



LOUISIANA DEPARTMENT OF INSURANCE

JAMES J. DONELON
COMMISSIONER

BULLETIN 07-01 (REVISED AND REISSUED)

TO: ALL INSURERS AND ENTITIES REGULATED BY THE LOUISIANA DEPARTMENT OF INSURANCE

FROM: JAMES J. DONELON, COMMISSIONER OF INSURANCE

RE: WRITTEN CATASTROPHE RESPONSE PLANS

DATE: AUGUST 4, 2020

Bulletin 07-01, originally issued on February 8, 2007 to provide guidance to insurers and regulated entities with regard to the statutorily required catastrophe response plans, is hereby revised and reissued to reflect changes to the law since the bulletin was originally issued and changes to the statute numbers as a result of recodification. Acts 2008, No. 415, § 1, effective January 1, 2009, redesignated the provisions of Title 22, formerly comprised of La. R.S. 22:1 to 22:3311, into a new format and numbering scheme comprised of La. R.S. 22:1 to 22:2371, without changing the substance of the provisions.

Under La. R.S. 22:572, insurers are required to maintain written catastrophe response plans that describe how they will respond to catastrophes affecting their policyholders in this state. Additionally, health maintenance organizations, managing general agents and third-party administrators are required to maintain written catastrophe response plans that describe how they will respond to catastrophes affecting their business operations. Although La. R.S. 22:572 does not specify what particular elements are to be included in the catastrophe response plans, the Commissioner is of the opinion that for proper continuity of the insurer or entities' business operations the plan must contain, at a minimum, provisions to ensure that the insurer or regulated entity is prepared for and can respond to emergencies and disasters such as:

- emergency contact information of the insurer or regulated entity (i.e., electronic mail address, phone numbers, etc.) to be provided to the general public and the Louisiana Department of Insurance ("LDI");
- emergency contact information of key or essential personnel of the insurer or regulated entity;
- alternative office location(s) or worksite(s);

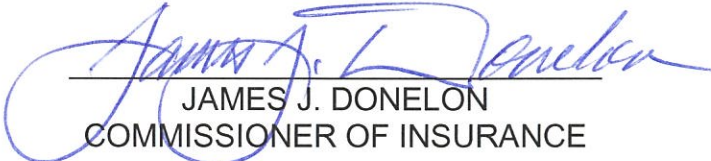
- procedures for back-up, storage, and retrieval of records and data, including accessibility to and security of such records and data;
- procedures for communications with policyholders or subscribers;
- procedures for the distribution of catastrophe claims information;
- procedures for the handling and processing of existing claims and potential claims that might arise or accrue to any person under any insurance contract issued or administered by the insurer or regulated entity;
- procedures for training staff; and
- any other information that might be useful to the policyholder, subscriber and the LDI.

Catastrophe response plans ensure that a mechanism is in place when a catastrophe occurs and that those policyholders or subscribers suffering any type of losses will have access to emergency information and services provided by the insurer or regulated entity. This information shall be considered proprietary and treated as confidential. It shall not be subject to public records disclosure or made public by the Commissioner.

The Commissioner urges all insurers and regulated entities to initiate and complete the development of a plan to ensure full compliance with La. R.S. 22:572 and this Bulletin, as well as to respond to the needs of their policyholders or subscribers. Additionally, all insurers and regulated entities should take whatever action necessary, incidental or appropriate for the implementation of such plan.

If there are any questions regarding this Bulletin, please contact the Deputy Commissioner for the Office of Financial Solvency, electronically at public@ldi.la.gov.

Baton Rouge, Louisiana this 4th day of August, 2020.



JAMES J. DONELON
COMMISSIONER OF INSURANCE