

HOUSE SUMMARY OF SENATE AMENDMENTS

HB 148

2025 Regular Session

Wiley

INSURANCE: Requires insurers to provide prior premium amounts with renewals of certain insurance policies and repeals the distinction between competitive and noncompetitive markets with respect to the regulation of insurance rates

Synopsis of Senate Amendments

1. Authorizes the commissioner of insurance (commissioner) to consider accepted actuarial standards as a relevant factor in determining rates.
2. Requires the commissioner to determine if information submitted by an insurer or filer is confidential, trade secret, or proprietary. Further requires the commissioner to notify the insurer or filer when an external request is made for such information and to include whether the information is subject to disclosure.
3. Authorizes the insurer or filer to request a hearing before the division of administrative law within 10 days of receipt of notice. Requires a stay of the commissioner's determination if a hearing is requested, with hearings to be conducted in preference and summarily.
4. Authorizes in-camera review of documents by the court.
5. Authorizes public examination or reproduction of records that are not confidential, trade secret, or proprietary.

Digest of Bill as Finally Passed by Senate

Proposed law requires insurers renewing homeowners' or private passenger motor vehicle insurance to include the policyholder's premium for the policy last issued by the insurer. Requires insurers to prominently display the prior premium in close proximity to the renewal premium.

Present and proposed law generally provide regulations for rating standards and methods.

Proposed law retains present law and authorizes the commissioner to consider accepted actuarial standards as a relevant factor in determining rates.

Present law defines "excessive." Provides that "excessive," as the term relates to rates, means a rate that is likely to produce a long-term profit that is unreasonably high for the insurance provided. Present law prohibits the commissioner from determining rates as excessive in competitive markets.

Proposed law deletes present law and changes the definition of "excessive." Redefines the term as a rate that is likely to produce a profit that is unreasonably high for the insurance provided or the expense provision included with the rate is unreasonably high in relation to the services rendered.

Present law authorizes risk classification based on any criteria except race, color, creed, or national origin. Proposed law retains present law.

Present law prohibits inadequate or unfairly discriminatory rates when market conditions are competitive. Prohibits excessive, inadequate, or unfairly discriminatory rates when market conditions are noncompetitive.

Proposed law deletes present law to generally require the commissioner to disapprove a rate if it is excessive, inadequate, or unfairly discriminatory, regardless of market conditions.

Present law (R.S. 22:1451(D), 1452(C)(4) and (15), 1453, and 1455) provides definitions and regulations for rates in competitive and noncompetitive markets.

Proposed law repeals present law.

Present law provides for public inspection of all rates, supplementary rate information, and any supporting information upon expiration of the notification periods provided for in present law (R.S. 22:1451), or upon rate disapproval by the commissioner, except for information deemed confidential, trade secret, or proprietary by the insurer or filer.

Proposed law modifies present law to require the commissioner to determine whether information submitted by an insurer or filer is confidential, trade secret, or proprietary. Further requires the commissioner to notify the insurer or filer when a request is made for such information and to include in the notice a determination of whether the information is subject to public disclosure.

Proposed law authorizes the insurer or filer to request a hearing before the division of administrative law within 10 days of receipt of the commissioner's notice.

Proposed law provides that the commissioner's determination is stayed if a hearing is requested. Requires that such hearings be conducted by preference and in a summary manner. Authorizes the reviewing court to examine the disputed documents in camera prior to rendering a decision.

Proposed law does not prohibit public examination or reproduction of records or parts of records that are not determined to be confidential, trade secret, or proprietary.

(Amends R.S. 22:881.1, 1452(C)(intro. para.) and (6), 1454(A) and (B)(5), 1464(D), and 1465(A)(1) and (4); Repeals R.S. 22:1451(D), 1452(C)(4) and (15), 1453, and 1455)