2021 Regular Session

HOUSE BILL NO. 74

BY REPRESENTATIVE FRIEMAN

1	AN ACT
2	To amend and reenact R.S. 22:337(A)(17) and R.S. 23:1161.1(A) and to enact R.S.
3	23:1161.1(E), relative to workers' compensation insurers; to require insurers issuing
4	workers' compensation policies in Louisiana to maintain a claims office in Louisiana;
5	to provide for retention by foreign and alien insurers of claim adjusters who possess
6	a Louisiana license; to provide that insurers of workers' compensation policies make
7	any relevant claim adjuster available for deposition via telephone or virtual
8	technology involving a filing of a Disputed Claim for Compensation; to make
9	technical changes; and to provide for related matters.
10	Be it enacted by the Legislature of Louisiana:
11	Section 1. R.S. 22:337(A)(17) is hereby amended and reenacted to read as follows:
12	§337. Refusal, suspension, and revocation of certificate of authority
13	A. The commissioner of insurance may refuse, suspend, or revoke the
14	certificate of authority of a foreign or alien insurer whenever he shall find that such
15	insurer:
16	* * *
17	(17) Fails to maintain a claims office for processing workers' compensation
18	insurance claims in this state, as required by R.S. 23:1161.1, or to retain the services
19	of Louisiana domiciled independent claims adjusters <u>a claims adjuster who possesses</u>
20	a Louisiana license. This Paragraph shall not apply to reinsurers licensed or
21	accredited to do business in the state.
22	* * *

HB NO. 74 **ENROLLED** 1 Section 2. R.S. 23:1161.1(A) is hereby amended and reenacted and R.S. 23:1161.1 2 (E) is hereby enacted to read as follows: 3 §1161.1. Worker's Workers' compensation claims office or licensed claims 4 adjusters; waiver 5 A. Any insurer, authorized or unauthorized, domestic, foreign, or alien, who 6 issues a policy for worker's workers' compensation in this state shall either establish 7 and maintain a claims office within the state or retain a licensed claims adjuster who 8 possesses a Louisiana license. 9 10 E. Any insurer, authorized or unauthorized, domestic, foreign, or alien, who 11 issues a policy for workers' compensation in this state shall be deemed to consent 12 and agree, in the event of the filing of a Disputed Claim for Compensation in which 13 liability for statutory penalties and attorney fees pursuant to R.S. 23:1201 is at issue, 14 to make any relevant claims adjuster available for deposition via telephone or virtual 15 technology such as Zoom, Skype, or other similar technology and is deemed to have 16 consented and agreed to make the relevant adjuster available for in-person testimony, 17 at the insurer's expense, if the Disputed Claim for Compensation goes to trial. SPEAKER OF THE HOUSE OF REPRESENTATIVES PRESIDENT OF THE SENATE GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____