
HOUSE COMMITTEE AMENDMENTS

2026 Regular Session

Substitute for Original House Bill No. 943 by Representative Firment as proposed by the House Committee on Insurance

This document reflects the content of a substitute bill but is not in a bill form; page numbers in this document DO NOT correspond to page numbers in the substitute bill itself.

To enact R.S. 22:2472, relative to child support enforcement and insurer compliance; to require insurers to conduct data matches with the Department of Children and Family Services prior to issuing qualifying payments; to provide for withholding and remittance of certain payments; to provide for enforcement by the commissioner of insurance; to provide for rulemaking; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 22:2472 is hereby enacted to read as follows:

§2472. Child support insurance intercept; insurer compliance; enforcement

A. For the purposes of this Section, the following definitions apply:

(1) "Claimant" means any person for whom any of the following apply:

(a) The person files a tort liability claim for bodily injury or wrongful death.

(b) The person is receiving an annuity.

(c) The person is receiving disability insurance benefits.

(d) The person is receiving workers' compensation benefits.

(e) The person is a beneficiary under a life insurance policy.

(2) "Claim for bodily injury" does not mean a claim for uninsured or underinsured vehicle coverage or medical payments coverage under a motor vehicle liability policy.

(3) "Insurance claim data collection organization" means an organization that maintains a centralized database of information concerning insurance claims to assist insurers subscribed to the database in processing claims, detecting and preventing fraud, and cooperating and coordinating with the federal or state child support entities to share relevant information for insurance intercept purposes.

(4) "Office" means the office of child support within the Department of Children and Family Services.

(5) "Qualifying payment" means a payment that is either a one-time lump sum or an installment payment issued by an insurer doing business in the state, which is made for the purpose of satisfying, compromising, or settling an insurance claim for general damages or lost wages where the payment is in excess of five hundred dollars and is intended to be paid directly to the claimant and not to a third party, such as a healthcare provider. "Qualifying payment" includes any payment scheduled to be issued after a data match conducted pursuant to this Section.

B. Every insurer doing business in this state shall comply with the obligation to conduct data matches and to withhold and remit qualifying payments when notified by the Department of Children and Family Services.

C.(1) Each insurer shall, prior to issuing a qualifying payment, exchange information with the office in a manner prescribed by the Department of Children and Family Services to verify whether a claimant owes debt for the support of one or more children to the Department of Children and Family Services or to a person receiving services from the office.

(2) To the extent feasible, the office shall facilitate a secure electronic process to exchange information with insurers pursuant to this Section. The obligation of an insurer to exchange information with the office is discharged upon complying with the requirements of this Section. The exchange of information shall comply with privacy protections under applicable state and federal laws and regulations, including but not limited to the federal Health Insurance Portability and Accountability Act.

D. To determine whether a claimant owes a debt being enforced by the office, all insurers doing business in the state that issue qualifying payments to a claimant shall provide minimum identifying information about the claimant to the office, which may include the transmission of information to an insurance claim data collection organization, the federal office of child support enforcement, the child support lien network, or directly to the office in a manner prescribed by the

commissioner. Minimum identifying information may include the claimant's full name, current physical address, and date of birth. The insurer shall provide the claimant's social security number or other taxpayer identification number only if that information is available in the insurer's records, and is necessary to identify the claimant.

E. If an insurer is notified by the office that a claimant owes debt for the support of one or more children to the Department of Children and Family Services or to a person receiving services from the office, the insurer shall, upon the receipt of a notice issued by the Department of Children and Family Services identifying the amount of debt owed, withhold from payment to the claimant the amount specified in the notice and remit the amount withheld from the payment to the Department of Children and Family Services within twenty days of receipt of the notice.

F. The Department of Children and Family Services shall give priority over any withholding of payment pursuant to Subsection E of this Section to any lien, claim, or demand for reasonable claim-related attorneys' fees, litigation expenses, any portion of a claim based on damage or a loss of real or personal property, documented unpaid expenses incurred for medical treatment causally related to the claim, and any money assigned or designated as funeral or burial expenses.

G.(1) The Department of Children and Family Services shall consider any information received from an insurer pursuant to this Section as confidential. Such information shall be used or disclosed by the Department of Children and Family Services only for the purpose of collecting past-due child support or for the purpose of carrying out the provisions of this Section.

(2) Information provided by the Department of Children and Family Services shall not be used by the insurer or its agent for any purpose other than conducting a data match pursuant to this Section and shall not be disclosed to any person except to the extent necessary to conduct the data match.

(3) An insurer or other entity shall not be held liable in any civil or criminal action for any act made in good faith pursuant to this Section including, but not limited to any disclosure of information to the Department of Children and Family

Services or the withholding of any money from payment to a claimant or the remittance of such money to the Department of Children and Family Services.

H. An insurer shall not delay the disbursement of a payment to a claimant to comply with this Section. An insurer is not required to comply with Subsection E of this Section if the notice issued by the Department of Children and Family Services is received by the insurer after the payment has been disbursed. In the case of periodic payments, an insurer is not required to comply with Subsection E of this Section with regard to any payments disbursed before receipt of the notice but shall comply with Subsection E of this Section with regard to any payments scheduled after receipt of the notice.

I. If periodic payments will be made to a claimant, the insurer shall, prior to issuing each qualifying payment, exchange information with the office in a manner prescribed by the Department of Children and Family Services, as provided in Subsection C of this Section to verify whether the claimant owes a debt for the support of one or more children to the Department of Children and Family Services or to a person receiving services from the office.

J. The commissioner may promulgate rules and regulations for the implementation and enforcement of the provisions of this Section.

Section 2. This Act shall become effective on July 1, 2027.

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 Draft

2026 Regular Session

Abstract: Requires insurers to perform data matches with the Department of Children and Family Services (DCFS), in coordination with the Office of Child Support, prior to issuing qualifying insurance payments. Determines whether a claimant has any outstanding child support obligations and to withhold and remit any amounts owed for child support obligations. Outlines the confidentiality of data. Establishes the priority of certain liens and expenses. Sets rules regarding periodic payments. Establishes the authority for insurer compliance and enforcement within the Department of Insurance (LDI).

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 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 twenty days of receipt of notice. Proposed law provides that DCFS shall 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.

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 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)