness program” means a subscription or reimbursement-based program that is separate from an insurance policy and that provides goods and services to promote the general health, safety, or well-being of the covered pet. If the subscription or program includes language such as “undertakes to indemnify another,” “pays a specified amount upon determinable contingencies,” or “provides coverage for a fortuitous event,” the subscription or program is transacting in the business of insurance and is subject to the Florida Insurance Code. This definition is not intended to classify a contract directly between a service provider and a pet owner which involves only the two parties as being the business of insurance, unless other indications of insurance also exist.

(b) If a pet insurer uses any of the terms defined in paragraph (a) in a pet insurance policy, the pet insurer must use the definition of each term as provided in paragraph (a) and must include each such definition in the policy. The pet insurer must also make such definitions available through a clear and conspicuous link on the main page of the website of the pet insurer or the pet insurer’s program administrator.

(6)(a) A pet insurer transacting pet insurance must disclose the following to pet insurance applicants and policyholders:

1. Whether the policy excludes coverage due to any of the following:

- a. A chronic condition;
- b. A congenital anomaly or disorder;
- c. A hereditary disorder; or
- d. A preexisting condition.

2. If the policy includes any other exclusions not listed in subparagraph 1., the following information in a statement in the disclosure: “Other exclusions may apply. Please refer to the exclusions section of the policy for more information.”

3. Any policy provision that limits coverage through a waiting period, a deductible, a coinsurance payment, or an annual or lifetime policy limit. Waiting periods and applicable requirements must be clearly and prominently disclosed to applicants before the policy purchase.

4. Whether the pet insurer reduces coverage or increases premium based on the policyholder’s claims history, the age of the covered pet, or a change in the geographic location of the policyholder.

5. Whether the underwriting company differs from the brand name used to market and sell the pet insurance.

(b) Before issuing a pet insurance policy, a pet insurer shall, through a clear and conspicuous link on the main page of the pet insurer’s or the pet insurer’s program administrator’s website, provide a summary description of the basis or formula for the pet insurer’s determination of claim payments under the policy.

1. A pet insurer that uses a benefit schedule to determine claim payments under a pet insurance policy must clearly disclose both of the following:

a. The applicable benefit schedule in the policy.

b. All benefit schedules used by the pet insurer under its pet insurance policies through a clear and conspicuous link on the main page of the pet insurer’s or pet insurer’s program administrator’s website.

2. A pet insurer that determines claim payments under a pet insurance policy based on usual and customary fees, or any other reimbursement limitation based on prevailing veterinary service provider charges, shall do both of the following:

a. Include a usual and customary fee limitation provision in the policy which clearly describes the pet insurer's basis or formula for determining usual and customary fees and the manner in which that basis or formula is applied in calculating claim payments.

b. Disclose the pet insurer's basis for determining usual and customary fees through a clear and conspicuous link on the main page of the pet insurer's or pet insurer's program administrator's website.

(c) If any medical examination of the pet by a veterinarian is required to effectuate coverage, the pet insurer must clearly and conspicuously disclose any requirement for the examination before the policy is purchased and must disclose that examination documentation may result in a preexisting condition exclusion.

(d) A pet insurer shall create a summary of all policy disclosures required in paragraphs (a), (b), and (c) in a separate document entitled "Insurer Disclosure of Important Policy Provisions." The pet insurer shall post the document through a clear and conspicuous link on the main page of the pet insurer's or pet insurer's program administrator's website.

(e) At the time a pet insurance policy is issued or delivered to a policyholder, the pet insurer shall provide the policyholder with a copy of the Insurer Disclosure of Important Policy Provisions document required under paragraph (d), in at least 12-point type. At such time, the pet insurer shall also include a written disclosure with all of the following:

1. Contact information for the Division of Consumer Services of the department, including a link and toll-free telephone number, for consumers to submit inquiries and complaints relating to pet insurance products regulated by the department or office.

2. The address and customer service telephone number of the pet insurance agent.

(f) The disclosures required in this subsection are in addition to any other disclosures required by the Florida Insurance Code or rules prescribed by the commission.

(7) Unless the policyholder has filed a claim under the pet insurance policy, a pet insurance applicant or policyholder may examine and return the policy or rider to the pet insurer or pet insurance agent or broker within 30 days after the applicant or policyholder obtains the receipt and is entitled to the premium refunded if, after examining the policy or rider, he or she is not satisfied for any reason.

(8) A pet insurance policy and rider must have a notice prominently printed on or attached to the first page which includes specific instructions to accomplish a return, in type at least as large as any type appearing on the policy or rider contract and in substantially the following language:

You have 30 days after the date you receive this policy, certificate, or rider to review and return it to the company if you decide not to keep it. You do not have to tell the company why you are returning it. If you decide not to keep policy, certificate, or rider, simply return it to the company at the company's administrative office, or to the insurance agent or broker from whom you bought it, as long as you have not filed a claim. You must return the policy, certificate, or rider within 30 days after the day you first receive it in order to receive a refund. The company must refund the full amount of any premium paid within 30 days after it receives the returned policy, certificate, or rider. The premium refund will be sent directly to the person who paid it. The policy, certificate, or rider will be void as if it had never been issued.

(9)(a) A pet insurer may issue a policy that excludes coverage on the basis of one or more preexisting conditions with appropriate written disclosure to the applicant or policyholder. The pet insurer has the burden of proving that the preexisting condition exclusion applies to the condition for which a claim is being made.

(b)1. A pet insurer may issue a new policy imposing a waiting period that does not exceed 30 days after effectuation of coverage for illnesses or diseases or for orthopedic conditions not resulting from an accident. A pet insurer may not issue a policy imposing a waiting period for accidents.

2. A pet insurer issuing a policy that imposes a waiting period must include a provision in its contract which allows the waiting period to be waived upon completion of a medical examination of the pet by a veterinarian. The pet insurer may require the examination to be conducted by a veterinarian after the purchase of the policy.

a. A medical examination required under this subparagraph must be paid for by the policyholder, unless the policy specifies that the pet insurer will pay for the examination.

b. A pet insurer may specify requirements for the examination and require documentation that the requirements have been satisfied, provided that the specifications do not unreasonably restrict the ability of the applicant or policyholder to waive the waiting period.

(c) A pet insurer may not require a medical examination of the covered pet for the policyholder to renew a policy.

(d) If a pet insurer includes any prescriptive, wellness, or noninsurance benefit in the policy form, the benefit is made part of the policy contract and must comply with all of the applicable provisions of the Florida Insurance Code.

(e) An applicant's eligibility to purchase a pet insurance policy may not be based on his or her participation, or lack of participation, in a separate wellness program.

(10)(a) A pet insurer must ensure that its agents are trained on the topics specified in paragraph (b) and that its agents have been appropriately trained on the coverages and conditions of its pet insurance products.

(b) The training required under this subsection must include information on all of the following topics:

1. Preexisting conditions and waiting periods.
2. The differences between pet insurance and noninsurance wellness programs.
3. Chronic conditions, congenital anomalies or disorders, and hereditary disorders and the way pet insurance policies address those conditions or disorders.
4. Rating, underwriting, renewal, and other related administrative topics.

(11) The commission may adopt rules necessary to administer this section.

Section 4. This act shall take effect January 1, 2026.

Approved by the Governor April 18, 2025.

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