



LOUISIANA DEPARTMENT OF INSURANCE
JAMES J. DONELON
COMMISSIONER

LOUISIANA PROPERTY AND CASUALTY INSURANCE COMMISSION

NOTICE OF PUBLIC MEETING / AGENDA

Thursday, January 19, 2023 - 9:00 am

Poydras Hearing Room

Louisiana Department of Insurance

1702 North 3rd Street

Baton Rouge, Louisiana

- I. Call to Order – Lou Fey, LPCIC Chairman
- II. Roll Call
- III. Old Business
 - A. Approval of Minutes from the November 10, 2022 Meeting
- IV. New Business
 - A. Presentation on Distracted Driving – Ian Regan, Insurance Institute for Highway Safety
 - B. Discussion on Recommendations for the Annual Report (see attachment)
- V. Questions / Open Discussion from Commission Members
- VI. Public Comments
- VII. Announcements
 - A. LDI Conference 2023 – March 27 & 28 at the Crowne Plaza Baton Rouge
 - B. Upcoming Full and Ad hoc Committee Meetings of the LPCIC
- VII. Adjournment



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Suggested Recommendations for the Annual Report

The following list of topics is drawn from submissions by members, who may propose additions, deletions, or amendments. The public may comment before each vote.

John Wood

1. Green P&C products

Brian Keefer

1. Fortified Roof endorsement (HO) [§ 22:1483](#)
2. Sunset Wind Mitigation (HO) [§ 22:1483](#)
3. Codify claims 'Proof of loss' (HO) [§ 22:878, 22:1973](#)
4. Right to Inspect (HO Claims)
5. 90 Days to Begin Cat Claims Settlement (HO Claims) [§ 22:1892](#)
 - * proposal – clock to start when company has complete data, adjuster 'on the ground'
 - * require out-of-state mitigation companies to contact insurer to request inspection and reach agreement before work begins
6. Assignment of Benefits (HO Claims)
7. LIGA Assessments (HO)
8. Permit and Inspection Requirement for Re-Roof (not fortified) (HO Claims)
 - * to address availability and quality of data for underwriters
 - * fraud prevention

Joel Moore

1. Address Fraudulent Estimating Practices [§ 1895, 1896](#)

Lisa Freeman

1. Distracted Driving (AUTO)
2. Suspended License for Drug Use (AUTO) [§ 22:1525](#)
 - * Amazon was losing too many drivers because they failed drug testing, so they eliminated drug testing
3. Smart Card Technology (AUTO) (HO Claims)
4. Telematics (AUTO)



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Lou Fey

1. One-Way legal Fees (HO)
2. Reverse Bad Faith (HO)
3. Funding for the Insure Louisiana Incentive Plan **Act 754, Part 16, 22:2361**
4. Licensing of Appraisers and Building Consultants (HO Claims) **§ 22:1807, 22:1808**
5. Licensing Alien Cat-Adjusters (HO Claims) **§ 22:1663**
6. Insurer 'Desk Adjuster' Bottleneck (HO Claims)
7. Satisfactory proof of loss versus 60 days to inspect CAT claims.
* Define "satisfactory proof of loss" trigger **§ 22:878, 22:1892**
8. Restore an insurers ability to require a "Sworn Statement" In "Proof of loss" as outlined in the policy and restore ability to enforce loss payment contract language. (HO Claims)
9. Mandatory binding appraisal to fix the amount of loss (HO Claims) **§ 22:1311**
11. Cure period before a party may allege fraud (HO Claims)
12. Strengthen prohibition of assignment of benefits (HO Claims)
13. Allow multiple filings per year (eliminate LDI "12-month rule")
14. License, permit & regulate roofers, appraisers, building consultants (HO) **§ 22:1807, 22:1808**
15. Louisiana Fortify Homes Program – fund **(Reg 126)**
16. Study the feasibility of a Louisiana reinsurance catastrophe fund
17. We need to discuss Louisiana Citizen's bad faith issues – there must be accountability, but the current law must be addressed – do the above ideas cure this issue?