
HOUSE COMMITTEE AMENDMENTS

2018 Regular Session

Amendments proposed by House Committee on Insurance to Original House Bill No. 607
by Representative Seabaugh

1 AMENDMENT NO. 1

2 On page 1, line 2, after "To amend and reenact" delete the remainder of the line in its
3 entirety and insert in lieu thereof the following:

4 "R.S. 22:1983(E)(introductory paragraph) and (2), (G), and (H), 1984(G), and 2191(A)(2)
5 and to enact R.S. 22:1983(E)(3), relative"

6 AMENDMENT NO. 2

7 On page 1, line 3, after "insurance;" and before "to provide" insert "to authorize an
8 investigatory hearing for the purposes of obtaining additional information;"

9 AMENDMENT NO. 3

10 On page 1, line 7, change "R.S. 22:1983(E)(2)" to "R.S. 22:1983(E)(introductory paragraph)
11 and (2)"

12 AMENDMENT NO. 4

13 On page 1, line 8, after "reenacted" and before "to read" insert "and R.S. 22:1983(E)(3) is
14 hereby enacted"

15 AMENDMENT NO. 5

16 On page 1, line 15, after "order" and before the colon ":" delete "either" and insert "doing
17 one of the following"

18 AMENDMENT NO. 6

19 On page 1, between lines 19 and 20 insert the following:

20 (3) Ordering, either on the commissioner's own authority or upon the
21 written request of the company, an investigatory hearing for the purposes of
22 obtaining additional documentation, data, information, and testimony. The
23 hearing shall be held in accordance with all of the following:

24 (a) The hearing shall be conducted by the commissioner or the
25 commissioner's authorized representative and shall be conducted as a
26 nonadversarial confidential investigatory proceeding for the resolution of any
27 inconsistencies, discrepancies, or disputed issues apparent upon the face of
28 the filed examination report or raised by or as a result of the commissioner's
29 review of relevant workpapers or by the written submission or rebuttal of the
30 company.

31 (b) The commissioner shall not appoint an examiner as an authorized
32 representative to conduct the hearing.

33 (c)(i) The hearing shall proceed expeditiously with discovery by both
34 parties. Discovery by the company shall be limited to the examiner's
35 workpapers that tend to substantiate any assertions set forth in any written
36 submission or rebuttal.

37 (ii) The commissioner or the commissioner's authorized
38 representative may issue subpoenas for the attendance of any witnesses or the
39 production of any documents deemed relevant to the investigation whether

1 under the control of the department, the company, or other persons. The
2 documents produced shall be included in the record and testimony taken by
3 the commissioner or the commissioner's authorized representative shall be
4 under oath and preserved for the record.

5 (iii) Nothing contained in this Paragraph shall require the
6 department, pursuant to the hearing or as part of discovery, to disclose
7 information or records that would indicate or show the existence or content
8 of any investigation or activity of a criminal justice agency.

9 (d) The hearing shall proceed with the commissioner or the
10 commissioner's authorized representative posing questions to the persons
11 subpoenaed. Thereafter, the company and the department may present
12 testimony relevant to the investigation. The company and the department
13 shall be permitted to make closing statements and may be represented by
14 counsel of their choice.

15 (e) Within twenty days of the conclusion of the hearing, the
16 commissioner shall enter an order pursuant to Paragraph (C)(1) or (E)(1) of
17 this Section."

18 AMENDMENT NO. 7

19 On page 2, line 14, after "provided for" delete the remainder of the line and insert in lieu
20 thereof "~~under Paragraph (E)(2)~~"

21 AMENDMENT NO. 8

22 On page 2, at the beginning of line 15, delete "or" and insert "in"