

§12911. Licensing and Certification Compliance

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1058.1 et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office for Addictive Disorders, LR 36:525 (March 2010), repealed by the Department of Health, Office of Behavioral Health, LR 50:1159 (August 2024).

**Subchapter E. Rescission of OTP Need Review
Application Approvals**

§12913. General Provisions

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1058.1 et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office for Addictive Disorders, LR 36:525 (March 2010), repealed by the Department of Health, Office of Behavioral Health, LR 50:1159 (August 2024).

Michael Harrington, MBA, MD
Secretary

2408#073

RULE

**Department of Insurance
Office of the Commissioner**

Regulation 18—Non-Profit Funeral Service
Associations, Reinstatement of Lapsed Policies
(LAC 37:XIII.Chapter 65)

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 repeals Regulation 18—Non-Profit Funeral Service Associations, Reinstatement of Lapsed Policies. The Department of Insurance is repealing Regulation 18 because R.S. 22:196 now provides current guidance regarding lapsed policies. This Rule is hereby adopted on the day of promulgation.

Title 37

INSURANCE

Part XIII. Regulations

**Chapter 65. Regulation 18—Non-Profit Funeral
Service Associations, Reinstatement of
Lapsed Policies**

**§6501. Policy Directive Number Five to Non-Profit
Funeral Service Associations**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:2.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Commissioner of Insurance, April 28, 1960, repealed LR 50:1159 (August 2024).

Timothy J. Temple
Commissioner

2408#042

RULE

**Department of Insurance
Office of the Commissioner**

Regulation 85—Valuation of Life Insurance Policies
(LAC 37:XIII.10909)

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 85.

The purpose of the amendment to Regulation 85 is to incorporate changes to the general calculation requirements for basic reserves and premium deficiency reserves that were made to NAIC Model Regulation #830. This Rule is hereby adopted on the day of promulgation.

Title 37

INSURANCE

Part XIII. Regulations

**Chapter 109. Regulation Number 85—Valuation of Life
Insurance Policies**

**§10909. General Calculation Requirements for Basic
Reserves and Premium Deficiency Reserves**

A. - B.3.a. ...

b. X is such that, when using the valuation interest rate used for basic reserves, Clause i is greater than or equal to Clause ii:

i. the actuarial present value of future death benefits, calculated using the mortality rates resulting from the application of X;

ii. the actuarial present value of future death benefits calculated using anticipated mortality experience without recognition of mortality improvement beyond the valuation date;

c. X is such that the mortality rates resulting from the application of X are at least as great as the anticipated mortality experience, without recognition of mortality improvement beyond the valuation date, in each of the first five years after the valuation date;

d. the appointed actuary shall increase X at any valuation date where it is necessary to continue to meet all the requirements of Paragraph B.3;

e. the appointed actuary may decrease X at any valuation date as long as X continues to meet all the requirements of Paragraph B.3; and

f. the appointed actuary shall specifically take into account the adverse effect on expected mortality and lapsation of any anticipated or actual increase in gross premiums;

g. if X is less than 100 percent at any duration for any policy, the following requirements shall be met:

i. the appointed actuary shall annually prepare an actuarial opinion and memorandum for the company in conformance with the requirements of §2111 of Regulation 47;

ii The appointed actuary shall disclose, in the Regulatory Asset Adequacy Issues Summary, the impact of the insufficiency of assets to support the payment of benefits and expenses and the establishment of statutory reserves during one or more interim periods; and

iii. the appointed actuary shall annually opine for all policies subject to this regulation as to whether the mortality rates resulting from the application of X meet the requirements of Paragraph B.3. This opinion shall be supported by an actuarial report, subject to appropriate Actuarial Standards of Practice promulgated by the Actuarial Standards Board of the American Academy of Actuaries. The X factors shall reflect anticipated future mortality, without recognition of mortality improvement beyond the valuation date, taking into account relevant emerging experience;

B.4. - F. ...

AUTHORITY NOTE: Promulgated in accordance with R.S.22:3, 22:163, 22:168 and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 31:2552 (October 2005), amended LR 50:1160 (August 2024).

Timothy J. Temple
Commissioner

2408#043

RULE

Department of State Office of the Secretary of State

Determination of Cure Sufficiency (LAC 31:I.307)

In accordance with the provisions of the Administrative Procedure Act (R.S. 49:953 et seq.) and through the authority granted in R.S. 18:1317 that the Department of State has adopted a Rule to provide a uniform and standardized process for the review and curing or rejection of deficient absentee by mail ballots by Parish Board of Election Supervisors. This Rule is hereby adopted on the day of promulgation.

Title 31 ELECTIONS

Part I. Election Process

Chapter 3. Opportunity to Cure Deficiencies in Absentee by Mail Ballots

§307. Determination of Cure Sufficiency

A. Any ballot identified with a deficiency pursuant to this Chapter, regardless of whether the voter appeared to cure or did not appear, shall be presented to the Parish Board of Election Supervisors for final determination of cure sufficiency or rejection of deficient ballots during the tabulation and counting of absentee by mail and early voting ballots.

AUTHORITY NOTE: Promulgated in accordance with R.S. 18:1317.

HISTORICAL NOTE: Promulgated by the Department of State, Office of the Secretary of State, LR 50:1160 (August 2024).

Nancy Landry
Secretary of State

2408#044

RULE

Department of Transportation and Development Professional Engineering and Land Surveying Board

Boundary Surveys—Standards of Practice (LAC 46:LXI.2903, 2905, 2910 and 2913)

Under the authority of the Louisiana professional engineering and land surveying licensure law, R.S. 37:681 et seq., and in accordance with the Louisiana Administrative Procedure Act, R.S. 49:950 et seq., the Professional Engineering and Land Surveying Board has adopted LAC 46:LXI.2910 and amended its rules contained in LAC 46:LXI.2903, 2905 and 2913.

This is an adoption of a new rule, as well as a revision of existing rules under which LAPELS operates. The new Rule provides for DOTD right-of-way surveys. The revision updates terminology for boundary surveys and clarifies surveying closure requirements for small tracts. This Rule is hereby adopted on the day of promulgation.

Title 46 PROFESSIONAL AND OCCUPATIONAL STANDARDS

Part LXI. Professional Engineers and Land Surveyors Chapter 29. Standards of Practice for Boundary Surveys

§2903. Definitions

A. Any terms not specifically defined herein shall be as defined in the most current publication of *Definitions of Surveying and Associated Terms* as published by the National Society of Professional Surveyors. For the purpose of this Chapter, all the definitions listed that differ from any other source are to be interpreted as written herein.

Right-of-Way—any strip or area of land, including surface, overhead, or underground, encumbered by a servitude. Rights are typically granted by deed for access or for construction, operation and/or maintenance purposes, according to the terms of the grant.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:688.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 16:1064 (December 1990), amended LR 22:713 (August 1996), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1042 (July 2001), LR 30:1725 (August 2004), LR 37:2414 (August 2011), LR 50:1160 (August 2024).

§2905. Classification of Boundary Surveys

A. Types of Boundary Surveys. Four types of boundary surveys, which relate to or define property boundaries, are regulated by these standards of practice. These are property boundary surveys, route surveys, DOTD right-of-way surveys and mineral unitization surveys.

B. - B.4. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:688.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 16:1065