

Regular Session, 2014

SENATE BILL NO. 247

BY SENATOR MORRISH

INSURANCE DEPARTMENT. Provides with respect to insurance fraud. (8/1/14)

1 AN ACT

2 To enact R.S. 22:1923(2)(k),(l), and (m), relative to insurance fraud; to provide with respect  
3 to definitions of fraudulent acts; and to provide for related matters.

4 Be it enacted by the Legislature of Louisiana:

5 Section 1. R.S. 22:1923(2)(k),(l), and (m) are hereby enacted to read as follows:

6 §1923. Definitions

7 As used in this Part, the following terms shall have the meanings indicated  
8 in this Section:

9 \* \* \*

10 (2) "Fraudulent insurance act" shall include but not be limited to acts or  
11 omissions committed by any person who, knowingly and with intent to defraud:

12 \* \* \*

13 (k) Impersonates an insurance company, or a representative of an  
14 insurance company, without the authorization or consent of the insurance  
15 company for the purpose of executing a scheme or artifice to defraud an  
16 insurance company.

17 (l) Impersonates another person or entity, whether real or fictitious, and

- 1        **purports himself to have the authority to direct healthcare treatment for the**  
2        **purpose of executing a scheme or artifice to defraud an insurance company.**
- 3                **(m) Receives money or any other thing of value from any person, firm,**  
4        **or entity as a means of compensation for the acts of solicitation or criminal**  
5        **conspiracy done for the purpose of executing a scheme or artifice to defraud an**  
6        **insurance company.**

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

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#### DIGEST

Morrish (SB 247)

Present law defines "fraudulent insurance acts" to include various acts or omissions committed by a person with intent to defraud an insurance company.

Proposed law retains present law and adds the following acts to those constituting insurance fraud:

- (1) Impersonating an insurance company, or a representative of an insurance company, without the authorization or consent of the insurance company for the purpose of executing a scheme or artifice to defraud an insurance company.
- (2) Impersonating another person or entity, whether real or fictitious, and purporting to have the authority to direct healthcare treatment for the purpose of executing a scheme or artifice to defraud an insurance company as fraudulent acts.
- (3) Receiving money or any other thing of value from any person, firm, or entity as a means of compensation for the acts of solicitation or criminal conspiracy done for the purpose of executing a scheme or artifice to defraud an insurance company.

Effective August 1, 2014.

(Adds R.S. 22:1923(2)(k), (l), and (m))