

# 2017 LDI Legislative Preview

Darie Jordan Williams  
Legislative Liaison





## Rep. Davis

- Adds an additional exemption to the licensing requirement for employees of an insurance company so they can adjust first party claims that do not exceed \$500.
- **Act 29**



# HB 165

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## Rep. Anders

- Requires that the identity of the dental benefit plans be prominently displayed on the face of the identification card or document.
- Also requires that “Non-ERISA” be prominently displayed on the face of the identification card or document in place of “Fully Insured.”
- **Act 34**



# HB 217

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## Rep. Jordan

- Makes certain provisions of the Unfair Trade Practices Act applicable to vehicle mechanical breakdown insurers.
- Defines unfair trade practices and authorizes the commissioner of insurance to investigate unfair trade practices, hold hearings on suspected violations, impose penalties for violations, issue cease and desist orders as applicable, and provide civil immunity for good faith reporting of suspected unfair trade practices
- **Act 297**



# HB 233

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## Rep. Thomas

- Requires surplus lines insurers to file evidence from their domiciliary jurisdiction regarding the types of insurance that it is authorized to write in that jurisdiction.
- **Act 9**



## Rep. Talbot

- Requires return of premium to the mortgagee and policyholder if the mortgagee funded the policy.
- Clarifies that the mortgagee must provide specific notice to the insurer that the premium is being funded with the mortgagee's own funds for the unearned premium to be returned to both the mortgagee and the policyholder.
- **Act 299**



# HB 289

## Rep. Thomas

- Requires insurers to maintain current contacts on file with the LDI for the following:
  - (1) The receipt of and response to consumer complaints.
  - (2) The receipt of rules, regulations, and directives from the commissioner.
  - (3) The receipt and filing of inquiries into the financial state of the company.
  - (4) The receipt and filing of tax payments.
  - (5) Any other duty or function the commissioner deems necessary.
- **Act 10**



# HB 378

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## Rep Anders

- Excludes from LLHIGA coverage, structured settlement annuity benefits to which a payee or beneficiary has transferred the right to receive payments for monetary consideration in a “structured settlement factoring transaction” as defined in the IRC.
- Payees or beneficiaries would still be eligible for LLHIGA coverage for any rights not transferred for monetary consideration.
- **Act 13**





# HB 392

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## Rep. Connick

- Prohibits insurers from combining a higher classified fire protection area with a lower classified fire protection area for the determination of fire insurance rates for the combined areas.
- **Act 61**



# HB 393

## Rep. Connick

- Removes references to Hurricanes Katrina and Rita, and allows a homeowner to exclude personal property coverage in a disaster area declared by the president or the governor when a structure has been rendered uninhabitable due to sustaining extensive damage to more than 50% of the dwelling area, and receive a reduction in premium.
- Also, allows the insurer to terminate the exclusion when one of the following has occurred:
  - (1) The structure has been repaired and become habitable again.
  - (2) The homeowner's policy has been terminated.
  - (3) Twenty-four months have passed from the effective date of the substitute policy or exclusion of coverage.
- **Act 219**



## Rep. Huval

- Allows health insurance producers to negotiate charges, fees, and any other form of compensation directly with the insured for an individual health and accident policy and supplemental benefit insurance coverages.
- Requires the expenses and fees charged on an individual health insurance policy be disclosed to the insured on a separate document that the insured will sign.
- Requires a producer disclose to the insured on a document, signed by the insured, that the insured may purchase the same health insurance policy online or by contacting a healthcare navigator and will not incur a fee or expenses.
- **Act 63**



## Rep. Huval

- Provides that if an insurer receives a producer of record letter for an application, the insurer must submit a new quotation or proposal to the producer of record as if there are no outstanding proposals.
- Requires that if the insurer receives a written request by the insured to change the producer of record, the insurer shall give the initial producer of record written notice 10 days in advance of the change or removal.
- **Act 64**



# HB 435

## Rep. Talbot

- Rewrites the balance billing notice to be given by a healthcare facility to an insured or enrollee at first registration of the insured or enrollee to clarify the likelihood of balance billing and encourage the insured or enrollee to contact his health plan provider for further information regarding which providers are in-network and which are out-of network.
- Requires the insured or enrollee to sign a copy of the balance billing notice, which the healthcare facility is required to maintain.
- Requires the healthcare facility to provide the insured or enrollee with a list of names and contact information for each individual or group of hospital-contracted anesthesiologists, pathologists, radiologists, hospitalists, intensivists, and neonatologists who provide services at the facility and inform the insured or enrollee that he may request information from his insurer as to whether those providers are in-network or out-of-network and under what circumstances the insurer or enrollee may be responsible for payment of amounts not paid by the insurer.
- **Act 305**



# HB 480

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## Rep. Huval

- Removes the requirement that IROs register with the LDI every two years.
- IROs will remain registered unless revoked or they give notice they no longer intend to do business.
- IROs must report any loss of or change to accreditation status.
- **Act 14**



# HB 503

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## Rep. Thibaut

- Provides for a single producer license renewal for all lines of insurance rather than separate renewals for each classification.
- Removes a fee for duplicate licenses as these are now provided electronically.
- **Act 154**



## Rep. Stokes

- Subjects travel insurers to the provisions of the Insurance Code in regards to requirements for deposits, assessments, fees, and taxes, including the premium tax.
- Allows travel insurance to be provided by an individual policy or under a group or master policy.
- Provides policyholders with 10 days from the date of purchase to cancel the policy, unless a covered trip has commenced or a claim under the policy has been filed.
- **Act 225**





# HB 643

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## Rep. Huval

- Adds a late fee for adjuster license renewal and a renewal fee for viatical settlement providers.
- The code provided for a viatical renewal fee but the amount was not included in the fee schedule.
- The adjuster late renewal fee was omitted in previous legislation.
- **Act 159**



# SB 44

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## Sen. J Smith

- Allows agents from other states to sell Citizens insurance in Louisiana if Louisiana agents can sell the equivalent of their Citizens insurance in their state.
- **Act 182**



# SB 45

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## Sen. J Smith

- Makes the definition of ocean marine insurance applicable to the entire insurance code.
- Includes the provisions of the Direct Action Statute as stated in present law in the definition of ocean marine insurance.
- **Act 183**



# SB 117

## Sen. Colomb

- Requires every non-captive insurance producer to maintain professional liability insurance or an errors and omissions policy.
- Provides that an insurance producer who is authorized to act through or on behalf of another licensed insurance producer may satisfy the requirements of proposed law with professional liability coverage provided by the authorizing insurance producer.
- Also requires every insurance producer, whether captive or non-captive, who sells insurance products in which the premiums, in whole or in part, are financed by an insurance premium finance company to maintain professional liability insurance or an errors and omissions policy
- Provides that failure to maintain professional liability insurance, if required to do so by law, constitutes an insurance unfair trade practice
- **Enrolled**



# SB 184

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## Sen. Luneau

- Excludes uninsured and underinsured motorists policies from the requirement that any amount payable on a covered claim by LIGA be reduced by the full applicable limits stated in the other insurance policy, or by the amount of the recovery under the other insurance policy as provided in present law.
- **Act 166**

# Contact Information

