

With respect to domestic insurance, prior law provided that the meaning of "company-action level event" shall include either of the following:

- (1) The filing of a risk-based capital report by an insurer that indicates that the total adjusted capital of the insurer is greater than or equal to its regulatory-action level risk-based capital, but less than its company-action level risk-based capital.
- (2) The filing of a risk-based capital report by an insurer that indicates that the life or health and accident insurer maintains a total adjusted capital which is greater than its company-action level risk-based capital, but less than the product of its authorized-control level risk-based capital and two and one-half but has a negative trend.

New law expands the definition of "company-action level event" to also include the filing of a risk-based capital report by an insurer that indicates that, while the property and casualty insurer maintains a total adjusted capital that is greater than or equal to its company-action level risk-based capital, it is less than the product of its authorized-control level risk-based capital and three but triggers the trend test. The trend test will be determined in accordance with the trend test calculation that is included in the property and casualty risk-based capital instructions.

Effective August 15, 2011.

(Adds R.S. 22:613(A)(1)(c))