

Summary of Comments
submitted in Response to Second 15-Day
Comment Period
(Appendix 4 to Final Statement of Reasons)

Adam C. Altman
Altman & Associates, P.A.
8820 Northwest 39th Court
Coral Springs, FL 33065
(Comment dated November 2, 2006)

The commenter suggests that the Commissioner be consistent in the use of “Transfer” in the Table of Contents and in title in the text of the regulations. (See Section 2548.3.)

Response: The Commissioner agrees that the regulations should be consistent, and prefers the formulation, “Transfers to Unlicensed Persons.” The regulations will accordingly be modified once they are placed into final form.

Adam C. Altman
Altman & Associates, P.A.
8820 Northwest 39th Court
Coral Springs, FL 33065
(Comment dated November 2, 2006)

Authority and Purpose

The commenter prefers the word, “supplement” to the word “clarify.”

Response: The Commissioner believes that the instant regulations implements and clarifies the viatical settlement statute, and prefers the word “clarify” to “supplement.”

Section 2548.2(e)

Adam C. Altman
Altman & Associates, P.A.
8820 Northwest 39th Court
Coral Springs, FL 33065
(Comment dated November 2, 2006)

The commenter offers various suggested revisions to the definition of “viatical settlement.”

Response: The only modification in the Commissioner’s second 15-day notice concerned the addition of the word, “insurance” in the last sentence of Section 2548.2(e). This comment is thus outside the scope of the noticed changes and will not be considered.

Section 2548.2(g)

Adam C. Altman
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(Comment dated November 2, 2006)

The commenter makes substantially the same comment he made in his comments concerning Section 2548.2(g) in response to the Commissioner’s first 15-day notice of revisions.

Response: See Commissioner’s Response to comment dated September 5, 2006 of Adam C. Altman, at page 3 of Appendix 3 to Final Statement of Reasons.

Section 2548.2(h)

Adam C. Altman
Altman & Associates, P.A.
8820 Northwest 39th Court
Coral Springs, FL 33065
(Comment dated November 2, 2006)

The commenter offers revisions to Section 2548.2(h), the definition of “viatical settlement broker.”

Response: there were no revisions to Section 2548.2(h) in the Commissioner’s second 15-day notice, commenter’s suggestions are therefore outside the scope of the notice and will not be considered.

Section 2548.2(i)

Adam C. Altman
Altman & Associates, P.A.
8820 Northwest 39th Court
Coral Springs, FL 33065
(Comment dated November 2, 2006)

The commenter offers revisions to Section 2548.2(i), the definition of “viatical settlement provider.”

Response: there were no revisions to Section 2548.2(i) in the Commissioner’s second 15-day notice, Mr. Altman’s suggestions are therefore outside the scope of the notice and will not be considered.

Section 2548.2(j)

Adam C. Altman
8820 Northwest 39th Court
Coral Springs, FL 33065
(Comment dated November 2, 2006)

The commenter offers revisions to Section 2548.2(j), the definition of “viatical settlement provider.”

Response: there were no revisions to Section 2548.2(j) in the Commissioner’s second 15-day notice, commenter’s suggestions are therefore outside the scope of the notice and will not be considered.

Section 2548.2

Adam C. Altman
8820 Northwest 39th Court
Coral Springs, FL 33065
(Comment dated November 2, 2006)

Consistent with Mr. Altman’s comments dated June 9, 2006, and September 5, 2006, he asserts that the regulations should contain a definition of “applicant” and “licensee.”

Response: See Commissioner’s response to comment dated June 9, 2006 of Adam Altman, at p.27 of Appendix 1 to Final Statement of Reasons.

Section 2548.3

Adam C. Altman
Altman & Associates, P.A.
8820 Northwest 39th Court
Coral Springs, FL 33065
(Comment dated November 2, 2006)

The commenter offers various suggested revisions to the provision dealing with “transfers to unlicensed persons.”

Response: there were no revisions to Section 2548.3 in the Commissioner’s second 15-day notice, commenter’s suggestions are therefore outside the scope of the notice and will not be considered.

Section 2548.5

Adam C. Altman
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(Comment dated November 2, 2006)

The commenter offers various suggested revisions to the provision dealing with disclosures to the viator.

Response: there were only extremely minor revisions to Section 2548.5 in the Commissioner's second 15-day notice, dealing with substituting the word, "insured" for "viator" at the end of this provision. Commenter's suggestions are therefore outside the scope of the notice and will not be considered.

Section 2548.7

Adam C. Altman
Altman & Associates, P.A.
8820 Northwest 39th Court
Coral Springs, FL 33065
(Comment dated November 2, 2006)

Mr. Altman offers a revision concerning Section 2548.7(k)

Response: Section 2548.7(k) was not altered during the changes noticed in the Commissioner's second 15-day comment period, thus, this revision will not be considered.

Section 2548.8

Adam C. Altman
Altman & Associates, P.A.
8820 Northwest 39th Court
Coral Springs, FL 33065
(Comment dated November 2, 2006)

This commenter objects to the Commissioner's use of the word, "where" in Section 2548.8(f).

Response: The Commissioner prefers the version of Section 2548.8(f) to that offered by Commenter as the use of the word "where" appears to be clear from the context of the statement.