

2021 Regular Session

HOUSE BILL NO. 74

BY REPRESENTATIVE FRIEMAN

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

INSURERS: Provides relative to the worker's compensation claims office requirement for insurers issuing such policies in Louisiana

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AN ACT

To amend and reenact R.S. 22:337(A)(17) and R.S. 23:1161.1(A), relative to worker's compensation insurers; to require insurers issuing worker's compensation policies in Louisiana to maintain a claims office in Louisiana; to remove the requirement that Louisiana licensed claims adjusters retained by foreign and alien insurers be domiciled independently; to make technical changes; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 22:337(A)(17) is hereby amended and reenacted to read as follows:

§337. Refusal, suspension, and revocation of certificate of authority

A. The commissioner of insurance may refuse, suspend, or revoke the certificate of authority of a foreign or alien insurer whenever he shall find that such insurer:

* * *

(17) Fails to maintain a claims office for processing worker's compensation insurance claims in this state, as required by R.S. 23:1161.1, or to retain the services of ~~Louisiana domiciled independent~~ a claims adjuster who possesses a Louisiana license. This Paragraph shall not apply to reinsurers licensed or accredited to do business in the state.

* * *

1 Section 2. R.S. 23:1161.1(A) is hereby amended and reenacted to read as follows:
 2 §1161.1. Worker's compensation claims office or licensed claims adjusters; waiver
 3 A. Any insurer, authorized or unauthorized, domestic, foreign, or alien, who
 4 issues a policy for worker's compensation in this state shall either establish and
 5 maintain a claims office within the state or retain a ~~licensed~~ claims adjuster who
 6 possesses a Louisiana license.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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Abstract: Requires all insurers issuing worker's compensation policies in La. to either maintain a claims office in La. or retain a La. licensed claims adjuster.

Present law requires foreign and alien insurers issuing worker's compensation policies in La. to either maintain a claims office in La. for processing such claims or to retain the services of a La. domiciled independent claims adjuster.

Proposed law retains present law but removes the requirement that the retained La. claims adjuster be domiciled independently.

Present law provides that all insurers who issue worker's compensation policies in this state shall either establish and maintain a claims office within the state or retain a licensed claims adjuster.

Proposed law retains present law but specifies that the retained claims adjuster shall be licensed in La.

(Amends R.S. 22:337(A)(17) and R.S. 23:1161.1(A))