

Regular Session, 2012

SENATE BILL NO. 118

BY SENATOR GARY SMITH

INSURANCE COMMISSIONER. Grants authority to the La. Insurance Commissioner to promulgate regulations for independent review of benefit determinations. (8/1/12)

1 AN ACT

2 To amend and reenact R.S. 22:1189, relative to the authority of the commissioner of
3 insurance to promulgate regulations; to provide for the commissioner to promulgate
4 regulations for independent review of benefit determinations; and to provide for
5 related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 22:1189 is hereby amended and reenacted to read as follows:

8 §1189. Authority to promulgate regulations

9 The commissioner shall issue reasonable regulations to promote premium
10 adequacy and to protect the policyholder in the event of substantial rate increases and
11 to establish minimum standards for marketing practices, producer compensation,
12 producer testing, **independent review of benefit determinations**, penalties, and
13 reporting practices for long-term care insurance.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Cheryl Horne.

DIGEST

Gary Smith (SB 118)

Present law, relative to long-term care insurance, requires the commissioner of insurance to promulgate regulations and minimum standards for marketing practices, producer compensation, producer testing, penalties, and reporting practices.

Proposed law retains present law and adds independent review of benefit determinations to the commissioner's authority to promulgate rules and marketing practices.

Effective August 1, 2012.

(Amends R.S. 22:1189)