

2022 Regular Session

HOUSE BILL NO. 935

BY REPRESENTATIVE BOYD

INSURERS: Provides for catastrophe claims adjusters

1 AN ACT

2 To amend and reenact R.S. 22:1667, relative to catastrophe claims adjusters; to require
3 training; to require registration of certain individuals; to require approval of damage
4 estimates and settlement offers under certain circumstances; and to provide for
5 related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 22:1667 is hereby amended and reenacted to read as follows:

8 §1667. Catastrophe or emergency claims adjuster registration; training requirement;
9 approval of estimates and settlement offers required

10 A. Notwithstanding any other provision of law to the contrary, in the event
11 of a catastrophe or an emergency, no adjuster's license shall be required for an
12 individual who is employed or retained by an insurer and brought into this state for
13 the purpose of investigating or making adjustment of losses resulting from the
14 catastrophe or emergency. However, ~~the commissioner shall establish procedures~~
15 ~~to register these individuals~~ if a claim is adjusted by an individual permitted to
16 investigate and adjust claims in this state pursuant to this Section, the damage
17 assessment and any subsequent settlement offers shall be reviewed and approved by
18 a claims adjuster licensed in this state and employed or retained by the insurer, prior
19 to a settlement offer being made to an insured.

1 B. An individual permitted to investigate and adjust claims in this state
2 pursuant to this Section shall register with the department before investigating or
3 adjusting a claim. Prior to approving the registration, the commissioner shall verify
4 that the individual has successfully completed a training program concerning the
5 value of residential and commercial properties for the area within which the
6 individual will be investigating and adjusting claims.

7 C. The commissioner may, without notice and hearing, revoke the privileges
8 of an individual registered pursuant to this Section on grounds specified by R.S.
9 22:1672(A), and thereafter it shall be unlawful for the person to adjust any losses,
10 claims, or damages in this state.

11 ~~E.~~ D. A catastrophe or emergency claims adjuster registration shall be
12 effective for a period not to exceed one hundred eighty days. The commissioner may
13 extend the term for an additional period of ninety days.

14 ~~D.~~ E. The fee for the catastrophe or emergency registration shall be as set
15 forth in R.S. 22:821 and shall be payable to the commissioner within ten days of the
16 submission of the registration.

17 E. F. The registration requirements of this Section shall not apply to a
18 producer of an insurer or a licensed employee of a producer that adjusts undisputed
19 claims or losses under specific authority from the insurer and solely under policies
20 issued by the insurer.

21 G.(1) The commissioner shall establish procedures to train and register
22 individuals permitted to investigate and adjust claims pursuant to this Section.

23 (2) The commissioner shall promulgate rules and regulations for
24 implementation and enforcement of this Section.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 935 Original

2022 Regular Session

Boyd

Abstract: Provides for catastrophe claims adjusters.

Present law provides that in the event of a catastrophe or emergency, no adjuster's license is required for an individual employed or retained by an insurer and brought into this state for the purpose of investigating and adjusting catastrophe claims.

Proposed law retains present law, and provides that if a claim is adjusted by an individual permitted to investigate and adjust claims in this state pursuant to present law, the damage assessment and any subsequent settlement offers shall be reviewed and approved by an adjuster licensed in this state and employed or retained by the insurer, prior to a settlement offer being made.

Present law provides that the commissioner shall establish procedures to register individuals authorized to adjust claims pursuant to present law.

Proposed law retains present law and provides that prior to approving registration, the commissioner shall verify that the individual has completed a training program concerning the value of residential and commercial properties for the area within which the individual will be investigating and adjusting claims.

Proposed law provides that the commissioner shall establish procedures to train and register individuals permitted to investigate and adjust claims pursuant to present law.

Proposed law provides that the commissioner shall promulgate rules and regulations for the implementation and enforcement of proposed law.

(Amends R.S. 22:1667)