



LOUISIANA DEPARTMENT OF INSURANCE
JAMES J. DONELON
COMMISSIONER

LOUISIANA PROPERTY AND CASUALTY INSURANCE COMMISSION

NOTICE OF PUBLIC MEETING / AGENDA

Wednesday, March 08, 2023

10:00 am – 12:00 noon

Poydras Hearing Room Louisiana Department of Insurance
1702 North 3rd Street Baton Rouge, Louisiana

- I. **Call to Order – Jeff Albright, LPCIC Vice Chairman**
- II. **Roll Call**
- III. **Old Business**
 - A. **Approval of Minutes from the General Meeting of February 16, 2023**
- IV. **New Business**
 - A. **Vote on Remaining Items from the General Meeting of February 16, 2023**
 1. **Bad Faith Reform**
 - (a). Define/codify “satisfactory proof of loss” trigger § 22:878, 22:1892
(A presentation of damages in a reasonable time to allow the insurer to investigate and adjust a claim.)
 - (b). Cure period before a party may allege Bad Faith
 - (c). 90 Days to Begin Cat Claims Settlement § 22:1892 (Claims ad hoc committee suggests deleting this item. Wording in existing statute is adequate)
 - (d). Clock to start when company has complete report and photos from the adjuster.
 - (e.) Attorney’s Fees

The calculation of fees, and method used to assign them.

2. **Address Fraudulent Estimating Practices § 1895, 1896** (The Claims ad hoc committee has proposed the full commission vote on this as a Study topic.)

3. **Right to Inspect** – Language proposed by the Claims ad hoc committee (If additional mitigation is necessary following the first adjustment of a claim, the insurer has 72 hours to perform a re-inspection of the property before work continues.)

4. **Tax relief relative to pre-disaster mitigation and post-disaster losses not covered by insurance or other disaster relief payments.**

A recommendation for legislation that the governor, commissioner, and legislature can recommend to the Louisiana delegation in congress to provide tax relief relative to pre-disaster mitigation and post-disaster losses not covered by insurance or other disaster relief payments. There are several things congress could do, such as:

Update the definition of “**qualified disaster mitigation payment**” in 26 USC 139(g) to exclude from taxable income state and locally funded projects such as the Louisiana Fortify Homes Program and similar programs in Alabama, Florida, South Carolina, and California.

Provide for a **catastrophe savings account** under federal law, or federal tax relief for enacted state laws, which created catastrophe savings accounts in Mississippi, Alabama, and South Carolina.

Provide enhanced casualty loss deductions for homeowners who have disaster losses and storm deductibles.

V. **Public Comments**

VI. **Announcements**

A. LDI Conference 2023 – March 27 & 28 at the Crowne Plaza Baton Rouge

VII. **Adjournment**