
DIGEST

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HB 529 Original

2022 Regular Session

Brown

Abstract: Provides for the organization of the Department of Insurance.

Present law provides that the Department of Insurance shall be comprised of certain enumerated offices.

Present law provides for the power and duties of the division of insurance fraud within the Department of Insurance.

Present law requires certain persons and entities to report suspected acts of insurance fraud to the division of insurance fraud, and provides that the division shall report alleged violations of law to certain criminal justice entities.

Present law provides that persons acting without malice, fraudulent intent, or bad faith shall not be subject to civil liability for libel, slander, or any other relevant tort for reporting suspected insurance fraud to the division of insurance fraud if required by law to report such.

Present law provides that criminal background information in the possession of the division of insurance fraud shall be confidential and shall not be disclosed to others outside of the division except as necessary for action on the application of the applicant.

Present law provides for the creation and duties of the division of consumer services, the deputy commissioner of consumer services, the division of legal services, and the deputy commissioner for legal services within the Department of Insurance.

Proposed law retains present law, and changes the name of the division of insurance fraud, the division of legal services, and the division of consumer services to the office of insurance fraud, the office of legal services, and the office of consumer services.

Proposed law creates the office of policy, innovation, and research within the Department of Insurance.

Present law provides that the board of directors of the Louisiana Automobile Theft and Insurance Fraud Prevention Authority shall select a director and assistant director, who will operate the daily affairs of the authority and serve at the pleasure of the commissioner.

Proposed law repeals present law and provides that the commissioner shall operate the daily affairs

of the authority.

Present law provides that the commissioner may employ persons to carry out the operations of the Louisiana Health Care Commission, and the commission shall employ a director and an assistant director subject to approval of the commissioner.

Proposed law repeals present law and provides that the commissioner shall conduct the daily affairs of the Louisiana Health Care Commission.

Present law provides that the commission shall appoint a director and an assistant director with the consent of the Senate who shall serve at the pleasure of the commissioner to carry out the operations of the Louisiana Property and Casualty Insurance Commission.

Proposed law repeals present law and provides that commissioner shall conduct the daily affairs of the Louisiana Property and Casualty Insurance Commission.

Present law provides that the officers of the department shall include the chief deputy commissioner and other enumerated deputy commissioners and assistant commissioners.

Proposed law provides that the officers of the department shall include the chief deputy commissioner, if one is appointed, the other deputy commissioners and assistant commissioners enumerated in present law, and the deputy commissioner for policy, innovation, and research.

Proposed law provides that if a chief deputy commissioner is appointed, he shall be the first assistant to the commissioner, and if a chief deputy commissioner is not appointed, the commissioner shall appoint one of the offices of deputy commissioner as his first assistant.

Proposed law creates an office of policy, innovation, and research within the Department of Insurance under the direction of the deputy commissioner for policy, innovation, and research.

Proposed law provides that the duties of the office of policy, innovation, and research and its deputy commissioner are the following:

- (1) To research and develop policy proposals relative to the regulation of insurance, the prevention and detection of insurance fraud, innovation in insurance products and technology, the availability and affordability of insurance, healthcare and health insurance, including long-term care, property and casualty insurance, including issues related to disasters, building codes, highway safety, and the adjustment and payment of claims, life insurance and annuities, and the development and promotion of the insurance industry in this state.
- (2) To develop and prepare proposals for legislation, rules and regulations, and other administrative actions.
- (3) To participate in and liaison with the National Association of Insurance Commissioners

(NAIC), the Interstate Insurance Product Regulation Commission (IIPRC), and the International Association of Insurance Supervisors (IAIS).

- (4) To monitor the insurance regulation activities of Congress and federal agencies, the National Council of Insurance Legislators (NCOIL), the National Conference of State Legislatures (NCSL), and other organizations that affect the regulation of insurance.
- (5) Other duties and functions assigned by the commissioner of insurance.

Proposed law provides that the commissioner may employ persons as necessary to carry out the provisions of proposed law and to provide necessary staff support to the Louisiana Health Care Commission, the Louisiana Automobile Theft and Insurance Fraud Prevention Authority, and the Louisiana Property and Casualty Insurance Commission.

Proposed law makes technical changes.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 22:3, 1921(A), (C), and (D), 1922(A), 1926, 1928(A)(intro. para.), 1929(A), 2132(G)(2), 2161(J), 2171(L), R.S. 36:681(C), 683, 687, 689, and 691.1; Adds R.S. 36:681(D), 686(C)(3) and (4), and 694.1; Repeals R.S. 36:686(D) and (E))