

TECHNICAL ADVISORY

TA 354

Subject

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April 5, 2022

**LDI Regulation 124
Catastrophe Claims Process
Disclosure Guide**

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EXECUTIVE SUMMARY

The Louisiana Department of Insurance (LDI) promulgated Regulation 124 to implement the provisions of the Act No. 80 of the 2022 Regular Session of the Louisiana Legislature, which mandates that the Department promulgate rules and regulations for a catastrophe claims process disclosure guide. Regulation 124 requires all property and casualty insurers settling a property insurance claim arising out of a state of emergency declared by the governor to provide this guide to the policyholder at the time of the claim.

Necessary Action

The Catastrophe Claims Process Disclosure Guide has been uploaded to the department's website [HERE](#).

Although insurers are required to provide this guide to policyholders at the time of a catastrophe claim, the guide can also be a very helpful resource for agents to guide their policyholder through the claims process.

Share this Technical Advisory with all producers and agency staff who work with policyholders at the time of a claim and encourage them to share the guide with policyholders as part of the claims management process.

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BACKGROUND

Whenever a state of emergency is declared by the governor, an insurer must provide a disclosure guide to all policyholders asserting a claim for damages caused by the disaster or catastrophic event made the subject of the governor's emergency declaration.

The disclosure guide was created by the department and issued to all property and casualty insurers licensed in this state.

The disclosure form-guide has been uploaded to the department's website [HERE](#) and insurers and agents are authorized to access and download it as needed to comply with Regulation 124 and with the statutory requirements set forth in R.S. 22:1897.

The insurer shall send the disclosure guide to the policyholder on the date that they adjuster begins an initial investigation of the claim.

The insurer may deliver the disclosure guide to the policyholder and appropriate proof of timely delivery must be maintained by the insurer:

1. United States mail: proof of such mailing shall be sufficient evidence to establish delivery of the disclosure guide, provided it reflects the date of the mailing and the policyholder.
2. Electronic delivery: email delivery receipt or, if none, a copy of the as-sent email, shall be sufficient evidence.
3. Hand-delivery: the insurer must complete and sign a Certificate of Hand-Delivery, verifying pertinent details related to the delivery of the disclosure guide, including the date and location of the delivery, and the name of the policy holder

Regulation 124 became effective March 20, 2023.

View Regulation 124 [here](#).

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