

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Pharmacy, LR 34:2152 (October 2008), LR 41:685 (April 2015), amended by the Department of Health, Board of Pharmacy, LR 46:577 (April 2020), LR 47:1645 (November 2021).

Malcolm J Broussard
Executive Director

2111#005

RULE

Department of Insurance Office of the Commissioner

Regulation 117—Submission of Contact Information for Risk-Bearing Entities (LAC 37:XIII.Chapter 175)

The Department of Insurance, pursuant to the authority of the Louisiana Insurance Code, R.S. 22:1 and 22:11 et seq., and in accordance with the Administrative Procedure Act, R.S. 49:950 et seq., has promulgated Regulation 117—Submission of Contact Information for Risk-Bearing Entities. Regulation 117:

(1) establishes a procedure for the submission of required contact information for risk-bearing entities;

(2) sets a specific date and method for the submission of the annual filing to inform the commissioner of the contact information required pursuant to R.S. 22:41.2;

(3) establishes the procedure and time limitation to notify the commissioner of a change in the contact information that was provided with the annual filing; and

(4) provides for penalties for the failure to timely make the annual filing or to submit a notice of change in the contact information to the commissioner.

This Rule is hereby adopted on the day of promulgation.

Title 37

INSURANCE

Part XIII. Regulations

Chapter 175. Regulation Number 117— Submission of Contact Information for Risk Bearing Entities

§17501. Purpose

A. The purpose of this regulation is to establish a procedure for the submission of required contact information for risk-bearing entities, to set a specific date and method for submission of the annual filing of the contact information, to establish the procedure and time limitation to notify the commissioner of a change in the contact information that was provided with the annual filing, and to provide for penalties for the failure to timely make the annual filing or to submit a notice of change in the contact information to the commissioner.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:2E, 22:11, 22:18, 22:41.2, 22:337(A)(5), and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 47:1646 (November 2021).

§17503. Definitions

A. The following terms when used in this Chapter shall have the following meanings:

Commissioner—the Louisiana Commissioner of Insurance.

Department—the Louisiana Department of Insurance.

Risk-Bearing Entity—any entity included in R.S. 22:48.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:2E, 22:11, 22:18, 22:41.2, 22:337(A)(5), and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 47:1646 (November 2021).

§17505. Required Contacts

A. The following shall be required contacts for each risk-bearing entity:

1. an individual responsible for the receipt of and response to consumer complaints filed with the department;

2. an individual responsible for the receipt of rules, regulations or other directives from the commissioner;

3. an individual responsible for the receipt of and response to inquiries from the department regarding the financial condition of the entity;

4. an individual responsible for the receipt of and response to inquiries from the department regarding tax payments;

5. an individual responsible for the receipt of and response to inquiries from the department regarding data security and data breaches;

6. an individual responsible for the receipt of and response to inquiries from the department in the event of a catastrophe or disaster;

7. an individual responsible for the receipt of and response to inquiries from the department regarding market conduct issues.

B. The risk-bearing entity may designate more than one individual to meet any one of the requirements of this section.

C. The risk-bearing entity may designate one individual as its primary contact to satisfy any one or more of the required contact requirements.

D. If the phone number provided is a general phone number of the risk-bearing entity, the contact information submitted shall include the extension of the individual.

E. The commissioner may provide additional contact types for which a risk-bearing entity may submit contact information to facilitate communication with the department.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:2E, 22:11, 22:18, 22:41.2, 22:337(A)(5), and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 47:1646 (November 2021).

§17507. Annual Notification of Contact Information

A. No later than March 1st annually, every risk-bearing entity conducting business in Louisiana shall provide notice to the commissioner that sets forth the name, mailing address, phone number, and electronic mail address for each required contact as set forth above in §17505.

B. This notice shall be made electronically using the department's industry access system or any subsequent program provided by the commissioner.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:2E, 22:11, 22:18, 22:41.2, 22:337(A)(5), and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 47:1646 (November 2021).

§17509. Notice of Change of Contact Information

A. Every risk-bearing entity shall notify the commissioner within 30 days of any change in the contact information that was provided with the annual filing.

B. The notification of change may be made by using the department's Industry Access System or through an electronic filing of a uniform notification created by the National Association of Insurance Commissioners.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:2E, 22:11, 22:18, 22:41.2, 22:337(A)(5), and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 47:1647 (November 2021).

§17511. Violations

A. Failure to provide notice to the commissioner of the required contact information on or before March 1st or to provide a notification of change to the commissioner within 30 days of any change in the contact information may be determined by the commissioner to be a violation of R.S. 22:41.2 and may result in or subject a risk-bearing entity to penalties pursuant to R.S. 22:18 or 22:337(A)(5).

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:2E, 22:11, 22:18, 22:41.2, 22:337(A)(5), and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 47:1647 (November 2021).

James J. Donelon
Commissioner

2111#007

RULE

**Department of Natural Resources
Office of Conservation**

Fire Hazards (LAC 43:XIX.115)

The Department of Natural Resources, Office of Conservation has amended 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. This Rule is hereby adopted on the day of promulgation.

Title 43

NATURAL RESOURCES

Part XIX. Office of Conservation—General Operations

Subpart 1. Statewide Order No. 29-B

Chapter 1. General Provisions

§115. Fire Hazards

A.1. - B. ...

1. Each permanent oil, tank or battery of tanks that are located within the corporate limits of any city, town or village, or where such tanks are closer than 500 feet to any

highway or inhabited dwelling or closer than 1000 feet to any school or church, must:

a. be surrounded by a dike (or firewall) or retaining wall of at least the capacity of such tank or battery of tanks, with the exception of such areas where such dikes (or firewalls) or retaining walls would be impossible such as in water areas. At the discretion of the Commissioner of Conservation, firewalls of 100 percent capacity can be required where other conditions or circumstances warrant their construction;

b. be enclosed by a fence no less than four feet high and at a minimum, composed of four strands of wire and a lockable gate which shall be locked when the site is unmanned and the fence and gate shall be properly maintained at all times. Conservation shall be provided a means to unlock the gate;

c. all hatches to the tank, which do not serve as a pressure relief device, must be sealed when the site is unmanned;

d. a warning sign must be prominently displayed on or immediately adjacent to the tank or ladder providing access to the tank and the gate providing entry to the site, denoting danger, flammable contents;

e. the above safety regulations must be implemented within three months of their promulgation.

C.2. - F. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:80 et seq.

HISTORICAL NOTE: Promulgated by Department of Natural Resources, Office of Conservation, (August 1943), amended (March 1955), (December 1963), amended by the Department of Natural Resources, Office of Conservation, LR 47:1647 (November 2021).

Richard P. Ieyoub
Commissioner

2111#024

RULE

**Department of Revenue
Policy Services Division**

Consolidated Filer Sales Tax Returns, Form R-1029—
Electronic Filing and Payment Requirement
(LAC 61.III.1547 and 1548)

Under the authority of R.S. 47:1511, 47:1519, 47:1520 and in accordance with the Administrative Procedure Act, R.S. 49:950 et seq., the Department of Revenue has adopted rules to require electronic filing and payment requirements for consolidated filers who are filing the Louisiana Sales Tax Return, Form R-1029.

R.S. 47:1519(B)(1) authorizes the secretary to require payments by electronic funds transfer, and R.S. 47:1520(A)(2) grants the secretary the discretion to require electronic filing of tax returns or reports by administrative rule promulgated with legislative oversight in accordance with the Administrative Procedure Act, R.S. 49:950 et seq. The purpose of this regulation is to require consolidated filers to electronically file all sales tax returns and electronically submit all related sales and use tax payments. Recent legislative changes have required more specific tracking of sales tax revenues. Requiring consolidated filers