HLS 20RS-1328 ORIGINAL

2020 Regular Session

HOUSE BILL NO. 857

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BY REPRESENTATIVE HOLLIS

INSURANCE: Provides relative to the licensing of foreign and alien insurers

AN ACT

2	To amend and reenact R.S. 22:337(A)(introductory paragraph) and (17), relative to the
3	licensing of foreign and alien insurers; to require foreign and alien insurers to retain
4	licensed workers' compensation claims adjusters domiciled in Louisiana; to make
5	technical changes; to provide for applicability; to provide for an effective date; and
6	to provide for related matters.
7	Be it enacted by the Legislature of Louisiana:
8	Section 1. R.S. 22:337(A)(introductory paragraph) and (17) are hereby amended and
9	reenacted to read as follows:
10	§337. Refusal, suspension, and revocation of certificate of authority
11	A. The commissioner of insurance may refuse, suspend, or revoke the
12	certificate of authority of a foreign or alien insurer whenever he shall find upon
13	finding that such insurer:
14	* * *
15	(17) Fails to maintain a claims office for processing workers' compensation
16	insurance claims in this state, as required by R.S. 23:1161.1, or to retain the services
17	of <del>Louisiana domiciled independent</del> <u>licensed workers' compensation</u> claims adjusters
18	domiciled in this state. This Paragraph shall not apply to reinsurers licensed or
19	accredited to do business in the state. meeting the requirements for reinsurance

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1 credits in R.S. 22:651. This Paragraph shall also not apply to self insured employers

2 meeting the requirements of R.S. 23:1168 et seq.

3 \* \* \*

Section 2. This Act shall become effective on July 1, 2020.

## **DIGEST**

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 857 Original

2020 Regular Session

Hollis

**Abstract:** Requires foreign and alien insurers to retain licensed workers' compensation claims adjusters domiciled in La.

<u>Present law</u> authorizes the commissioner of insurance to refuse, suspend, or revoke the certificate of authority of a foreign or alien insurer if he finds the insurer is not maintaining a workers' comp claims office, as required by law, or is not retaining the services of La. domiciled independent claims adjusters.

<u>Proposed law</u> retains <u>present law</u>, but changes the terminology from "La. domiciled independent claims adjusters" to "licensed workers' compensation claims adjusters domiciled in this state".

<u>Present law</u> provides that these requirements do not extend to reinsurers licensed to do business in this state.

<u>Proposed law</u> changes the applicability of <u>present law</u> regarding reinsurers <u>from</u> excluding reinsurers licensed to do business in La. <u>to</u> excluding reinsurers who meet the requirements for reinsurance credits outlined in <u>present law</u>, R.S. 22:651.

<u>Proposed law</u> also makes <u>present law</u> inapplicable to self-insured employers meeting the requirements of <u>present law</u>, R.S. 23:1168.

Proposed law makes technical changes.

Effective July 1, 2020.

(Amends R.S. 22:337(A)(intro. para.) and (17))