

2015 Regular Session

HOUSE CONCURRENT RESOLUTION NO. 223

BY REPRESENTATIVE HUVAL

A CONCURRENT RESOLUTION

To urge and request the Louisiana Department of Insurance to study the feasibility of drafting a uniform certificate of insurance and to report its findings on or before January 15, 2016.

WHEREAS, R.S. 22:890 allows an insurer or insurance producer to issue a certificate of insurance to a third person as evidence of property and casualty insurance coverage; and

WHEREAS, R.S. 22:890 provides that the certificate of insurance shall be issued on a form filed with and approved by the commissioner of insurance; and

WHEREAS, R.S. 22:890 provides that standard certificates of insurance forms promulgated by the Association for Cooperative Operations Research and Development (ACORD), the American Association of Insurance Services (AAIS), or the Insurance Services Office (ISO) shall be filed, but are deemed approved by the commissioner of insurance, provided these forms comply with the provisions of R.S. 22:890; and

WHEREAS, insurers typically require producers to complete the certificate of insurance and any supplemental forms requested by third parties; and

WHEREAS, producers are often requested by the certificate of insurance, or in conjunction with the certificate of insurance, to provide an interpretation of the terms and conditions of an insurance policy that the producers are not able to properly answer, which could lead to potential liability of the producers; and

WHEREAS, the commissioner of insurance is authorized to prescribe forms in other areas, such as R.S. 22:1295, which provides that the rejection, selection of lower limits, or selection of economic-only uninsured and underinsured motorist coverage shall be made only on a form prescribed by the commissioner of insurance, resolving the sometimes contentious issue of whether an insurer's uninsured motorist selection form complied with the requirements of R.S. 22:1295.

THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby request the Department of Insurance to conduct a study on the information currently required by a certificate of insurance and any additional information being requested by third parties in conjunction with certificates of insurance and recommend possible amendments to R.S. 22:890 based on the findings of this study, including whether the commissioner of insurance should be authorized to draft a uniform certificate of insurance that would include the additional information being requested from producers by insurers.

BE IT FURTHER RESOLVED that the Department of Insurance shall submit its findings and recommendations from the study in the form of a report to the House Committee on Insurance and the Senate Committee on Insurance on or before January 15, 2016.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE