

1. any adverse action that may be applied to a facility by the statewide management organization, the department's program integrity section or its successor, or by a contracted coordinated care network with the Healthy Louisiana program, or its successor;

2. any adverse action that may be applied to a facility by an agency of the federal government or another state agency;

3. a deficiency; or

4. an immediate jeopardy determination.

\* \* \*

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2009.11, 40:2009.23, 40:2199 and 40:2199.1.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Bureau of Health Services Financing, LR 39:3077 (November 2013), amended by the Department of Health, Bureau of Health Services Financing, LR 49:1215 (July 2023), amended by the Department of Health, Health Standards Section, LR 51:72 (January 2025).

Michael Harrington, MBA, MA  
Secretary

2501#063

## RULE

### Department of Health Office of Public Health

Commercial Body Art (LAC 51:XXVIII.107)

Under the authority of R.S. 40:4 and 40:5 and 40:2831 et seq., and in accordance with R.S. 49:950 et seq., the Administrative Procedure Act, notice is hereby given that the state health officer, acting through the Louisiana Department of Health, Office of Public Health (LDH-OPH), has amended Part XXVIII (Commercial Body Art) of Title 51. These amendments are to comply with the provisions of Act 365 of the 2024 Regular Legislature. This Rule is hereby adopted on the day of promulgation.

#### Title 51

### PUBLIC HEALTH—SANITARY CODE

#### Part XXVIII. Commercial Body Art

#### Chapter 1. Commercial Body Art Regulation

#### §107. Practice Standards; Restrictions

##### [Formerly Paragraph 28:004]

A. [Formerly Paragraph 28:004-1] Prior to any body art procedure, a consent form shall be completed and signed by each client. This consent form shall include a prominent statement regarding the regulatory status of any inks being used for the procedure (i.e., whether those inks are regulated or approved by the state of Louisiana or the federal Food and Drug Administration). Aftercare instructions shall be given to the client both verbally and in writing after every service. The written care instructions shall advise the client to consult the body art operator or a qualified health care professional at the first sign of abnormal inflammation/swelling or possible infection.

B. - M. ...

AUTHORITY NOTE: Promulgated in accordance with the provisions of R.S. 40:4, R.S. 40:5, and 40:2833.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of Public Health, LR 28:1458 (June 2002), amended LR 51:73 (January 2025).

Dr. Ralph Abraham  
Surgeon General  
and  
Michael Harrington, MBA, MA  
Secretary

2501#051

## RULE

### Department of Insurance Office of the Commissioner

Regulation 112—Adoption of NAIC Handbooks,  
Guidelines, Forms, and Instructions  
(LAC 37:XIII.Chapter 161)

The Department of Insurance, pursuant to the authority of the Louisiana Insurance Code, R.S. 22:1 et seq., and in accordance with the Administrative Procedure Act, R.S. 49:950 et seq., hereby amends Regulation 112.

The purpose of the amendment to Regulation 112 is to identify and to incorporate by reference the current edition of handbooks, guidelines, forms, and instructions adopted by the National Association of Insurance Commissioners (NAIC) and referenced in the Louisiana Insurance Code. This Rule is hereby adopted on the day of promulgation.

#### Title 37

### INSURANCE

#### Part XIII.Regulations

#### Chapter 161. Regulation Number 112—Adoption of NAIC Handbooks, Guidelines, Forms and Instructions

#### §16101. NAIC Handbooks, Guidelines, Forms and Instructions Incorporated by Reference

A. ...

B. The following NAIC handbooks, guidelines, forms, and instructions are hereby adopted and incorporated by reference:

1. The Financial Condition Examiner's Handbook, 2023 edition.

2. The Annual and Quarterly Statement Instructions, Property and Casualty, 2023 edition.

3. The Annual and Quarterly Statement Instructions, Life, Accident, and Health, 2023 edition.

4. The Annual and Quarterly Statement Instructions, Health, 2023 edition.

5. The Annual and Quarterly Statement Instructions, Title, 2023 edition.

6. The Annual and Quarterly Statement Instructions, Fraternal, 2023 edition.

7. The Annual and Quarterly Statement Blanks, Property and Casualty, 2023 edition.

8. The Annual and Quarterly Statement Blanks, Life, Accident, and Health, 2023 edition.

9. The Annual and Quarterly Statement Blanks, Health, 2023 edition.

10. The Annual and Quarterly Statement Blanks, Title, 2023 edition.

11. The Annual and Quarterly Statement Blanks, Fraternal, 2023 edition.

12. The Accounting Practices and Procedures Manual, 2023 edition.

13. The Financial Analysis Handbook, 2023 edition.
14. The Own Risk and Solvency Assessment Guidance Manual, 2023 edition.
15. The Purposes and Procedures Manual of the NAIC Investment Analysis Office, 2023 edition.
16. The Risk-Based Capital Forecasting and Instructions, 2023 edition.
17. The Market Regulation Handbook, 2023 edition.

C. - D.3 ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:11, 258, 619(B), 640(B), 675, 661(A), 691.11, 691.54, and 1804.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Commissioner of Insurance, LR 45:1208 (September 2019), amended LR 46:993 (July 2020), amended LR 47:1328 (September 2021), LR 48:2299 (September 2022), amended LR 49:1410 (August 2023), LR 51:73 (January 2025).

Timothy J. Temple  
Commissioner

2501#020

## RULE

### Department of Insurance Office of the Commissioner

#### Regulation 132—Louisiana Churches and Nonprofit Religious Organizations Self-Insured Fund (LAC 37:XIII.Chapter 201)

The Department of Insurance, pursuant to the authority of the Louisiana Insurance Code, R.S. 22:1 et seq., and in accordance with the Administrative Procedure Act, R.S. 49:950 et seq., hereby promulgates Regulation 132—Louisiana Churches and Nonprofit Religious Organizations Self-Insured Fund.

The Department of Insurance is promulgating Regulation 132 to comply with Act No. 259 of the 2023 Regulation Session of the Louisiana Legislature that enacted R.S. 22:472.1 through 472.20 authorizing the creation of the Louisiana Churches and Nonprofit Religious Organizations Self-Insured Fund and giving the Department of Insurance authority over such fund. Act 259 directed the Louisiana State Law Institute to redesignate R.S. 22:472.1 through 472.20 as R.S. 12:1851 through 1870. This Rule is hereby adopted on the day of promulgation.

#### Title 37

#### INSURANCE

#### Part XIII. Regulations

#### Chapter 201. Regulation Number 132—Louisiana Churches and Nonprofit Religious Organizations Self-Insured Fund

##### §20101. Definitions

A. For the purposes of Regulation 125, the following terms are defined as follows:

*Commissioner*—the Commissioner of Insurance of the state of Louisiana.

*Department*—the Department of Insurance of the state of Louisiana.

*Fund*—the self-insurance fund established pursuant to R.S. 12:1851 et seq. to provide property insurance for churches and nonprofit religious organizations and shall be

known as the Louisiana Churches and Nonprofit Religious Organizations Self-Insured Fund.

*Insolvency*—the condition existing when the fund's liabilities are greater than the fund's assets as determined in accordance with generally accepted accounting principles as delineated in the fund's financial statement audited by an independent certified public accountant and calculated before a member's distribution is payable or before a dividend is declared.

*Members Distribution Payable/Surplus*—assets of the fund in excess of loss reserves, actual and contingent liabilities and loss development reserves in all fund years.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:11, 12:1851 et seq., and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 51:74 (January 2025).

##### §20103. Excess Insurance or Reinsurance

A. The fund shall maintain excess insurance or reinsurance in the amount approved by the commissioner, based on an actuarially sound catastrophe model that limits the fund's exposure on any one loss occurrence to 20 percent of its members distribution payable/surplus or an amount authorized by the commissioner.

1. The fund shall submit a feasibility study prepared by a qualified actuary which analyzes the impact the specific retention on the fund.

2. No fund shall secure a retention which in the commissioner's opinion is not actuarially sound.

3. The commissioner shall deny the use of a retention if he finds that the higher retention will have a significant adverse effect on the financial condition of the fund.

B. The excess insurance or reinsurance coverage shall provide for one or more reinstatements.

C. All excess insurance or reinsurance agreements shall be approved by the department prior to execution.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:11, 12:1851 et seq., and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 51:74 (January 2025).

##### §20105. Financial and Actuarial Reports

A. At inception and thereafter, the fund shall either:

1. Provide evidence satisfactory to the commissioner that it possesses surplus in excess of \$3,000,000, or

2. Submit a current audited financial statement, audited by an independent certified public accountant, of at least two members showing, at the inception of the fund, a combined net worth of a minimum of \$1,000,000, current financial statements of all other members, a combined ratio of current assets to current liabilities of more than one to one, a combined working capital of an amount establishing financial strength and liquidity of the members to pay normal compensation claims promptly, and showing evidence of the financial ability of the group to meet its obligations. An audited or a financial statement properly certified by an officer, owner, or partner for all members joining the fund after the inception date shall be submitted to the commissioner until such time as an audited financial statement is available for the fund as a whole. Thereafter, the filing of member financial statements with the department is no longer required. In no event shall the cumulative net