

HOUSE SUMMARY OF SENATE AMENDMENTS

HB 489

2023 Regular Session

Huval

INSURANCE: Provides relative to ratemaking systems utilized by insurers and rate service organizations

Synopsis of Senate Amendments

1. Deletes present and proposed law to provide that a rate filed by an insurer is deemed approved by the commissioner of insurance unless the commissioner affirmatively approves or disapproves the filing within the 45-day waiting period prescribed in present law.
2. Prohibits the commissioner from disapproving a filing that is in compliance with present law on the basis of time that has elapsed since the commissioner's most recent rate approval.

Digest of Bill as Finally Passed by Senate

Present law provides that, upon written application by an insurer or rate organization, the commissioner of insurance (commissioner) may authorize a filing that has been reviewed to become effective before expiration of the 45-day waiting period prescribed in present law.

Proposed law retains present law.

Present law provides that a rate filing is deemed to meet the requirements of present law unless disapproved in writing by the commissioner within the 45-day waiting period.

Proposed law retains present law but further provides that a rate filing is deemed approved by the commissioner unless the commissioner affirmatively approves or disapproves the filing within the 45-day waiting period. Provides that the commissioner's approval of a rate filing waives any unexpired portion of the 45-day waiting period.

Present law authorizes an insurer or rating organization to commence with use of filed rates upon expiration of 45 days from the date of the commissioner's receipt of the rate, unless the commissioner provided notice of an incomplete or disapproved rate filing.

Proposed law retains present law but removes the exception relative to incomplete rate filings.

Proposed law prohibits the commissioner from disapproving a rate filing that is in compliance with present law on the basis of time that has elapsed since the commissioner's most recent rate approval.

(Amends R.S. 22:1451(C); Adds R.S. 22:1451(G))