

HOUSE COMMITTEE AMENDMENTS

2018 Regular Session

Amendments proposed by House Committee on Insurance to Engrossed Senate Bill No. 85
by Senator John Smith

1 AMENDMENT NO. 1

2 On page 1, line 2, after "R.S. 22:41(13)" and before the comma "," insert "and 1892(C)(1)"

3 AMENDMENT NO. 2

4 On page 1, line 6, change "R.S. 22:41(13) is" to "R.S. 22:41(13) and 1892(C)(1) are"

5 AMENDMENT NO. 3

6 On page 1, after line 14, delete the remainder of the page and insert in lieu thereof the
7 following:

8 "loss in accordance with **the provisions of** R.S. 22:1892 and 1973. If a claim is denied,
9 policyholders shall have the right to receive"

10 AMENDMENT NO. 4

11 On page 2, after line 3, add the following:

12 "§1892. Payment and adjustment of claims, policies other than life and
13 health and accident; personal vehicle damage claims; extension of
14 time to respond to claims during emergency or disaster; penalties;
15 arson-related claims suspension

16 * * *

17 C.(1) All claims brought by insureds, workers' compensation
18 claimants, or third parties against an insurer shall be paid by check or draft
19 of the insurer **or, if offered by the insurer and the claimant requests,**
20 **electronic transfer of funds** to the order of the claimant to whom payment
21 of the claim is due pursuant to the policy provisions, or his attorney, or upon
22 direction of ~~such~~ **the** claimant to one specified; however, the check or draft
23 shall be made jointly to the claimant and the employer when the employer
24 has advanced the claims payment to the claimant. ~~Such~~ **The** check or draft
25 shall be paid jointly until the amount of the advanced claims payment has
26 been recovered by the employer.

27 * * *"