

2022 Regular Session

HOUSE BILL NO. 316

BY REPRESENTATIVE WILLARD

INSURANCE CLAIMS: Provides for the transmission of certain documents and recordings from insurers to insureds in times of a gubernatorially declared disaster

1 AN ACT

2 To enact R.S. 22:1892(A)(6), relative to claims adjustment practices; to provide that in times  
3 of a gubernatorially declared disaster, claimants are informed of their rights under  
4 the policyholder bill of rights; to provide that in times of a gubernatorially declared  
5 disaster, insurers shall transmit certain documents to insureds within thirty days of  
6 their creation; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 22:1892(A)(6) is hereby enacted to read as follows:

9 §1892. Payment and adjustment of claims, policies other than life and health and  
10 accident; vehicle damage claims; extension of time to respond to claims  
11 during emergency or disaster; penalties; arson-related claims suspension

12 A.

13 \* \* \*

14 (6)(a) In the case of a gubernatorially declared disaster, an insurer shall  
15 provide the insured a copy of the insured's insurance policy and a copy of the  
16 policyholder bill of rights as provided for in R.S. 22:41 upon initial adjustment of a  
17 property damage claim, other than an automobile insurance claim.

18 (b) In the case of a gubernatorially declared disaster, until a settlement has  
19 been agreed upon by the insurer and the insured, the insurer shall provide the insured  
20 with an electronic copy of each of the following within thirty days of its creation,



- (3) Plans.
- (4) Measurements.
- (5) Drawings.
- (6) Engineer reports.
- (7) Contractor reports.
- (8) Recordings of communication between the insured and the insurer or the insurer's contractor.
- (9) Any statements or documents that are not privileged that the insurer prepared, had prepared on the insurer's behalf, or used during the adjustment of the claim.

(Adds R.S. 22:1892(A)(6))

Summary of Amendments Adopted by House

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

- 1. Make technical changes.