

19TH JUDICIAL DISTRICT COURT FOR THE PARISH OF EAST BATON ROUGE

STATE OF LOUISIANA

NUMBER: 641 928

SECTION: 26

JAMES J. DONELON
COMMISSIONER OF INSURANCE FOR THE STATE OF LOUISIANA
VERSUS
LOUISIANA HEALTH COOPERATIVE, INC.

COST OK \$ 5.00
~~2437498~~

FILED: _____

DEPUTY CLERK
OCT 26 2015
DEPUTY CLERK OF COURT

MOTION TO APPROVE PLAN FOR DISTRIBUTION OF NOTICES OF REHABILITATION AND CANCELLATION OF COVERAGE TO POLICYHOLDERS, MEMBERS, ENROLEES, AND SUBSCRIBERS, AND NOTICES OF REHABILITATION TO BROKERS/AGENTS, TO VENDORS, AND TO PROVIDERS AND INCORPORATED MEMORANDUM

NOW INTO COURT, through undersigned counsel comes James J. Donelon, Commissioner of Insurance for the State of Louisiana as Rehabilitator of Louisiana Health Cooperative, through the Commissioner's Court-appointed Receiver, Billy Bostick ("LAHC"), who seeks authority from this Court for distribution of notices to LAHC policyholders, members, enrollees, and subscribers of this Court's rehabilitation order and of the cancellation of all coverage as of December 31, 2015 (**Exhibit A**), and notices of this Court's rehabilitation order to LAHC Brokers/Agents (**Exhibit B**), to LAHC Vendors (**Exhibit C**), and to LAHC Providers (**Exhibit D**), in the form and substance of the attached **Exhibits A, B, C, and D**. Further, mover requests authority from this Court to deliver said notices by electronic communications to the last known email addresses of each person, group and/or business entity where available and/or by United States mail, with proof of mailing from the United States Post Office to the last known address of each such person, group and/or business entity on the books and records of LAHC.

REC'D C.P.
OCT 30 2015

Further, LAHC seeks authority to publish the attached notices, **Exhibits A, B, C, and D**, in local newspapers in New Orleans, Baton Rouge, Lafayette, Alexandria, Monroe and Shreveport in order to ensure the widest possible distribution of notice to LAHC policyholders, members, enrollees and subscribers, to LAHC agents/brokers, to LAHC vendors and to LAHC providers.

Further, LAHC seeks authority to include in said notice to LAHC policyholders, members, enrollees and subscribers, **Exhibit A**, notification that all policies will be canceled and terminated as of December 31, 2015, without regard to any state or federal requirement for

¹ Due to the number of notices required for the anticipated policyholders, members, enrollees, and subscribers, currently estimated to exceed 10,000, as well as the untold number of vendors, agents/brokers, and providers the cost of mail notices by certified mail, return receipt requested, would be prohibitive given the limited funds of LAHC.

EBR3276003

REC'D C.P.
OCT 26 2015

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JAMES J. DONELON
COMMISSIONER OF INSURANCE FOR THE STATE OF LOUISIANA
VERSUS
LOUISIANA HEALTH COOPERATIVE, INC.

FILED: _____

DEPUTY CLERK

ORDER

Considering the Motion of James J. Donelon, Commissioner of Insurance for the State of Louisiana as Rehabilitator of Louisiana Health Cooperative, through the Commissioner's Court-appointed Receiver, Billy Bostick ("LAHC"), to approve a plan for distribution of notices to LAHC policyholders, members, enrollees, and subscribers of this Court's rehabilitation order and of the cancellation of all coverage as of December 31, 2015, and notices of this Court's rehabilitation order Notices to LAHC brokers/agents, to LAHC vendors, and to LAHC providers, and the Court finding that LAHC is entitled to the relief requested:

IT IS ORDERED that the LAHC plan for distribution of notices to LAHC policyholders, members, enrollees, and subscribers in the form shown in attached **Exhibit A**, to LAHC Brokers/Agents in the form shown in attached **Exhibit B**, to LAHC Vendors in the form shown in attached **Exhibit C**, and to LAHC Providers in the form shown in attached **Exhibit D**, be and same hereby is approved and ordered implemented.

IT IS FURTHER ORDERED that ^{LAHC} be and hereby is granted authority to deliver said notices ~~by electronic communications to the last known email addresses of each person/group and/or business entity where available and/or~~ by United States mail, with proof of mailing from the United States Post Office to the last known address of each person, group and/or business entity on the books and records of LAHC, ~~without any requirement that said notices be sent by certified mail.~~

IT IS FURTHER ORDERED that LAHC be and hereby is granted authority to publish said notices in the form and substance of attached **Exhibits A, B, C, and D** in local newspapers in ^{Lake} ~~Chenais~~ New Orleans, Baton Rouge, Lafayette, Alexandria, Monroe, and Shreveport in order to ensure the widest possible distribution of notice to LAHC policyholders, members, enrollees and

any and all notification periods in excess of sixty (60) days.

WHEREFORE, mover prays for an order approving the transmission of the described notices by electronic transmission and/or by United States mail with proof of mailing from the United States Post Office, and notice of cancellation of all LAHC policies on December 2015 and for all other appropriate relief.

Respectfully Submitted,

BURGLASS & TANKERSLEY, LLC

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Attorneys for **JAMES J. DONELON, Commissioner of Insurance for the State of Louisiana as Rehabilitator of Louisiana Health Cooperative, Inc. in Rehabilitation**

FILED
2015 OCT 26 AM 11:46
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subscribers, to LAHC agents/brokers, to LAHC vendors and to LAHC providers.

IT IS FURTHER ORDERED that LAHC be and hereby is granted authority to include in the LAHC notice to LAHC policyholders, members, enrollees and subscribers, **Exhibit A**, notification that all policies will be canceled and terminated as of December 31, 2015, without regard to any state or federal requirement for any and all notification periods in excess of sixty (60) days.

IT IS FURTHER ORDERED that LAHC is granted all power and authority to accomplish the task of providing notices of the LAHC rehabilitation as may be deemed necessary and advisable.

Baton Rouge, Louisiana, this 28th day of October, 2015.


DISTRICT COURT JUDGE DONALD JOHNSON

FILED
DISTRICT COURT
2015 OCT 26 AM 11:48
