
 DIGEST

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SB 198 Engrossed

2022 Regular Session

Talbot

Present law provides general definitions applicable to the insurance code.

Proposed law retains present law and adds definitions for "residential coverage", "personal residential coverage", and "commercial residential coverage".

Proposed law provides that if an insurance claim arises out of a declared state of emergency or disaster and within a six-month period the insurer assigns a third or subsequent claims adjuster to be primarily responsible for a personal residential property insurance claim, the insurer shall in a timely manner provide insured all of the following:

- (1) A written status report that includes at least the following:
 - (a) A summary of decisions or actions that are substantially related to the disposition of the claim.
 - (b) The dollar amount of coverage for losses to structures and contents.
 - (c) The undisputed dollar amount of losses to structures and contents.
 - (d) Information regarding whether the insurer retains or intends to consult design or construction professionals.
 - (e) All items in dispute.
- (2) A primary contact.
- (3) Two or more direct means of communication with the primary contact.

Proposed law defines "primary contact" as an adjuster or team employed as a member or members of the insurer's staff who is knowledgeable about the claim.

Proposed law requires the primary contact to remain assigned to the insured's claim until the insurer closes the claim or a party files suit on the claim.

Proposed law provides that the designation of the primary contact does not preclude other claims personnel, vendors, or professionals, including clerical staff members and call staff members from working on portions of the insured's claim.

Proposed law provides that if the insured needs information or otherwise requests, the insurer is required to ensure that the primary contact refers and transfers the insured to the appropriate supervisor that has a span of control over the primary contact and is satisfied by a referral to a first-tier or second tier manager who has authority over claim handling.

Effective on January 1, 2023.

(Adds R.S. 22:46(14.1) and R.S. 22:1897)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Insurance to the original bill

1. Makes technical changes.

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Insurance to the engrossed bill:

1. Specify that requirements for insurers who assign a third or subsequent claims adjuster within a six-month period applies to personal residential insurance claims.
2. Make technical changes.