



LOUISIANA DEPARTMENT OF INSURANCE  
JAMES J. DONELON  
COMMISSIONER

**BULLETIN 2022-09**

**TO: ALL AUTHORIZED PROPERTY AND CASUALTY INSURERS**  
**FROM: JAMES J. DONELON, COMMISSIONER OF INSURANCE**  
**RE: CATASTROPHE CLAIMS PROCESS DISCLOSURE GUIDE**  
**DATE: DECEMBER 27, 2022**

Pursuant to Act No. 80 of the 2022 Regular Session, the Louisiana Legislature enacted La. R.S. 22:1897, which becomes effective January 1, 2023. La. R.S. 22:1897 mandates that the Commissioner of Insurance create a catastrophe claims process disclosure guide (Guide). The Louisiana Department of Insurance (LDI) is promulgating Regulation 124 to establish the proper procedure for issuance of the Certificate of Hand-Delivery of the Guide.

All authorized property and casualty insurers (insurers) shall provide a copy of the Guide to a policyholder whenever a state of emergency is declared by the Governor in accordance with La. R.S. 29:724, and a policyholder is asserting a claim for damages occasioned by the disaster or catastrophic event made the subject of the Governor's emergency declaration. Furthermore, the insurer shall issue or deliver a copy of the Guide to the policyholder no later than the date an adjuster commences the initial investigation of the claim.

The Guide is designed to give policyholders a detailed overview of the claims process, the methods used to calculate deductibles, the difference between actual cash value and replacement cost value, the rights, duties and protections as a policyholder, an explanation of the supplemental claims process, and other issues that frequently arise when a policyholder asserts a claim that arises out of a state of emergency. Additionally, the Guide provides the policyholder with the steps and procedures for filing complaints against an insurer with the LDI.

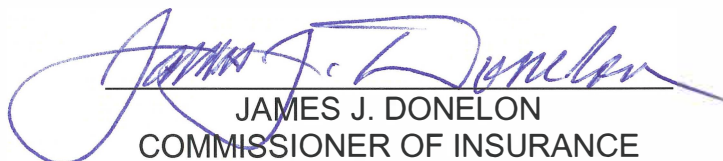
Insurers shall provide a copy of the Guide to the policyholder by United States mail, electronic delivery, or hand-delivery. If the Guide is sent to the policyholder via United States mail, proof of such mailing shall be sufficient evidence to establish delivery of the Guide, provided the mailing reflects the date of the mailing and the policyholder. If the Guide is sent via email, the email receipt or, if none, a copy of the as-sent email, shall be sufficient evidence to establish delivery of the Guide provided the email reflects the date of mailing and the policyholder. If the Guide is hand-

delivered to the policyholder, the representative of the insurer perfecting delivery must complete and sign a Certificate of Hand-Delivery, verifying pertinent details related to the delivery of the Guide, including the date and location of the delivery, the name of the person accepting the delivery, and the name of the policyholder.

Copies of the Catastrophe Claims Process Disclosure Guide and Certificate of Hand-Delivery may be found on the LDI's website under the industry resource tab located at, <https://ldi.la.gov/industry/resources-and-publications/industry-resources>. Insurers are authorized to access and download copies of both documents as set forth in La. R.S. 22:1897.

If there are any questions or concerns regarding Bulletin 2022-09, please contact the Deputy Commissioner for the Office of Property and Casualty at (225) 342-5203, or electronically at [public@ldi.la.gov](mailto:public@ldi.la.gov).

Baton Rouge, Louisiana this 27<sup>th</sup> day of December 2022.



JAMES J. DONELON  
COMMISSIONER OF INSURANCE