

House Committee on Insurance

Minutes of Meeting
2023 Regular Session
May 10, 2023

I. CALL TO ORDER

Representative Mike Huval, chairman of the House Committee on Insurance, called the meeting to order at 9:38 a.m. in Room 2, in the state capitol in Baton Rouge, Louisiana.

II. ROLL CALL

MEMBERS PRESENT:

Representative Mike Huval, chairman
Representative Chad Brown
Representative Mary DuBuisson
Representative Michael "Gabe" Firment
Representative Lawrence "Larry" Frieman
Representative Cedric B. Glover
Representative Kyle M. Green, Jr.
Representative John R. Illg, Jr.
Representative Edmond Jordan, vice chairman
Representative Sherman Q. Mack
Representative Danny McCormick
Representative Matthew Willard

MEMBERS ABSENT:

Representative Delisha Boyd
Representative Paul Hollis

STAFF MEMBERS PRESENT:

Cydney Jones, legislative analyst
Rashida Keith, attorney
Alicia Powell, committee administrative assistant

ADDITIONAL ATTENDEES PRESENT:

Rebecca Marshall, sergeant at arms

III. DISCUSSION OF LEGISLATION

Senate Bill No. 188 by Senator Stine

Senator Stine presented Senate Bill No. 188, which provides for utilization review and approval procedures of claims for healthcare provider services.

Representative Huval offered amendments to make technical changes. Representative Huval offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 9 yeas and 0 nays. Representatives Huval, DuBuisson, Firment, Frieman, Glover, Illg, Mack, McCormick, and Willard voted yea.

Representative Huval offered amendments to:

- (1) Authorize a health insurance issuer to refer providers and suppliers to a listing or link on its website to comply with proposed law; and
- (2) Change the effective date from the signature of the governor to Jan. 1, 2024.

Representative Huval offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 9 yeas and 0 nays. Representatives Huval, DuBuisson, Firment, Frieman, Glover, Illg, Mack, McCormick, and Willard voted yea.

David Broussard, Louisiana State Medical Society (LSMS), 226 W. William David Pkwy., Metairie, LA 70005, (504) 606-4378, spoke in support of Senate Bill No. 188.

Maria Bowen, LSMS, 5555 Hilton Ave., Baton Rouge, LA 70808, (225) 939-7576, spoke in support of Senate Bill No. 188.

Representative Mack offered a motion to report Senate Bill No. 188 with amendments. Without objection, Senate Bill No. 188 was reported with amendments by a vote of 10 yeas and 0 nays. Representatives Huval, Brown, DuBuisson, Firment, Frieman, Glover, Illg, Mack, McCormick, and Willard voted yea.

Witness cards submitted by individuals who did not speak are as follows: 20 in support. Witness cards are included in the committee records.

Senate Bill No. 110 by Senator Talbot

Senator Talbot presented Senate Bill No. 110, which provides for patient's right to prompt coverage.

Representative Huval offered amendments to make technical changes. Representative Huval offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 8 yeas and 0 nays. Representatives Huval, Brown, Firment, Frieman, Glover, Illg, Mack, and McCormick voted yea.

Julie Stokes, Louisiana Oncology Society, 246 Garden Rd., River Ridge, LA 70123, (504) 250-8113, spoke in support of Senate Bill No. 110.

David Lavergne, Blue Cross Blue Shield of Louisiana, 5525 Reitz Ave., Baton Rouge, LA 70809, (225) 298-1532, spoke for information only on Senate Bill No. 110.

Representative Illg offered a motion to report Senate Bill No. 110 with amendments. Without objection, Senate Bill No. 110 was reported with amendments by a vote of 8 yeas and 0 nays. Representatives Huval, Brown, Firment, Frieman, Illg, Jordan, Mack, and McCormick voted yea.

Witness cards submitted by individuals who did not speak are as follows: 12 in support and 1 for information only. Witness cards are included in the committee records.

Senate Bill No. 143 by Senator Henry

On behalf of Senator Henry, Senator Talbot presented Senate Bill No. 143, which provides for former officers or insolvent insurers.

Stewart Guerin, Louisiana Department of Insurance (LDI), 1702 N. Third St., Baton Rouge, LA 70802, (225) 209-3929, spoke for information only on Senate Bill No. 143.

Representative Huval offered amendments to make technical changes. Representative Huval offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 9 yeas and 0 nays. Representatives Huval, Brown, Firment, Frieman, Glover, Illg, Jordan, Mack, and McCormick voted yea.

Representative Illg offered a motion to report Senate Bill No. 143 with amendments. Without objection, Senate Bill No. 143 was reported with amendments by a vote of 9 yeas and 0 nays. Representatives Huval, Brown, Firment, Frieman, Glover, Illg, Jordan, Mack, and McCormick voted yea.

Witness cards submitted by individuals who did not speak are as follows: 2 in support. Witness cards are included in the committee records.

Senate Concurrent Resolution No. 19 by Senator Talbot

Senator Talbot presented Senate Concurrent Resolution No. 19, which creates the Task Force on Available and Affordable Commercial Motor Vehicle Insurance.

Representative Huval offered amendments to make technical changes. Representative Huval offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 9 yeas and 0 nays. Representatives Huval, Brown, Firmont, Frieman, Glover, Illg, Jordan, Mack, and McCormick voted yea.

Representative Huval offered amendments to:

- (1) Add to the task force the executive director of the Louisiana Coalition for Common Sense;
- (2) Require transmission of the resolution to the Louisiana Coalition for Common Sense; and
- (3) Make technical changes.

Representative Huval offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 9 yeas and 0 nays. Representatives Huval, Brown, Firmont, Frieman, Glover, Illg, Jordan, Mack, and McCormick voted yea.

Representative Firmont offered amendments to:

- (1) Remove the chief executive officer of the Consumer Federation of America or his designee as a member of the task force; and
- (2) Add a representative of the Louisiana Loggers Association.

Representative Firmont offered a motion to adopt the proposed amendments, to which Representative Jordan objected.

Representative Jordan offered amendments to:

- (1) Add a representative of the Louisiana Loggers Association as a member of the task force; and
- (2) Retain a representative of the Consumer Federation of America as a member of the task force.

After discussion, Representative Firment withdrew the amendment.

Representative Jordan offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 9 yeas and 0 nays. Representatives Huval, Brown, Firment, Frieman, Glover, Illg, Jordan, Mack, and McCormick voted yea.

Representative Firment offered a motion to report Senate Concurrent Resolution No. 19 with amendments. Without objection, Senate Concurrent Resolution No. 19 was reported with amendments by a vote of 8 yeas and 0 nays. Representatives Huval, Brown, Firment, Frieman, Glover, Illg, Mack, and McCormick voted yea.

Witness cards submitted by individuals who did not speak are as follows: 9 in support. Witness cards are included in the committee records.

House Bill No. 569 by Representative Thompson

On behalf of Representative Thompson, Representative Huval presented House Bill No. 569, which provides relative to homeowners' insurance.

Hilary Segura, American Property Casualty Insurance Association, 8700 W. Bryn Mawr Ave., Suite 1200, Chicago, IL 60631, (847) 544-8322, spoke in support of House Bill No. 569.

Representative Huval offered amendments to:

- (1) Delete the present law prohibition against insurers increasing deductibles for homeowners' policies in effect and renewed for more than 3 years;
- (2) Provide that present law does not apply to modifications of policy deductibles for homeowners' insurance policies;
- (3) Retain certain present law provisions; and
- (4) Make technical changes.

Representative Huval offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 9 yeas and 0 nays. Representatives Huval, Brown, Firment, Frieman, Glover, Green, Illg, Mack, and McCormick voted yea.

Tom Clark, Allstate Insurance, 301 Main St., Suite 2300, Baton Rouge, LA 70801, (225) 387-4000, spoke in support of House Bill No. 569.

Vice Chairman Jordan in the chair.

Chairman Huval in the chair.

Caitlin Murray, National Association of Mutual Insurance Companies (NAMIC), 850 S. Gadsden St., Tallahassee, FL 32301, (850) 491-8424, spoke in support of House Bill No. 569.

Jimmy Ordeneaux, Louisiana Farm Bureau Insurance, 7000 Commerce Cir., Baton Rouge, LA 70809, (504) 616-9021, spoke in support of House Bill No. 569.

Kendrick Slan, Omega Insurance Group, 1545 Plainsknoll Ave., Zachary, LA 70791, (225) 505-5264, spoke in support of House Bill No. 569.

Lou Fey, The Professional Insurance Agents of Louisiana, no address provided, (225) 362-0018, spoke in opposition to House Bill No. 569.

James Donelon, Louisiana Department of Insurance (LDI), 1702 N. Third St., Baton Rouge, LA 70802, (225) 342-7275, spoke in opposition to House Bill No. 569.

Representative Huval offered a motion to report House Bill No. 569 with amendments, to which Representative Willard objected. The administrative assistant called the roll, and House Bill No. 569 was reported with amendments by a vote of 6 yeas and 4 nays. Representatives Huval, Brown, Firment, Frieman, Glover, and McCormick voted yea. Representatives Illg, Jordan, Mack, and Willard voted nay.

Witness cards submitted by individuals who did not speak are as follows: 7 in support and 4 in opposition. Witness cards are included in the committee records.

House Bill No. 287 by Representative Cormier

Representative Huval announced that action on House Bill No. 287, which provides relative to insurance adjusters and property inspections, was voluntarily deferred.

Further action was taken by the committee on House Bill No. 287 on May 31, 2023. Please check for the subsequent action to complete the record of discussion and motions on House Bill No. 287.

Vice Chairman Jordan in the chair.

Senate Bill No. 113 by Senator Hewitt

Senator Hewitt presented Senate Bill No. 113, which provides for certain insurance premium discounts.

Representative Jordan offered amendments to make technical changes. Representative Jordan offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 8 yeas and 0 nays. Representatives Brown, Firment, Frieman, Glover, Illg, Jordan, Mack, and McCormick voted yea.

Representative Jordan offered an amendment to extend the reduction of insurance premiums to individuals who comply with the fortified multi-family standards created by the Insurance Institute for Business and Home Safety. Representative Jordan offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 8 yeas and 0 nays. Representatives Brown, Firment, Frieman, Illg, Jordan, Mack, McCormick, and Willard voted yea.

Representative Willard offered a motion to report Senate Bill No. 113 with amendments. Without objection, Senate Bill No. 113 was reported with amendments by a vote of 9 yeas and 0 nays. Representatives Huval, Brown, Firment, Frieman, Illg, Jordan, Mack, McCormick, and Willard voted yea.

Witness cards submitted by individuals who did not speak are as follows: 5 in support and 1 for information only. Witness cards are included in the committee records.

House Bill No. 601 by Representative Huval

Representative Huval presented House Bill No. 601, which provides relative to bad faith claims against insurers.

Representative Jordan offered amendments to make technical changes. Representative Jordan offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 9 yeas and 0 nays. Representatives Huval, Brown, Firment, Frieman, Green, Illg, Jordan, Mack, and McCormick voted yea.

Jimmy Ordeneaux, Louisiana Farm Bureau Insurance, 7000 Commerce Cir., Baton Rouge, LA 70809, (504) 616-9021, spoke in support of House Bill No. 601.

Representative Huval offered amendments to:

- (1) Make technical changes;
- (2) Change the definition of "disinterested" to mean that a party does not have, nor has he ever had, a pecuniary or monetary interest in the claim, a familial relationship with either party, or an employee or employer relationship with either party;
- (3) Change "probable cause" to "reasonable cause";

- (4) Provide that immovable property shall include manufactured and modular homes;
- (5) Require that an insured provide a signed statement of proof of loss and delete the requirement that an insured give the insurer a sworn statement of proof of loss;
- (6) Provide that the commissioner of insurance may promulgate and adopt a rule in accordance with the Administrative Product Act to extend the time period up to an additional 30 days for an insurer to initiate a loss adjustment in certain circumstances; and
- (7) Implement a 30-day-time period for an insurer to provide the insured with his proof of loss.

Representative Huval offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 8 yeas and 0 nays. Representatives Huval, Brown, Frieman, Green, Illg, Jordan, Mack, and McCormick voted yea.

Ben Albright, Independent Insurance Agents and Brokers of Louisiana, 18153 E. Petroleum Dr., Baton Rouge, LA 70808, (225) 615-0020, spoke in support of House Bill No. 601.

Luke Williamson, Louisiana Association for Justice, 955 McClung St., Baton Rouge, LA 70802, (225) 383-4010, spoke in opposition of House Bill No. 601.

Representative Huval offered a motion to report House Bill No. 601 with amendments. Without objection, House Bill No. 601 was reported with amendments by a vote of 9 yeas and 0 nays. Representatives Huval, Brown, Firment, Frieman, Illg, Jordan, Mack, McCormick, and Willard voted yea.

Witness cards submitted by individuals who did not speak are as follows: 18 in support and 1 in opposition. Witness cards are included in the committee records.

House Bill No. 604 by Representative Garofalo

This is a continuation of the discussion on House Bill No. 604 from April 20, 2023 and May 2, 2023. Please check for the prior actions to complete the record of discussions and motions on House Bill No. 604.

Representative Garofalo presented House Bill No. 604, which provides for the appraisal process.

Representative Jordan offered a motion to voluntarily defer action on House Bill No. 604. Without objection, action on House Bill No. 604 was voluntarily deferred by a vote of 8 yeas and 0 nays.

Representatives Huval, Brown, Firment, Frieman, Jordan, Mack, McCormick, and Willard voted yea.

Witness cards submitted by individuals who did not speak are as follows: 7 in support, 2 in opposition, and 1 for information only. Witness cards are included in the committee records.

IV. OTHER BUSINESS

There was no other business.

V. ANNOUNCEMENTS

There were no announcements.

VI. ADJOURNMENT

Representative Frieman offered a motion to adjourn. Without objection, the motion passed by a vote of 8 yeas and 0 nays. Representatives Huval, Brown, Firment, Frieman, Jordan, Mack, McCormick, and Willard voted yea.

The meeting was adjourned at 12:58 p.m.

Respectfully submitted,

Chairman Mike Huval
House Committee on Insurance

Date adopted: