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FCAN Releases Economist Review of April 2 FLOIR letter to Commerce Committee

St. Petersburg, FL -- Florida Consumer Action Network (FCAN) released a new review of the Florida Department of Insurance Regulation (FLOIR) [letter to the Chair](#) of the House Commerce Committee on April 2, 2021. FCAN is concerned about the use of NAIC data to support legislation and sought an independent opinion from economist Birny Birnbaum on the letter signed by Insurance Commissioner David Altmaier.

Mr. Birnbaum is an economist and former insurance regulator with 30 years of experience with insurance data collection and analysis. He has been involved with the Market Conduct Annual Statement ("MCAS") from the germ of the idea through development and implementation. He participated in the development of MCAS data elements, definitions, and ratios.

Birnbaum holds the Advanced Market Conduct Management certification from the Insurance Regulatory Examiners Society. He served as Chief Economist and Associate Commissioner for Policy and Research at the Texas Department of Insurance where he was also responsible for review and approval of auto and residential rate filings. He has testified before numerous state departments of the insurance, including the Florida Office of Insurance Regulation, on insurance rates. In 2002 and 2003 the Florida Department of Insurance appointed Birnbaum to a panel of mediators to review rate filings. He is Director of the Center for Economic Justice.

Bill Newton, FCAN Deputy Director said "FCAN is very concerned that the Legislature is using the FLOIR presentation to justify legislation including SB 76 and HB 305 because Birnbaum's review says the problem is only a few insurers." Birnbaum's review states that "any homeowners insurance litigation problem can be tied to a small number of insurers and is not an industry-wide problem demanding wholesale changes to the civil justice system."

Birnbaum's full review can be found on FCAN's web site at <https://www.fcان.org/insurance>

FCAN is a nonprofit, nonpartisan consumer group founded in 1985 that advocates on issues including insurance, health care, transportation, and financial services. FCAN is affiliated with the Consumer Federation of America and is part of the Public Interest Network.