

## **House Committee on Insurance**

Minutes of Meeting  
2022 Regular Session  
April 13, 2022

### **I. CALL TO ORDER**

Representative Mike Huval, chairman of the House Committee on Insurance, called the meeting to order at 9:35 a.m. in Room 2, in the state capitol in Baton Rouge, Louisiana.

### **II. ROLL CALL**

#### **MEMBERS PRESENT:**

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

#### **MEMBERS ABSENT:**

None

#### **STAFF MEMBERS PRESENT:**

Rashida Keith, attorney  
Adam Patrick, attorney  
Alicia Powell, committee administrative assistant

#### **ADDITIONAL ATTENDEES PRESENT:**

Rebecca Marshall, sergeant at arms

### III. DISCUSSION OF LEGISLATION

#### **House Bill No. 83 by Representative Schlegel**

Representative Schlegel presented House Bill No. 83, which provides relative to homeowner's insurance policies that require a civil authority to prohibit use of the dwelling in order to pay loss of use benefits.

Jimmy Ordeneaux, Louisiana Farm Bureau, 701 Poydras Street, Suite 3800, New Orleans, LA 70139, (504) 586-5272, spoke in opposition to House Bill No. 83.

Tom Clark, Allstate, 301 Main Street, Suite 2300, Baton Rouge, LA 70801, (225) 387-4000, spoke in opposition to House Bill No. 83.

Kevin Cunningham, American Property Casualty Insurance Association, 543 Spanish Town Road, Baton Rouge, LA 70802, (225) 381-0166, spoke in opposition to House Bill No. 83.

Representative Huval offered amendments to:

- (1) Specify that the provisions of proposed law will apply to a loss of use after a disaster has occurred.
- (2) Provide that a state of emergency must be declared by a civil authority for the provisions of proposed law to apply.
- (3) Provide that in addition to the mandatory evacuation order requirement, the area must also subsequently be declared to be unsafe as a result of a peril covered by the policy for the provisions of proposed law to apply.
- (4) Remove the requirement that a declaration must be made through a formal order or announcements in public media stating that the area in which the dwelling is located is unsafe as a result of a peril covered by the policy for the provisions of proposed law to apply.
- (5) Add a requirement that a voluntary evacuation order must be issued by a civil authority for the area in which the dwelling is located and that area must subsequently be declared to be unsafe as a result of a peril covered by the policy for the provisions of proposed law to apply.

- (6) Provide that for the purposes of proposed law the insurer shall interpret all actions of a civil authority, including but not limited to public media announcements, without regard as to whether a formal evacuation order was issued in writing.
- (7) Make technical changes.

Representative Huval offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 11 yeas and 0 nays. Representatives Huval, Boyd, Brown, DuBuisson, Edmonston, Firment, Frieman, Hollis, Illg, Jordan, and Willard voted yea.

James Donelon, Louisiana Department of Insurance (LDI), 1702 N. Third Street, Baton Rouge, LA 70802, (225) 342-7275, spoke in support of House Bill No. 83.

Jeff Zewe, LDI, 1702 N. Third Street, Baton Rouge, LA 70802, (225) 342-0819, spoke for information only on House Bill No. 83.

Representative Illg offered a motion to report House Bill No. 83 with amendments, to which Representative Firment objected. The administrative assistant called the roll, and House Bill No. 83 was reported with amendments by a vote of 8 yeas and 4 nays. Representatives Huval, Boyd, Brown, Edmonston, Glover, Hollis, Illg, and Willard voted yea. Representatives DuBuisson, Firment, Frieman, and Jordan voted nay.

Witness cards submitted by individuals who did not speak are as follows: 2 in support and 4 in opposition. Witness cards are included in the committee records.

### **House Bill No. 870 by Representative LaCombe**

Representative LaCombe presented House Bill No. 870, which provides for coverage for a temporary substitute motor vehicle.

Representative Brown offered an amendment to add to the definition of a temporary substitute motor vehicle a requirement that the operator of the vehicle has, or reasonably believes to have, permission from the owner to operate the vehicle and such operation is within the scope of such permission. Representative Brown offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 9 yeas and 0 nays. Representatives Huval, Brown, DuBuisson, Edmonston, Firment, Frieman, Glover, Hollis, and Jordan voted yea.

Jimmy Ordeneaux, Louisiana Farm Bureau, 701 Poydras Street, Suite 3800, New Orleans, LA 70139, (504) 586-5272, spoke in opposition to House Bill No. 870.

Tom Clark, Allstate, 301 Main Street, Suite 2300, Baton Rouge, LA 70801, (225) 387-4000, spoke in opposition to House Bill No. 870.

Representative Brown offered a motion to report House Bill No. 870 with amendments. Without objection, House Bill No. 870 was reported with amendments by a vote of 10 yeas and 0 nays. Representatives Huval, Brown, DuBuisson, Edmonston, Firment, Frieman, Glover, Hollis, Jordan, and Willard voted yea.

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

### **House Bill No. 682 by Representative Brown**

Representative Brown presented House Bill No. 682, which provides for a claims adjuster database.

Representative Brown offered amendments to:

- (1) Remove the requirement that a claims adjuster's profile within the database include a picture of the adjuster.
- (2) Remove the requirement that a claims adjuster's profile within the database include any insurers for which the claims adjuster has worked and the dates he worked for each insurer.
- (3) Remove the requirement that a claims adjuster's profile within the database include any criminal action taken against the claims adjuster.
- (4) Remove the requirement that a claims adjuster's profile within the database include any information the department has that is not privileged, relative to the claims adjuster.
- (5) Make technical changes.

Representative Brown 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, DuBuisson, Edmonston, Firment, Frieman, Glover, Hollis, and Willard voted yea.

Eric Holl, Real Reform Louisiana, 640 Lakeland Drive, Baton Rouge, LA 70802, (703) 399-4841, spoke in support of House Bill No. 682.

Representative Brown offered a motion to report House Bill No. 682 with amendments. Without objection, House Bill No. 682 was reported with amendments by a vote of 11 yeas and 0 nays. Representatives Huval, Boyd, Brown, DuBuisson, Edmonston, Firment, Frieman, Glover, Hollis, Jordan, and Willard voted yea.

Witness cards submitted by individuals who did not speak are as follows: 3 in support and 1 for information only.

**House Bill No. 557 by Representative Willard**

Representative Willard presented House Bill No. 557, which provides relative to the dispensing of contraceptives.

Representative Willard offered amendments to:

- (1) Clarify that the dispensing of contraceptive drugs onsite at the provider's office is required if the prescribing provider is contracted with the health coverage plan or the plan's pharmacy benefit manager to dispense outpatient prescription drugs through the plan's pharmacy benefit.
- (2) Change the disbursement of contraceptive drugs from a 12-month supply to a six month supply.
- (3) Decrease the time frame for which the insured is required to have consecutively used the contraceptive drugs from 12 months to six months.

Representative Willard offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 11 yeas and 0 nays. Representatives Huval, Boyd, Brown, DuBuisson, Edmonston, Firment, Frieman, Glover, Hollis, Jordan, and Willard voted yea.

Charmaine Caccioppe, United Way Southeast Louisiana, 2515 Canal Street, New Orleans, LA 70119, (504) 669-8529, spoke for information only on House Bill No. 557.

Representative Willard offered a motion to report House Bill No. 557 with amendments. Without objection, House Bill No. 557 was reported with amendments by a vote of 13 yeas and 0 nays. Representatives Huval, Boyd, Brown, DuBuisson, Edmonston, Firment, Frieman, Glover, Green, Hollis, Illg, Jordan, and Willard voted yea.

Witness cards submitted by individuals who did not speak are as follows: 6 in support and 1 for information only. Witness cards are included in the committee records.

Statements submitted in accordance with House Rule 14.33 in lieu of appearing before the committee are as follows: 1 in support. Copies of these statements are included in the committee records.

**House Bill No. 339 by Representative Coussan**

Representative Coussan presented House Bill No. 339, which provides relative to coordination of benefits requirements.

Greg Waddell, Louisiana Hospital Association, 9521 Brookline Avenue, Baton Rouge, LA 70809, (225) 928-0026, spoke in support of House Bill No. 339.

Representative Jordan offered amendments to:

- (1) Make technical changes.
- (2) Add three certain conditions that must apply relative to use of a provision that delays or denies payment.
- (3) Provides an effective date.

Melissa Bezet, Baton Rouge General Health System, 8585 Picardy Drive, Baton Rouge, LA 70809, (225) 237-1699, spoke in support of House Bill No. 339.

David Lavergne, Blue Cross Blue Shield of Louisiana (BCBSLA), 5525 Reitz Avenue, Baton Rouge, LA 70809, (225) 252-6501, spoke in opposition to House Bill No. 339.

Carole Paetz, BCBSLA, 504 Broadmoor Avenue, Baton Rouge, LA 70815, (225) 252-0289, spoke in opposition to House Bill No. 339.

Representative Huval offered a technical amendment. Representative Huval offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 11 yeas and 0 nays. Representatives Huval, Boyd, Brown, DuBuisson, Edmonston, Firment, Frieman, Glover, Jordan, Mack, and Willard voted yea.

Representative Willard offered an amendment to require a contracted healthcare provider to share with a plan any coordination of benefits information obtained by the provider from the insured. Representative Willard offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 11 yeas and 0 nays. Representatives Huval, Boyd, Brown, DuBuisson, Edmonston, Firment, Frieman, Glover, Jordan, Mack, and Willard voted yea.

After discussion, Representative Jordan withdrew the amendments he offered.

Representative Willard offered a motion to report House Bill No. 339 with amendments. Without objection, House Bill No. 339 was reported with amendments by a vote of 11 yeas and 0 nays.

Representatives Huval, Boyd, Brown, DuBuisson, Edmonston, Firment, Frieman, Glover, Jordan, Mack, and Willard voted yea.

Witness cards submitted by individuals who did not speak are as follows: 24 in support. Witness cards are included in the committee records.

#### **IV. OTHER BUSINESS**

There was no other business.

#### **V. ANNOUNCEMENTS**

There were no announcements.

#### **VI. ADJOURNMENT**

The meeting was adjourned at 1:31 p.m.

Respectfully submitted,

Chairman Mike Huval  
House Committee on Insurance

Date adopted: