

State Senator slams insurance industry for "smearing" her



- [Jeremy Wallace, Times/Herald Tallahassee Bureau](#)

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AP State Sen. Anitere Flores, R-Miami

If it is a fight the insurance industry wants, State Sen. **Anitere Flores** let it be known she's ready to take them on.

"The insurance industry is smearing someone who has always fought for consumers because she won't just do what they say," the Miami Republican said in an unusually sharply worded statement after the committee she leads voted for a bill that the industry mostly opposed.

Flores said the bill the Senate Banking and Insurance Committee passed on Monday aims to stop fraud and abuse that exists in property insurance through a process called assignment of benefits. But the insurance industry came out in force against the bill, saying it doesn't do enough to curtail what they say is lawsuit abuse driving up insurance premiums for everyone.

And they got support over the weekend from an [editorial in the Wall Street Journal](#) over the weekend that blasted Flores for not supporting bills that the insurance industry wanted.

"Florida homeowners might want to remember the name Anitere Flores when they open their next insurance bill," the editorial said. "The South Florida Republican this week blocked an effort to stop a plaintiff's attorney scheme that's endangering the state's taxpayer-backed catastrophic insurer and sending premiums skyrocketing."

Flores said the industry lobbyists “are pushing hard for rival bill SB 1038— a bill they themselves helped craft. However, this bill does nothing to guarantee property insurance rates will decrease, and it hinders consumers’ ability to protect themselves when insurance companies take advantage of them.”

The whole fight is over what happens when a homeowner has something like a water loss claim to file. Florida currently allows homeowners to “assign their benefits” to water restoration companies or other contractors who then can sue the homeowners insurance company to get paid for the work they do. But over the last few years, the water loss claims and litigation has gone through the roof, according to industry supporters. They want at minimum a revision of the law to make sure if a company sues an insurance company for claims and loses, they company leading the lawsuit is left paying the attorney fees.

But bills that would do that have not been put on the agenda in Flores committee. Instead, on Monday was the first time her committee has heard any legislation on the assignment of benefits issue, and it was a bill filed by Sen. **Gary Farmer**, a Democrat from Fort Lauderdale, who is the former president of the Florida Justice Association. Farmer wants to force water loss companies to be licensed to guard against fraud, but is fighting for other reforms, including barring insurance companies from passing on water claim losses in the courtroom onto customers in the form of higher rates.

Farmer said he’s out to protect the consumers and if the insurance companies didn’t fight to hard and deny legitimate water claims, then they wouldn’t be seeing a spike in lawsuits. Flores acknowledge during the Senate Banking and Insurance Committee that there are other bills the industry prefers, but publicly took them to task for not proposing amendments to Farmer’s bill if they really wanted to get provisions of those other bills considered.

It’s not the first time Flores has rattled sabers with the insurance industry this year. Last month, she led an effort to strip the industry of a tax credit they’ve received for decades in return for employing Floridians. Flores argued that the credit is no longer needed and should be repurposed to cut rent taxes for businesses who lease space. That she said would help more industries than just one.

When the industry fought against that bill and warned the loss of the tax incentive would for more rate hikes, Flores fired back: “baloney.”

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