

DILIGENT EFFORT / SURPLUS LINES DISCLOSURE MATRIX

Florida Surplus Lines Service Office

The below matrix was developed to assist agents with the diligent effort and disclosure laws associated with the different lines of coverage. This document should be used for guidance purposes only.



Requirements if coverage is exported

Most commercial coverages* ➡ Signed surplus lines disclosure form

All others including but not limited to residential property, residential multiperil and commercial residential property ➡ Diligent effort form and compliance with F.S. 626.916**

***Commercial Coverages Subject to Disclosure Form:**

- Commercial excess liability or umbrella insurance
- Surety and fidelity insurance
- Boiler and machinery insurance and leakage and fire extinguishing equipment insurance
- Errors and omissions insurance (“E&O”)/professional liability (does not include medical malpractice)
- Directors’ and officers’, employment practices, fiduciary liability and management liability insurance
- Intellectual property and patent infringement liability insurance
- Advertising injury and Internet liability insurance (cyber)
- Property risks rated under a highly protected risks rating plan
- General liability
- Nonresidential property (except for collateral protection insurance as defined in §624.6085)
- Nonresidential multiperil (package policies)
- Excess property
- Burglary and theft
- Other types of commercial lines, categories or kinds of insurance or types of commercial lines risks determined by OIR
- Medical malpractice for a facility that is not a hospital licensed under chapter 395, a nursing home licensed under part II of chapter 400, or an assisted living facility licensed under part I of chapter 429.
- Medical malpractice for a health care practitioner who is not a dentist licensed under chapter 466, a physician licensed under chapter 458, an osteopathic physician licensed under chapter 459, a chiropractic physician licensed under chapter 460, a podiatric physician licensed under chapter 461, a pharmacist licensed under chapter 465, or a pharmacy technician registered under chapter 465.

+Effective July 1, 2016, the following line was added:

- Travel insurance, if issued as a master group policy with a situs in another state where each certificateholder pays less than \$30 in premium for each covered trip and where the insurer has written less than \$1 million in annual written premiums in the travel insurance product in this state during the most recent calendar year.

**** F.S. 626.916 eligibility for export requirements include:**

(a) The required diligent effort form (three declinations from authorized insurers currently writing the type of coverage to be exported) to be completed by the retail agent; (b) The premium rate at which the coverage is exported shall not be lower than that of authorized insurers writing the same coverage on a similar risk; (c) The policy or contract form under which the insurance is exported shall not be more favorable to the insured than similar forms of authorized insurers actually writing similar coverages; (d) The policy or contract under which the insurance is exported shall not provide for deductible amounts other than those available under similar policies or contracts in use by one or more authorized insurers.

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Commercial Property		
Coverage Type	Description	DE or Disclosure
Commercial Property	Residential	DE
Commercial Property	Nonresidential	Disclosure
Builders Risk	Residential	DE
Builders Risk	Nonresidential	Disclosure
Business Income	Residential	DE
Business Income	Nonresidential	Disclosure
Apartments	Residential	DE
Boiler and Machinery		Disclosure
Commercial Package	Residential	DE
Commercial Package	Nonresidential	Disclosure
Crop Hail		DE
Difference in Conditions		DE
Earthquake	Residential	DE
Earthquake	Nonresidential	Disclosure
Glass - Commercial		DE
Mortgage Impairment		DE
Windstorm and/or Hail - Commercial	Residential	DE
Windstorm and/or Hail - Commercial	Nonresidential	Disclosure
Mold Coverage - Commercial	Residential	DE
Mold Coverage - Commercial	Nonresidential	Disclosure
Sinkhole Coverage - Commercial	Residential	DE
Sinkhole Coverage - Commercial	Nonresidential	Disclosure
Collateral Protection (Forced Placed)		DE

Homeowners and other Residential Property		
Coverage Type	Description	DE or Disclosure
Homeowners HO-1	Residential	DE
Homeowners HO-2	Residential	DE
Homeowners HO-3	Residential	DE
Homeowners HO-4-Tenant	Residential	DE
Homeowners HO-5	Residential	DE
Homeowners HO-6-Condo Unit Owners	Residential	DE
Homeowners HO-8	Residential	DE
Dwelling Property	Residential	DE
Farmowners Multi-Peril	Residential	DE

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Homeowners and other Residential Property con't.

Coverage Type	Description	DE or Disclosure
Mobile Homeowners	Residential	DE
Windstorm	Residential	DE
Mold Coverage	Residential	DE
Sinkhole Coverage	Residential	DE

Ocean Marine

Coverage Type	Description	DE or Disclosure
Marina Operators Legal Liability		Exempt
Marine Liabilities Package		Exempt
Ocean Marine Hull and/or Protection & Indemnity		Exempt
Ocean Cargo		Exempt
Ship Repairers Legal Liability		Exempt
Stevedores Legal Liability		Exempt
Personal & Pleasure Boats & Yachts		DE
Ocean Marine Builders Risk		Exempt
Longshoremen & Harbor Workers Compensation Act		Exempt

Inland Marine

Coverage Type	Description	DE or Disclosure
Inland Marine - Commercial		DE
Inland Marine - Personal		DE
Motor Truck Cargo		Exempt
Jewelers Block		DE
Furriers Block		DE
Contractors Equipment		DE
Electronic Data Processing		DE

Liability

Coverage Type	Description	DE or Disclosure
Commercial General Liability		Disclosure
Commercial Umbrella Liability		Disclosure
Directors & Officers Liability - Profit		Disclosure
Directors & Officers Liability - Non-Profit		Disclosure

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Coverage Type	Description	DE or Disclosure
Educator Legal Liability		Disclosure
Employment Practices Liability		Disclosure
Excess Commercial General Liability		Disclosure
Excess Personal Liability		DE
Liquor Liability		Disclosure
Owners & Contractors Protective Liability		Disclosure
Personal Umbrella		DE
Personal Liability		DE
Pollution and Environment Liability		Disclosure
Product and Completed Operations Liability		Disclosure
Public Officials Liability		Disclosure
Police Professional Liability		Disclosure
Media Liability		Disclosure
Railroad Protective Liability		Disclosure
Asbestos Removal & Abatement		DE
Guard Service Liability		DE
Special Events Liability		DE
Miscellaneous Liability		DE
Cyber Liability		Disclosure

Medical Malpractice		
Coverage Type	Description	DE or Disclosure
Hospital Professional Liability	Refer to statutes	Most med mal will require DE based upon licensing status of insured
Miscellaneous Medical Professional	Refer to statutes	Most med mal will require DE based upon licensing status of insured
Nursing Home Professional Liability	Refer to statutes	Most med mal will require DE based upon licensing status of insured
Physician/Surgeon	Refer to statutes	Most med mal will require DE based upon licensing status of insured

Errors and Omissions		
Coverage Type	Description	DE or Disclosure
Architects & Engineers Liability		Disclosure
Insurance Agents & Brokers E&O		Disclosure

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Errors and Omissions con't.		
Coverage Type	Description	DE or Disclosure
Lawyers Professional Liability		Disclosure
Miscellaneous E&O Liability		Disclosure
Real Estate Agents E&O		Disclosure
Software Design Computer E&O		Disclosure

Automobile Coverage		
Coverage Type	Description	DE or Disclosure
Commercial Auto Liability		DE
Commercial Auto Excess Liability		DE
Commercial Auto Physical Damage		DE
Dealers Open Lot		DE
Garage Liability		DE
Garage Keepers Legal		DE
Private Passenger Auto - Physical Damage Only		DE
Personal Excess Auto Liability		DE

Aircraft		
Coverage Type	Description	DE or Disclosure
Commercial Aircraft Hull and/or Liability		Exempt
Airport Liability		Exempt
Aviation Cargo		Exempt
Aviation Product Liability		Exempt
Hangar Keepers Legal Liability		Exempt
Personal & Pleasure Aircraft		DE

Crime		
Coverage Type	Description	DE or Disclosure
Bankers Blanket Bond		Disclosure
Blanket Crime Policy		Disclosure
Employee Dishonesty		Disclosure
Identity Theft		Disclosure
Deposit Forgery		Disclosure
Miscellaneous Crime		Disclosure

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Miscellaneous		
Coverage Type	Description	DE or Disclosure
Accident & Health		DE
Credit Insurance		DE
Animal Mortality		DE
Mortgage Guaranty		DE
Worker's Compensation - Excess Only		DE
Product Recall		DE
Kidnap/Ransom		DE
Surety		Disclosure
Weather Insurance		DE
Prize Indemnification		DE
Travel Accident		DE
Terrorism	Residential	DE
Terrorism	Nonresidential	Disclosure
Fidelity		Disclosure
Flood		
Coverage Type	Description	DE or Disclosure
Flood - Commercial	Residential	DE
Flood - Commercial	Nonresidential	Disclosure
Excess Flood - Commercial		Disclosure
Flood - Personal	Residential	NFIP Disclosure
Excess Flood - Personal	Residential	NFIP Disclosure

If you have any questions or need further assistance, please email us at agent.services@fslso.com or call Agent Services at the number below.