
DIGEST

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HB 399 Original

2024 Regular Session

Henry

Abstract: Requires persons and risk-bearing entities to disclose certain information with respect to consumer and financial information and insurance anti-fraud plans.

Present law requires each risk-bearing entity to annually disclose to the commissioner of insurance (commissioner) the accurate information of the name, address, phone number, and electronic mail address of the contact person responsible for the following duties:

- (1) The receipt of and response to consumer complaints.
- (2) The receipt of rules, regulations, and directives from the commissioner.
- (3) The receipt and filing of inquiries into the financial state of the company.
- (4) The receipt and filing of tax payments.
- (5) Any other duty or function the commissioner deems necessary.

Proposed law retains present law but changes "function" to "information" and makes other technical changes to present law.

Proposed law further requires every person licensed by the commissioner to annually disclose to the commissioner the accurate information of the name, mailing address, phone number, and electronic mail address of the contact person responsible for each of the following:

- (1) Receipt of and response to consumer complaints.
- (2) Receipt of rules, regulations, and other directives from the commissioner.
- (3) Any other information the commissioner deems necessary to the exercise of his authority.

Present law requires a risk-bearing entity to notify the commissioner within 30 days of any change in information required for submission in present law.

Proposed law retains present law but extends the notification requirement to persons licensed by the commissioner.

Present law requires authorized insurers and health maintenance organizations (HMOs) licensed in this state to prepare, implement, and maintain an insurance anti-fraud plan for their operations in this state.

Proposed law retains present law.

Present law requires an insurer or HMO to annually file its insurance anti-fraud plan and any summary report with the commissioner on or before April 1. Authorizes the commissioner to periodically require that each such entity file any material change to a summary report of the anti-fraud plan, including the total number of claims and the number of claims referred to the commissioner as suspicious, and to provide the required format of the summary report.

Proposed law retains present law but further requires authorized insurers and HMOs to submit the following additional information:

- (1) The number of policies in effect.
- (2) The amount of premiums written for policies.
- (3) The number of claims received.
- (4) The number of claims referred for investigation to the insurer's fraud investigators.
- (5) The number of claims investigated or accepted by the insurer's fraud investigators.
- (6) The number of insurance fraud matters investigated or accepted by the insurer's fraud investigators that were not claim related.
- (7) The number of cases referred to the Dept. of Insurance.
- (8) The estimated dollar amount of losses attributable to fraudulent insurance acts, organized by type of fraud, including claimant, employer, provider, agent, and other types.
- (9) The estimated dollar amount of recoveries attributable to fraudulent insurance acts, organized by type of fraud, including claimant, employer, provider, agent, and other types.
- (10) The dollar amount of claims denied or not paid based on fraud investigation organized by product line.
- (11) Quantification of the resources committed to investigating insurance fraud, organized by line of business, for the prior year.

(Amends R.S. 22:41.2 and 572.1(F))