

HOUSE SUMMARY OF SENATE AMENDMENTS**HB 1241****2026 Regular Session****Firment**

CHILDREN/SUPPORT: Directs insurers to conduct data matches and to withhold and remit certain insurance and settlement payments to satisfy child support obligations

Synopsis of Senate Amendments

1. Clarifies liability protections by explicitly stating that insurers and other entities acting in good faith are immune from civil or criminal liability. This immunity shall extend to actions such as disclosing information, remitting payments, or withholding funds in accordance with proposed law even if they are unaware of a remittance obligation following a data match.
2. Establishes a requirement for post-remittance verification by mandating the Department of Children and Family Services to review payments within a sixty-day period and refund any amounts found to be excess or incorrectly disbursed to the claimant.

Proposed law requires insurers issuing certain qualifying insurance payments to exchange information with the office of child support within the Department of Children and Family Services (DCFS), prior to issuing such payments, to determine whether the claimant owes past due child support. Proposed law revises the definition of “claimant” to a person who files a liability claim for bodily injury or wrongful death or a claim for workers’ compensation benefits, and clarifies that a claim for bodily injury does not include claims filed under uninsured or underinsured motor vehicle coverage.

Proposed law requires the exchange of information to be conducted in a manner prescribed by DCFS and in compliance with applicable state and federal privacy laws. Proposed law authorizes insurers to conduct required data matches through insurance claim data collection organizations, federal child support enforcement systems, child support lien networks, or direct data exchanges with DCFS.

Proposed law requires an insurer, upon receipt of notice from DCFS identifying a child support obligation and specifying the amount owed, to withhold the specified amount from a qualifying payment and remit the withheld funds to DCFS within 20 days of receipt of notice. Proposed law further requires that, within sixty days after receiving such remitted funds, DCFS determine the accuracy of the amount owed and return any amounts not owed to the claimant. Proposed law requires DCFS to give priority, before any withholding for child support, to certain liens, claims, and documented expenses, including reasonable attorneys’ fees, litigation expenses, damage or loss of real or personal property, unpaid medical expenses causally related to the claim, and funeral or burial expenses.

Proposed law establishes confidentiality requirements governing information exchanged between insurers and DCFS and limits the use and disclosure of such information to purposes directly related to child support enforcement and administration of the law. Proposed law provides immunity from civil and criminal liability for insurers and other entities acting in good faith in complying with the law. Such immunity expressly applies to disclosures of information to DCFS, the withholding or remittance of funds, and the payment of claims where an insurer acted without knowledge of a remittance obligation after conducting a data match.

Proposed law provides that insurers are not required to delay the disbursement of qualifying payments to comply with the law and are not liable for payments disbursed prior to receipt of notice from DCFS. Proposed law clarifies that insurers are not required to comply with data-match requirements if doing so would subject them to statutory penalties, provided the insurer otherwise affords DCFS a reasonable opportunity to respond to a data-match request

prior to issuing a qualifying payment. Proposed law establishes compliance requirements for periodic payments issued after receipt of notice.

Proposed law authorizes DCFS to reimburse insurers for reasonable administrative costs incurred in conducting data matches and complying with the law. Proposed law defines relevant terms, including "claimant", "insurance claim", "qualifying payment", and "insurance claim data collection organization", and grants enforcement and rulemaking authority to the commissioner of insurance. Proposed law clarifies that child support enforcement authority remains vested with DCFS.

Effective July 1, 2027.

(Adds R.S. 22:2472)