



To: IIABL Members & Associate Members

Fm: Jeff Albright

Re: LDI Emergency Rule 36 Related to Coronavirus Outbreak in Louisiana

IIABL has been in regular contact with Commissioner Donelon and LDI staff with regard to insurance issues related to the coronavirus pandemic.

On March 11, 2020 Louisiana Governor John Bel Edwards issued [Proclamation Number 25 JBE 2020 declaring a Public Health Emergency – COVID-19](#). Pursuant to this public health emergency declaration, Commissioner Donelon issued **Emergency Rule 36 – Patient Protections and Related Health Care Services Regarding Health Insurance Matters Affecting Insureds in Louisiana Caused by the Outbreak of Coronavirus Disease (COVID-19)** effective March 17, 2020.

In summary, Emergency Rule 36 requires health insurers to provide coverage for COVID-19 testing with no out-of-pocket expense to the insured. The Rule also relaxes time limits on refills of prescription drugs. Please click [HERE](#) to view Emergency Rule 36 for complete details.

Many IIABL member agents have inquired about the possibility of an emergency rule similar to the one issued after Hurricanes Katrina and Rita which prohibited insurance companies from cancelling or nonrenewing policies because of nonpayment of premium in certain parishes for a limited time. Commissioner Donelon and other insurance commissioners have had frequent conference calls to coordinate their response to this historic crisis. Currently, no commissioner/state has plans to order such emergency rules for property-casualty insurance policies.

It should be noted that the emergency rule issued after Hurricanes Katrina & Rita affected 18 parishes in south Louisiana for a few months. The rest of the country continued to pay their insurance premiums on time. This coronavirus pandemic affects the entire nation and who knows for how long. While the financial strains on families and businesses are very serious, regulators and governments are going to be hesitant to tell insurance companies and other businesses that they

must continue to provide their products/services nationwide without payment for an unknown period of time.

These are uncharted waters and things may change over time as we learn to deal with this crisis, but don't plan on an emergency rule suspending payment of property-casualty policies.

Click [HERE](#) for the Louisiana Department of Insurance COVID-19 Resources.