

2026 Regular Session

HOUSE BILL NO. 1241 (Substitute for House Bill No. 943 by Representative Firment)

BY REPRESENTATIVE FIRMENT

1 AN ACT

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

8 Be it enacted by the Legislature of Louisiana:

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

10 §2472. Child support insurance intercept; insurer compliance; enforcement

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

12 (1) "Claimant" means a person who files a liability claim for bodily injury or
13 wrongful death or a claim for workers' compensation benefits.

14 (2) "Claim for bodily injury" does not mean a claim filed under the uninsured
15 or underinsured coverage of a motor vehicle liability policy.

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

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

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

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

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

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

1 D. To determine whether a claimant owes a debt being enforced by the
2 office, all insurers doing business in the state that issue qualifying payments to a
3 claimant shall provide minimum identifying information about the claimant to the
4 office, which may include the transmission of information to an insurance claim data
5 collection organization, the federal office of child support enforcement, the child
6 support lien network, or directly to the office in a manner prescribed by the
7 commissioner. Minimum identifying information may include the claimant's full
8 name, current physical address, and date of birth. The insurer shall provide the
9 claimant's social security number or other taxpayer identification number only if that
10 information is available in the insurer's records and is necessary to identify the
11 claimant.

12 E. If an insurer is notified by the office that a claimant owes a debt for the
13 support of one or more children to the Department of Children and Family Services
14 or to a person receiving services from the office, the insurer shall, upon the receipt
15 of a notice issued by the Department of Children and Family Services identifying the
16 amount of debt owed, withhold from payment to the claimant the amount specified
17 in the notice and remit the amount withheld from the payment to the Department of
18 Children and Family Services within twenty days of receipt of the notice. No later
19 than sixty days after the Department of Children and Family Services receives a
20 payment pursuant to this Subsection the department shall determine the accuracy of
21 the amount actually owed and return any amount not owed to the claimant.

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

28 G.(1) The Department of Children and Family Services shall consider any
29 information received from an insurer pursuant to this Section as confidential. Such
30 information shall be used or disclosed by the Department of Children and Family

1 Services only for the purpose of collecting past due child support or for the purpose
2 of carrying out the provisions of this Section.

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

7 (3) An insurer or other entity shall not be held liable in any civil or criminal
8 action for any act made in good faith pursuant to this Section, including but not
9 limited to:

10 (a) Any disclosure of information to the Department of Children and Family
11 Services.

12 (b) The payment of a claim for which a portion of the payment was eligible
13 for remittance to the Department of Children and Family Services if the insurer was
14 unaware that the payment was eligible for remittance after conducting a data match.

15 (c) The withholding of any money from payment to a claimant or the
16 remittance of such money to the Department of Children and Family Services.

17 H. An insurer shall not delay the disbursement of a payment to a claimant
18 to comply with this Section, if doing so would subject the insurer to penalties
19 including but not limited to those provided for in R.S. 22:1892; however, the insurer
20 shall otherwise provide a reasonable opportunity for the office to respond to a data
21 match request prior to issuing a qualifying payment. In the case of periodic
22 payments, an insurer is not required to comply with Subsection E of this Section with
23 regard to any payments disbursed before receipt of the notice, but shall comply with
24 Subsection E of this Section with regard to any payments scheduled after receipt of
25 the notice.

26 I. If periodic payments will be made to a claimant, the insurer shall, prior to
27 issuing each qualifying payment, exchange information with the office in a manner
28 prescribed by the Department of Children and Family Services, as provided in
29 Subsection C of this Section to verify whether the claimant owes a debt for the

1 support of one or more children to the Department of Children and Family Services
2 or to a person receiving services from the office.

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

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

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____