



LOUISIANA DEPARTMENT OF INSURANCE

JAMES J. DONELON
COMMISSIONER

March 3, 2020

The Honorable Patrick Page Cortez
President of the Senate
P.O. Box 94183
Baton Rouge, LA 70804

Via email
apa.senatepresident@legis.la.gov

The Honorable Clay Schexnayder
Speaker of the House
P.O. Box 94062
Baton Rouge, LA 70804

Via email
apa.housespeaker@legis.la.gov

The Honorable Kirk Talbot
Chairman
Senate Committee on Insurance
P.O. Box 94183
Baton Rouge, LA 70804

Via email
apa.s-ins@legis.la.gov

The Honorable Chad Brown
Chairman
House Committee on Insurance
P.O. Box 94062
Baton Rouge, LA 70804

Via email
apa.h-ins@legis.la.gov

RE: Summary Report – Regulation 30 – Certificates of Insurance Coverage

Dear President Cortez, Speaker Schexnayder, Senator Talbot, and Representative Brown:

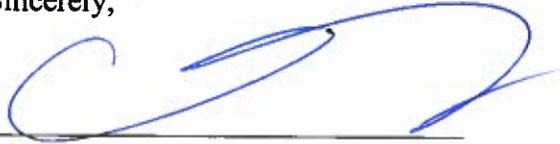
The Louisiana Department of Insurance (LDI) hereby submits the following summary report required by La. R.S. 49:968(D)(1)(b), and announces its intention to proceed to finalize Regulation 30, which was published as a Notice of Intent in the January edition of the *Louisiana Register*.

Interested persons were provided an opportunity to submit comments to LDI on the proposed regulation. The LDI did not receive any oral or written comments by the expiration of the comment period.

Subject to legislative oversight, the LDI would like to finalize Regulation 30 and submit the regulation to the Office of State Register for publication in the April edition of the *Louisiana Register*. A copy of the summary report will be placed on the LDI's website in accordance with

La. R.S. 49:968(D)(1)(c). If you have any questions or need additional information, please contact me at (225) 342-4242 or via email at Claire.Lemoine@ldi.la.gov.

Sincerely,



Claire Lemoine
Attorney Supervisor
Division of Legal Services
Louisiana Department of Insurance

Enclosure: Notice of Intent published January 20, 2020

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule is not anticipated to have an effect on competition or employment.

Alexander Billioux, M.D., D.Phil
Assistant Secretary
2001#024

John D. Carpenter
Legislative Fiscal Office

Rule

~~NOTICE OF INTENT~~

Department of Insurance
Office of the Commissioner

Regulation 30—Certificates of Insurance Coverage
(LAC 37:XIII.8101 and 8102)

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 gives notice of its intent to amend Regulation 30. This amendment has been proposed in order to provide clarification regarding certificates of insurance coverage.

Title 37
INSURANCE

Part XIII. Regulations

Chapter 81. Regulation 30—Certificates of Insurance Coverage

§8101. Certificates of Insurance

A. It has come to the attention of this department that certificates of insurance for automobile and general liability insurance are being issued by companies or their agents. Certificates of insurance are documents, including electronic records, that many large corporations require persons or contractors employed by them to furnish to prove that they have insurance.

B. Some of these certificates purport to alter, amend, or extend the coverage provided by the referenced insurance policy in violation of R.S. 22:890.

C. Therefore, in order to avoid any misunderstanding of the effect of any certificate of insurance prepared and issued by an insurance company or its agent, any such certificate must contain the following or similar language:

This certificate of insurance neither affirmatively nor negatively alters, amends, or extends the coverage afforded by Policy Number _____ issued by _____.

D. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:2 and R.S. 22:890.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Commissioner of Insurance, April 23, 1969, amended LR 46:

§8102. Effective Date

A. Regulation 30, as amended, shall become effective upon final promulgation in the Louisiana Register.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:2 and R.S. 22:890.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Commissioner of Insurance, April 23, 1969, amended LR 46:

~~Family Impact Statement~~

1. Describe the Effect of the Proposed Regulation on the Stability of the Family. The proposed regulation should have no measurable impact upon the stability of the family.

2. Describe the Effect of the Proposed Regulation on the Authority and Rights of Parents Regarding the Education and Supervision of their Children. The proposed regulation should have no impact upon the rights and authority of parents regarding the education and supervision of their children.

3. Describe the Effect of the Proposed Regulation on the Functioning of the Family. The proposed regulation should have no direct impact upon the functioning of the family.

4. Describe the Effect of the Proposed Regulation on Family Earnings and Budget. The proposed regulation should have no direct impact upon family earnings and budget.

5. Describe the Effect of the Proposed Regulation on the Behavior and Personal Responsibility of Children. The proposed regulation should have no impact upon the behavior and personal responsibility of children.

6. Describe the Effect of the Proposed Regulation on the Ability of the Family or a Local Government to perform the Function as Contained in the Rule. The proposed regulation should have no impact upon the ability of the family or a local governmental unit to perform the function as contained in the rule.

Poverty Impact Statement

1. Describe the Effect on Household Income, Assets, and Financial Security. The proposed regulation should have no effect on household income assets and financial security.

2. Describe the Effect on Early Childhood Development and Preschool through Postsecondary Education Development. The proposed regulation should have no effect on early childhood development and preschool through postsecondary education development.

3. Describe the Effect on Employment and Workforce Development. The proposed regulation should have no effect on employment and workforce development.

4. Describe the Effect on Taxes and Tax Credits. The proposed regulation should have no effect on taxes and tax credits.

5. Describe the Effect on Child and Dependent Care, Housing, Health Care, Nutrition, Transportation and Utilities Assistance. The proposed regulation should have no effect on child and dependent care, housing, health care, nutrition, transportation and utilities assistance.

Small Business Analysis

The impact of the proposed regulation on small businesses as defined in the Regulatory Flexibility Act has been considered. It is estimated that the proposed action is not expected to have a significant adverse impact on small businesses. The agency, consistent with health, safety, environmental and economic welfare factors has considered and, where possible, utilized regulatory methods in the drafting of the proposed regulation that will accomplish the objectives of applicable statutes while minimizing the adverse impact of the proposed regulation on small businesses.

1. Identification and Estimate of the Number of Small Businesses Subject to the Proposed Rule. The proposed regulation should have no measurable impact on small businesses.

2. The Projected Reporting, Record Keeping, and Other Administrative Costs Required for Compliance with

the Proposed Rule, including the Type of Professional Skills Necessary for Preparation of the Report or Record. The proposed regulation should have no measurable impact on small businesses.

3. A Statement of the Probable Effect on Impacted Small Businesses. The proposed regulation should have no measurable impact on small businesses.

4. Describe any Less Intrusive or Less Costly Alternative Methods of Achieving the Purpose of the Proposed Rule. The proposed regulation should have no measurable impact on small businesses; therefore, will have no less intrusive or less cost alternative methods.

Provider Impact Statement

1. Describe the Effect on the Staffing Level Requirements or Qualifications Required to Provide the Same Level of Service. The proposed regulation will have no effect.

2. The Total Direct and Indirect Effect on the Cost to the Provider to Provide the Same Level of Service. The proposed regulation will have no effect.

3. The Overall Effect on the Ability of the Provider to Provide the Same Level of Service. The proposed regulation will have no effect.

Public Comments

All interested persons are invited to submit written comments on the proposed regulation. Such comments must be received no later than February 19, 2020 by close of business or by 4:30 p.m. and should be addressed to Monica Gibson, Louisiana Department of Insurance, and may be mailed to P.O. Box 94214, Baton Rouge, LA 70804-9214 or faxed to (225) 342-1632. If comments are to be shipped or hand-delivered, please deliver to Poydras Building, 1702 North 3rd Street, Baton Rouge, LA 70802.

James J. Donelon
Commissioner of Insurance

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

RULE TITLE: Regulation 30—Certificates of Insurance

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The proposed rule change will not result in additional costs or savings for state or local governmental units. The proposed rule change aligns the administrative rules with LA R.S. 22:890 regarding certificates of insurance coverage, and that it is a violation of R.S. 22:890 if certificates of insurance or documents purporting to be certificates of insurance coverage claim to alter, amend or extend the coverage provided by a referenced insurance policy.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The rule change will not affect revenue collections for state or local governmental units.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

The proposed rule change will not affect costs or economic benefits to directly affected persons or non-government groups. The rule change clarifies that a certification of insurance or documents purporting to be certificates of insurance coverage may not alter, amend or extend the coverage provided by the referenced insurance policy.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule change will not affect competition or employment.

Lance Herrin
Assistant Commissioner
2001#007

Evan Brasseaux
Staff Director
Legislative Fiscal Office

NOTICE OF INTENT

Department of Natural Resources
Office of Conservation

Statewide Order No. 29-B—Disposal of
E and P Waste by Slurry Fracture Injection
(LAC 43:XIX.433)

The Department of Natural Resources, Office of Conservation proposes to amend LAC 43:XIX, Subpart 1 in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., and pursuant to the power delegated under the laws of the state of Louisiana. The proposed amendment updates the language in existing Slurry Fracture Injection regulations to prevent any potential wording conflict in LAC 43:XIX.433.J.6 (433.J.6) with ACT 191 of 2018 for “hours of operation” by removing reference to “injection occurring only during daylight hours” in 433.J.6.

Title 43

NATURAL RESOURCES

Part XIX. Office of Conservation—General Operations
Subpart 1. Statewide Order No. 29-B

Chapter 4. Pollution Control (Class II)
Injection/Disposal Well Regulations

§433. Disposal of E and P Waste by Slurry Fracture
Injection

A. - J.5. ...

6. Injection is to be conducted on a cyclic basis.

J.7. - L.3. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:4 et seq.

HISTORICAL NOTE: Promulgated by the Department of Natural Resources, Office of Conservation, LR 27:1921 (November 2001), amended LR 46:

Family Impact Statement

This Rule has no known impact on family formation, stability, and autonomy as described in R.S. 49:972.

Poverty Impact Statement

This Rule has no known impact on poverty as described in R.S. 49:973.

Small Business Analysis

This Rule has no known impact on small businesses as described in R.S. 49:965.6.

Provider Impact Statement

This Rule has no known impact on providers as described in HCR 170 of 2014.

Public Comments

All interested parties will be afforded the opportunity to submit data, views, or arguments, in writing. Written comments will be accepted by hand delivery or USPS only, until 4:30 p.m., February 10, 2020 at Office of Conservation, Executive Division, P.O. Box 94275, Baton Rouge, LA