



LOUISIANA DEPARTMENT OF INSURANCE

JAMES J. DONELON

COMMISSIONER

INSTRUCTIONS FOR APPLICATION TO ACT AS A DISCOUNT MEDICAL PLAN IN THE STATE OF LOUISIANA

GENERAL INSTRUCTIONS

This packet is designed to assist the individual preparing the application in complying with all statutory and administrative requirements and to facilitate review of the application by the Louisiana Department of Insurance (LDI). Therefore, it is extremely important that all applicants comply fully with the instructions and requirements set forth in this packet. This application should be used for initial and renewal registration of a discount medical plan pursuant to La. R.S. 22:1260.0-1260.11

Direct all communication to:

Louisiana Department of Insurance

Company Licensing Division

P.O. Box 94214

Baton Rouge, LA 70804-9214

Or

1702 3rd St. Baton Rouge, LA 70802

Phone: (225) 219-0565

Fax: (225) 342-7401

Email: companyapps@ldi.la.gov

While the LDI will be happy to assist you and answer any questions you may have, we ask that you thoroughly review all instructions and forms before contacting us.

- 1) The LDI accepts electronic submission of the application. The applicant should contact the LDI prior to submission to make arrangements for a secure portal for such a submission. Submission of sensitive or confidential information via standard email is not recommended. After submission of the application electronically, the payment of the fees must be submitted hard copy to the address above. All payments must be made payable to the Louisiana Department of Insurance.
- 2) If the application is submitted hard copy, all submittals in association with this application must reach the LDI via the United States Postal Service or a carrier with interstate business. Hand delivery is not acceptable and any information arriving in this manner will be returned without review. In addition, all correspondence must be sent to the attention of Company Licensing to assure prompt receipt and handling.
- 3) Submit only a fully completed application. Submittal of a partially completed application will cause processing delays and may result in disapproval.

- 4) **Do not alter** the forms contained in this packet. If you feel the requirements do not apply to your company, notify us. We will supply the proper form, if appropriate, and/or answer any questions you have about the forms.
- 5) All original items submitted become the property of the LDI and **will not be returned**.
- 6) All certified documents required in the application must be dated within ninety (90) days of submittal of the application. If an application is submitted hard copy rather than electronically, all certifications must be original.
- 7) All entries in the application forms must be typed or printed. Illegible entries or responses will be considered incomplete and may result in the disapproval of the application.
- 8) When designating a contact person for the application process, please remember that our staff will communicate only with this individual. The application process is considered confidential and will not be discussed with any person other than the named contact person. The applicant must notify the LDI in writing of any change in contact person.
- 9) The applicant must notify the LDI of any changes in the applicant or the information submitted in association with this application which occur while the application is under review. This includes changes in officers and directors; changes in address or domicile; and changes to the financial statements submitted in support of this application. Failure to notify the LDI of such changes may result in disapproval of the application.

SPECIAL INSTRUCTIONS FOR LOUISIANA DOMICILED APPLICANTS

If the applicant is domiciled in Louisiana, the entity is subject to the provisions of [LAC37:XXIII. Chapter 5L \(Regulation 66\)](#) and must supply certain additional information for all persons responsible for the conduct of affairs of the applicant. Including all directors, all trustees, all executive committee members and every natural person owning, directly or indirectly, ten percent or more of the applicant and any other person who exercises control or influence over the affairs of the applicant. Below is specific information and instructions for those requirements.

FINGERPRINTING (EXHIBIT N)

For residents of Louisiana or individuals who are able to travel to Louisiana for printing, fingerprinting services are provided by the license testing vendor, PSI. No appointment is necessary and a list of testing locations and hours of operation is available on PSI's website (PSIexams.com). Fingerprinting fees are paid at the site at the time of submission.

For any individual who is not a resident of Louisiana who is unable to travel to Louisiana for printing, the following steps are required:

- 1) Duplicate (2) fingerprint cards for each individual must be submitted. You may submit requests for blank fingerprint cards to companyapps@ldi.la.gov. Please include the number of cards required and the address to which the cards should be mailed.
- 2) Appropriate Fees must be submitted made payable to the Louisiana State Police. The proper fee amounts are stated at the top of the Authorization to Disclose Criminal History Records Information form referenced below.
- 3) A completed Authorization to Disclose Criminal History Records Information for each applicant. [This form is available on the LDI website.](#)
- 4) A completed Rap Sheet Disclosure Form for each applicant. [This form is available on the LDI website.](#)

All of these documents should be sent to:

Louisiana State Police
Bureau of Criminal Identification and Information
P.O. Box 66614 (Mail Slip A-6)
Baton Rouge, LA 70896

Generally, the Department will receive fingerprint results within three to four days from submission of the fingerprints. If the Louisiana State Police or Federal Bureau of Investigation are unable to run the reports due to unreadable or unclear fingerprint submissions, it may take up to sixty (60) days for a check to be completed using alternate means.

Any individual that is currently serving as an officer or director of another domestic regulated entity or has previously submitted fingerprints in association with a resident producer or adjuster license application may request a waiver of the fingerprinting requirements. Requests for such a waiver should be sent to companyapps@ldi.la.gov. The request must provide a full explanation of the application to be filed, the names of all individuals for whom the waiver is requested and clearly explain the grounds for the request.

THIRD PARTY VERIFICATION REPORTS (EXHIBIT O)

The reports must be prepared by one of the firms approved by the National Association of Insurance Commissioners. A list of those approved firms is available at http://naic.org/documents/industry_ucaa_third_party.pdf. The applicant should advise the firm that the reports are being prepared for the LDI and make the necessary arrangements for payment.

CONTRACT AND ADVERTISEMENT/MARKETING MATERIALS COMPLIANCE

It is the responsibility of the applicant to provide contract and advertising materials which are compliant with the applicable provisions of Louisiana law. Forms and advertising/marketing materials which are not compliant will lead to delays in the application review and may result in the disapproval of the application

REGISTRATION WITH THE LOUISIANA SECRETARY OF STATE

Submitting this application to the Louisiana Department of Insurance does not in any way dismiss a corporation from the requirements of registration with the Louisiana Secretary of State. It is the responsibility of the corporation to contact that Office and make whatever arrangements may be necessary. The address and telephone number are given below.

Louisiana Secretary of State
Corporations Division
P.O. Box 94215
Baton Rouge, LA 70804-9215
(225) 925-4704

SPECIAL INSTRUCTIONS FOR ATTESTATION PAGE

This application is designed to be an act under private signature under Louisiana law. As such, the attestation page requires the signature of an individual which must be witnessed by two persons AND executed before a notary.

If the application is filed in the name of an individual, the individual must sign the application. If the application is filed for other than a natural person (individual), the application must be signed by an executive officer or other comparable responsible person (officer, director, partner, managing member or sole proprietor).

SPECIAL INSTRUCTIONS FOR RENEWAL APPLICATION

This application form is to be used for both the initial application for registration and renewals. A registration as a discount medical plan expires two years from the date of initial registration. If the application is being filed for the purpose of renewal, a complete application must be submitted no less than ninety days prior to the expiration of the registration.

For any exhibit which has not changed from the information on file with the LDI, the applicant may provide a statement affirming that there are NO changes from the previous submission. Such a statement must be provided for each exhibit.

COMMON QUESTIONS

The following are some of the most commonly asked questions regarding the application package and process.

Q: Where can I find the laws and regulations governing discount medical plan organizations in Louisiana?

A: The provisions of La. R.S. 22:1260.1-1260.11 govern the regulation of discount medical plans.

Q: What is the time frame for the review of an application?

A: This Department reviews all applications as soon after submittal as possible. The review process can be expected to take from sixty (60) to ninety (90) days from receipt of a complete application. Please take this time frame into account when considering deadlines and operation schedules for the applicant.

Q: Can the forms in the application packet be recreated on a word processor for completion by the applicant?

A: No. The forms in this packet are designed for ease of recognition by our staff and, in many cases, in strict compliance with statutory wording requirements. Therefore, any changes in the format or wording of the forms will cause delays in the review and may lead to the disapproval of the application.

Q: Can we meet with the Department for a preliminary review of our application prior to submission?

A: Yes. Our staff will be happy to meet with representatives of the applicant to review the application before it is submitted. This courtesy review is to help assure completeness only and our Division will not issue a preliminary approval or disapproval of the application prior to submission. Any application sent to this Office via U.S. Mail or a carrier with interstate business will be considered submitted for review and will not be eligible for a preliminary review. Preliminary reviews will be performed only with an appointment. To schedule an appointment, contact the Company Licensing Division.



LOUISIANA DEPARTMENT OF INSURANCE
JAMES J. DONELON
COMMISSIONER

**APPLICATION TO ACT AS A
DISCOUNT MEDICAL PLAN
IN THE STATE OF LOUISIANA**

GENERAL INFORMATION (Type or Print)	
APPLICANT NAME: _____	
TRADE NAME: _____	
FEI OR SOCIAL SECURITY NO.: _____	DOMICILE: _____
HOME OFFICE ADDRESS: _____ _____ _____	
CONTACT NAME: _____	CONTACT TITLE: _____
CONTACT ADDRESS: _____ _____ _____	
PHONE: _____	FACSIMILE: _____
EMAIL: _____	
APPLICATION PURPOSE	
<input type="checkbox"/> Initial Registration <input type="checkbox"/> Renewal of Registration	
FEES	
Application and Renewal Fee	\$ 250.00

SECTION 2 - INTERROGATORIES

All of the following questions must be answered for every applicant. ATTACH A FULL EXPLANATION AND THE REQUESTED INFORMATION FOR ANY "YES" ANSWERS

<p>1) Has the applicant ever had an application denied by any state or federal regulatory authority? (If yes, provide details including the type of application, identity of the agency which issued the denial and an explanation of any subsequent events.)</p>	<input type="checkbox"/> YES	<input type="checkbox"/> NO
<p>2) Has the applicant or any entity which is affiliated or under the same general management, interlocking directorate or ownership as the applicant ever had a Certificate of Authority or license suspended or revoked by any regulatory authority? (If yes, provide details including the type of action, the identity of the authority that took the action, the reasons for the action, a copy of the order or other such notice of the action and an explanation of any subsequent events.)</p>	<input type="checkbox"/> YES	<input type="checkbox"/> NO
<p>3) Has the applicant ever been subject to any regulatory action including cease and desist orders, fines, consent agreements or similar actions? (If yes, provide details including the type of action, the identity of the authority that took the action, the reasons for the action, a copy of the order or other such notice of the action and an explanation of any subsequent events.)</p>	<input type="checkbox"/> YES	<input type="checkbox"/> NO
<p>4) Has the applicant ever been placed into any type of regulatory supervision or rehabilitation by any regulatory authority? (If yes, provide details including the type of action, the identity of the authority that took the action, the reasons for the action, a copy of the order or other such notice of the action , an explanation of any subsequent events and an explanation of the current status.)</p>	<input type="checkbox"/> YES	<input type="checkbox"/> NO
<p>5) Is the applicant currently involved in any dispute or controversy with any state or federal regulatory authority?</p>	<input type="checkbox"/> YES	<input type="checkbox"/> NO
<p>6) Has the applicant ever been the subject of bankruptcy or liquidation proceedings? (If yes, provide the jurisdiction of the proceedings, the docket number and the current status and the date of final dispensation.)</p>	<input type="checkbox"/> YES	<input type="checkbox"/> NO
<p>7) Is the applicant currently a defendant or subject in any legal action alleging fraud, dishonesty or breach of trust on the part of the applicant or its officers, directors, trustees or members? (If yes, supply a statement giving the jurisdiction of the case, a summary of the allegations, the case style (name) and a summary of the current status of the case.)</p>	<input type="checkbox"/> YES	<input type="checkbox"/> NO
<p>8) Has the applicant or any person who is presently an officer, director or owner of 10 percent or more of the applicant ever been convicted of or pleaded guilty or nolo contendere to, or found liable of indictment or bill of information, in any jurisdiction, charging a felony or misdemeanor other than minor traffic violations?</p>	<input type="checkbox"/> YES	<input type="checkbox"/> NO
<p>9) Within the last five years has the applicant changed its name?</p>	<input type="checkbox"/> YES	<input type="checkbox"/> NO
<p>10) Within the last five years, has the applicant undergone a change in domicile? (Changes of domicile address within the same state need not be included.)</p>	<input type="checkbox"/> YES	<input type="checkbox"/> NO
<p>11) Within the last five years has the applicant merged or consolidated with any other entity?</p>	<input type="checkbox"/> YES	<input type="checkbox"/> NO

SECTION 2 – INTERROGATORIES – (Continued)

12) Within the last five years, has the applicant undergone a change in ownership (direct or indirect) of 10 percent or more? (If yes, provide a full explanation of the change in ownership and an organizational/ownership chart which clearly shows the ownership of the applicant both before and after the transaction.)	<input type="checkbox"/> YES	<input type="checkbox"/> NO
13) Is the applicant presently negotiating or inviting negotiations or acting as party to a counterletter which would result in a merger or consolidation with any other entity or which would result in a change of ownership of ten percent or more?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
14) Does the applicant contemplate a change in management or any transaction which would normally result in a change of management within the foreseeable future?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
15) Is the applicant owned, operated or controlled, directly or indirectly, by any other state or province, district, territory or nation or any governmental subdivision or agency?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
16) Is the applicant or any entity which is affiliated or under the same general management, interlocking directorate or ownership as the applicant currently licensed in any capacity by the Louisiana Department of Insurance? (If yes, provide the full name of the affiliated entity and the type of license(s) held in Louisiana.)	<input type="checkbox"/> YES	<input type="checkbox"/> NO
17) Has the applicant or any entity which is affiliated or under the same general management, interlocking directorate or ownership as the applicant operated in any capacity in Louisiana for which it would be required to be licensed by or registered with the Louisiana Department of Insurance without having first obtained the necessary license?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
18) Is the applicant currently undergoing an examination or audit (whether routine, targeted or otherwise) being conducted by any state or federal regulatory agency?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
19) Is the applicant part of an insurance holding company group? (If yes, provide the holding company group code assigned by the NAIC _____)	<input type="checkbox"/> YES	<input type="checkbox"/> NO
20) Is the applicant or its parent corporation a publicly traded company? (If yes, attach a copy of the most recent 10K or equivalent filing.)	<input type="checkbox"/> YES	<input type="checkbox"/> NO
21) Does the regulatory authority governing the applicant in the state or country of domicile have any statutes or regulations that might prohibit or restrict in any way the disclosure of information concerning the applicant to the Louisiana Department of Insurance?	<input type="checkbox"/> YES	<input type="checkbox"/> NO

SECTION 3 - OFFICIAL LIST OF MANAGEMENT AND OWNERS

Below give a complete list of all persons responsible for the conduct of affairs of the applicant. This list should include all officers, all directors, all trustees, all executive committee members and every natural person owning, directly or indirectly, ten percent or more of the applicant and any other person who exercises control or influence over the affairs of the applicant.

NAME:		S.S.#:	
STREET:	CITY:	STATE:	ZIP:
POSITION:		OWNERSHIP %:	
NAME:		S.S.#:	
STREET:	CITY:	STATE:	ZIP:
POSITION:		OWNERSHIP %:	
NAME:		S.S.#:	
STREET:	CITY:	STATE:	ZIP:
POSITION:		OWNERSHIP %:	
NAME:		S.S.#:	
STREET:	CITY:	STATE:	ZIP:
POSITION:		OWNERSHIP %:	
NAME:		S.S.#:	
STREET:	CITY:	STATE:	ZIP:
POSITION:		OWNERSHIP %:	
NAME:		S.S.#:	
STREET:	CITY:	STATE:	ZIP:
POSITION:		OWNERSHIP %:	
NAME:		S.S.#:	
STREET:	CITY:	STATE:	ZIP:
POSITION:		OWNERSHIP %:	
NAME:		S.S.#:	
STREET:	CITY:	STATE:	ZIP:
POSITION:		OWNERSHIP %:	

SECTION 4 – EXHIBITS

EXHIBIT A – A copy of the articles of incorporation, articles of association, partnership agreement or other such organizational documents and all amendments thereto of the applicant certified by the proper domiciliary official. The certification must be original and dated within ninety (90) days of submission.

EXHIBIT B – A copy of the bylaws of the applicant certified as true and correct by the secretary of the applicant, if a corporation; a partner, if a partnership; or other appropriate person. This certification must be within ninety (90) days of submission.

EXHIBIT C – A copy of the trade name certificate issued to the applicant by the Louisiana Secretary of State. This item must be supplied by any applicant utilizing a trade name or d/b/a in Louisiana.

EXHIBIT D – Description of operations used in providing plan members access to providers who offer medical services at a discount. The description shall include all of the items listed below. Submit **ONLY** information applicable to Louisiana. If the exact format given below is not followed, the applicant must include an index sheet providing the page and paragraph location of each of the items.

- The proposed marketing, including, but not limited to, describing the use of marketers, the use of the Internet, sales by telephone and use of salespersons to market the discount medical plan benefits.
- A description of the member complaint procedures to be established and maintained by the applicant.
- A general description of operation of the discount medical plan, which includes a statement that the plan does not provide indemnity insurance coverage for medical services.

EXHIBIT E – A sample copy of the contract with a member which includes a general description of the member’s rights under the discount medical plan.

EXHIBIT F – A sample copy of a contract, absent the fee schedule, with a health care provider which includes a general description of the health care provider’s rights under the discount medical plan.

EXHIBIT G - Copies of all marketing materials and brochures intended for use in Louisiana. If the applicant has not developed Louisiana specific materials but has the form or format of such materials used in other states, those should be submitted.

EXHIBIT H - A detailed description of the corporate organizational/ownership structure of the applicant, its parent company and all affiliates. This description should include a chart showing the ownership percentages for any persons owning 10 percent or more of the applicant and all affiliated entities up to and including the ultimate controlling person. The chart must include the state of domicile and the Federal Employer Identification Number (FEIN) for each person. A sample chart is available at <https://www.ldi.la.gov/docs/default-source/documents/licensing/companies/sample-ownership-chart.pdf?sfvrsn=0> If there is no person who owns, directly or indirectly, 10 percent or more of the applicant then you must provide a statement to that effect in lieu of this exhibit.

EXHIBIT I – An appointment of agent for service of process form fully completed. If the applicant is not domiciled in Louisiana and has not otherwise named an Agent for Service of Process, they may name the Commissioner of Insurance as the Agent for Service of Process.

SECTION 4 – EXHIBITS - Continued

THE FOLLOWING MUST BE PROVIDED BY LOUISIANA DOMICILED APLICANTS ONLY

- EXHIBIT J** – A copy of the acceptance of trust executed by each director of the company. You may find a sample Director’s Acceptance of Trust form at <http://www.lldi.la.gov/docs/default-source/documents/licensing/companies/directors-acceptance-of-trust.pdf?sfvrsn=0> but the applicant is free to develop its own form.
- EXHIBIT K** – A copy of the oath of officer executed by each officer of the company. You may find a sample form of the Oath of Officer at <http://www.lldi.la.gov/docs/default-source/documents/licensing/companies/oath-of-officer.pdf?sfvrsn=0> but the applicant is free to develop its own form.
- EXHIBIT L** – A Conflict of Interest Statement completed and signed by every officer and director. You may find a copy of the Conflict of Interest Statement at <http://www.lldi.la.gov/docs/default-source/documents/licensing/companies/conflict-of-interest-statement-for-reg-66>. A copy of the Conflict of Interest policy of the applicant must be supplied with the statement.
- EXHIBIT M** – Completed biographical affidavits for all persons responsible for the conduct of affairs of the applicant. This should include all officers, all directors, all partners (in the case of a partnership), all trustees, all executive committee members and all person(s) owning, directly or indirectly, 10 percent or more of the applicant and any other person who exercises control or influence over the affairs of the applicant. Only the most recent version of the affidavit adopted by the National Association of Insurance Commissioners is acceptable. This form can be obtained from the NAIC web site (http://naic.org/documents/industry_ucaa_form11.pdf).
- EXHIBIT N** –Written confirmation from the applicant that the fingerprints have been submitted as indicated in the special instructions in this application.
- EXHIBIT O** – Written confirmation from the applicant that third party verification reports have been requested as indicated in the special instructions in this application. Include the name of the firm from which the requests were made and the date of the request and payment.

SECTION 5 – CONTACT INFORMATION

PRIMARY CONTACT: Below give the name, address, phone number and email address for the primary contact person with whom this Department should communication after completion of the licensing process.		
Name:		
Address:		
City:	State:	Zip:
Phone Number:	Email Address:	
CONTRACT FORMS CONTACT: Below give the name, address, phone number and email address for the primary contact person with whom this Department should communication regarding contract forms and advertising material.		
Name:		
Address:		
City:	State:	Zip:
Phone Number:	Email Address:	
GRIEVANCES CONTACT: Below give the name, address, phone number and email address for the person to whom consumer complaints and grievances should be directed. This person must be a corporate officer.		
Name:		
Address:		
City:	State:	Zip:
Phone Number:	Email Address:	
CONTACT PHONE NUMBERS Below give the appropriate phone number for the indicated function. If the applicant has designated numbers for specific functions, include that information below.		
FUNCTION	PHONE NUMBER	
Primary Phone Number of Applicant		
General Consumer Inquiries		
WEB ADDRESS: If the applicant maintains a web site, give the URL or World Wide Web address of the site.		

ATTESTATION

STATE OF _____

COUNTY OR PARISH OF _____

BEFORE ME, the undersigned authority, personally appeared _____

as an authorized representative of _____,

who, after being duly sworn, did depose and state that all information contained in this application and all attachments thereto are, to the best of his/her knowledge, true, complete and correct.

Signature of Witness

Signature of Applicant, Executive Officer or Other
Comparable Responsible Person

Printed Name of Witness

Printed Name of Signatory

Signature of Witness

Title or Position of Signatory

Printed Name of Witness

SWORN TO and subscribed before me this _____ day of _____, 20____.

Signature of Notary

Printed Name of Notary

NOTARIAL SEAL

My Commission Expires _____

Know All Men By These Presents:

That _____
Full Legal Name of Applicant
of the City of _____, in the State of _____

having applied for registration as a discount medical plan in the State of Louisiana, in conformity with the laws thereof, does hereby make, constitute and appoint: (Check either A or B and provide requested information)

A COMMISSIONER OF INSURANCE OF THE STATE OF LOUISIANA OR HIS SUCCESSORS IN OFFICE.

OR

B NAME OF AGENT _____

ADDRESS _____

Street Address

City State Zip Code

as its true and lawful Agent, in and for the State of Louisiana, on whom all legal process against said person may be served in any action or proceeding, subject to and in accordance with all the provisions of the statutes and laws in said State of Louisiana, and such other acts as may be hereafter passed amendatory thereof and supplementary thereto, and said person does hereby authorize named Attorney to receive and accept service of process in all cases as provided for in the said laws and such service shall be deemed valid personal service upon said person. This appointment is to continue in force for the period of time and in the manner provided for in the statutes of the State of Louisiana.

Signature of Applicant or Authorized Representative

Printed Name of Applicant or Authorized Representative

NOTARY STATEMENT

BEFORE ME, the undersigned authority, personally came and appeared:

to me known to be the person described in and who executed the foregoing Appointment of Attorney to Accept Service of Process form and acknowledges that he/she executed it as his/her free act and deed.

Sworn to and subscribed and sworn to before me, a Notary Public, at _____

this _____ day of _____ 20_____.

State of _____

NOTARY SEAL

Signature of Notary

Parish/County of _____

Print Name of Notary