



LOUISIANA DEPARTMENT OF INSURANCE

JAMES J. DONELON
COMMISSIONER

September 13, 2021

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

ELECTRONIC TRANSMISSION
apa.senatepresident@legis.la.gov

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

ELECTRONIC TRANSMISSION
apa.housespeaker@legis.la.gov

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

ELECTRONIC TRANSMISSION
apa.s-ins@legis.la.gov

The Honorable Edmond Jordan
Chairman of the House Insurance Committee
P.O. Box 94062
Baton Rouge, LA 70804

ELECTRONIC TRANSMISSION
apa.h-ins@legis.la.gov

RE: Summary Report – Regulation 117 – Submission of Contact
Information for Risk-Bearing Entities

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

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 117, which was published as a Notice of Intent in the August 2021
edition of the *Louisiana Register*.

Interested persons were provided an opportunity to submit comments to the LDI on the
proposed regulation. The LDI received two comments from American Property Casualty
Insurance Association (“APCIA”) in response to the Notice of Intent and responded
accordingly. APCIA’s comments and the LDI’s response are summarized below and
enclosed for your review.

Letter dated September 1, 2021 from APCIA:

Comment No. 1: APCIA supports the provisions contained in §17505 (B) and (C) allowing risk-bearing entities to “designate more than one individual to meet any one of the requirements of this section” and to “designate one individual as its primary contact to satisfy any one or more of the required contact requirements.” These provisions ensure that, regardless of staff schedules or changes, a company representative will receive timely notification of LDI communications and be able to provide a timely reply.

Response to Comment No. 1: The LDI received and acknowledges this comment in favor of Regulation 117.

Comment No. 2: APCIA requests that the penalty provisions in §17511 not be imposed in cases where risk-bearing entities have provided multiple individuals as one type of contact as allowed under §17505 (B), and one of those contacts does not receive a communication from the LDI. Making this amendment would greatly reduce the need for the LDI to contact risk-bearing entities to determine the circumstances involved with an undeliverable e-mail or unanswered call from one contact when the communication was successfully delivered to a second contact.

Response to Comment No. 1: The LDI responded to APCIA, acknowledging receipt of this comment and speaking with its representative, Lisa Brown. It was explained that the proposed penalty would not be imposed in instances where contact information for multiple individuals of one type of contact are provided, but only one individual receives the communication from the LDI. §17505 (A) of Regulation 117 requires contact information for one individual be provided for each type of contact. Therefore, no penalty will be imposed if a risk-bearing entity chooses to provide contact information for additional individuals as allowed under §17505 (B) and the contact information for the additional individuals is not updated. After clarification of this issue, it was agreed that the language of Regulation 117 as written in the Notice of Intent is sufficient to address this comment.

Subject to legislative oversight, the LDI intends to submit Regulation 117 to the Office of the State Register for final publication in the November 2021 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 any additional information, please contact me at (225) 342-6621, or electronically at jennifer.land@ldi.la.gov.

Jennifer T. Land

Attorney
Louisiana Department of Insurance
Division of Legal Services
P.O. Box 94214
Baton Rouge, LA 70804
Phone: (225) 342-6621
jennifer.land@ldi.la.gov

Enclosures: Notice of Intent to Promulgate Regulation 117 – Submission of Contact Information for Risk-Bearing Entities

Copy of APCIA's letter dated September 1, 2021

Family Impact Statement

In compliance with Act 1183 of the 1999 Regular Session of the Louisiana Legislature, the impact of this proposed Rule on the family has been considered. It is anticipated that this proposed Rule will have no impact on family functioning, stability and autonomy as described in R.S. 49:972.

Poverty Impact Statement

In compliance with Act 854 of the 2012 Regular Session of the Louisiana Legislature, the poverty impact of this proposed Rule has been considered. It is anticipated that this proposed Rule will have no impact on child, individual, or family poverty in relation to individual or community asset development as described in R.S. 49:973.

Small Business Analysis

In compliance with Act 820 of the 2008 Regular Session of the Louisiana Legislature, the economic impact of this proposed Rule on small businesses has been considered. It is anticipated that this proposed Rule will have no impact on small businesses, as described in R.S. 49:965.2 et seq.

Provider Impact Statement

In compliance with House Concurrent Resolution (HCR) 170 of the 2014 Regular Session of the Louisiana Legislature, the provider impact of this proposed Rule has been considered. It is anticipated that this proposed Rule will have no impact on staffing level requirements or qualifications required to provide the same level of service, no direct or indirect cost to the provider to provide the same level of service and will have no impact on the provider's ability to provide the same level of service as described in HCR 170.

Public Comments

Interested persons may submit written comments to Michael Boutte, Bureau of Health Services Financing, P.O. Box 91030, Baton Rouge, LA 70821-9030. Mr. Boutte is responsible for responding to this proposed Rule. The deadline for submitting written comments is at close of business, 4:30 p.m., on September 29, 2021.

Public Hearing

Interested persons may submit a written request to conduct a public hearing by U.S. mail to the Office of the Secretary ATTN: LDH Rulemaking Coordinator, Post Office Box 629, Baton Rouge, LA 70821-0629; however, such request must be received no later than 4:30 p.m. on September 9, 2021. If the criteria set forth in R.S. 49:953(A)(2)(a) are satisfied, LDH will conduct a public hearing at 9:30 a.m. on September 29, 2021 in Room 118 of the Bienville Building, which is located at 628 North Fourth Street, Baton Rouge, LA. To confirm whether or not a public hearing will be held, interested persons should first call Allen Enger at (225) 342-1342 after September 9, 2021. If a public hearing is to be held, all interested persons are invited to attend and present data, views, comments, or arguments, orally or in writing. In the event of a hearing, parking is available to the public in the Galvez Parking Garage, which is located between North Sixth and North Fifth/North and Main Streets (cater-corner from the Bienville Building). Validated parking for the Galvez Garage may be available to public hearing attendees when the parking ticket is presented to LDH staff at the hearing.

Dr. Courtney N. Phillips
Secretary

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

RULE TITLE: Medical Transportation Program

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

It is anticipated that implementation of this proposed rule will have no programmatic fiscal impact to the state other than the cost of promulgation for FY 21-22. It is anticipated that \$1,296 (\$648 SGF and \$648 FED) will be expended in FY 21-22 for the state's administrative expense for promulgation of this proposed rule and the final rule.

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

It is anticipated that the implementation of this proposed rule will have no effect on revenue collections other than the federal share of the promulgation costs for FY 21-22. It is anticipated that \$648 will be collected in FY 21-22 for the federal share of the expense for promulgation of this proposed rule and the final rule.

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

This proposed rule amends the provisions governing the Medical Transportation Program in order to repeal and replace Chapter 5 governing non-emergency medical transportation in its entirety and relocate the non-emergency ambulance transportation provisions to Chapter 7 to ensure that the Louisiana Administrative Code reflects current managed care and fee-for-service practices. It is anticipated that implementation of this proposed Rule will not result in any cost or benefits to NEMT providers in FY 21-22, FY 22-23, and FY 23-24, as it aligns the language in the administrative rule with current practices.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

This rule has no known effect on competition and employment.

Michael Boutte
Interim Medicaid Executive Director
2108#032

Alan M. Boxberger
Staff Director
Legislative Fiscal Office

NOTICE OF INTENT

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., hereby gives notice of its intent to promulgate 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.

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:

§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:

§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:

§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:

§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:

§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:

Family Impact Statement

1. Describe the Effect of the Proposed Regulation on the Stability of the Family. The proposed amended 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 amended 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 amended 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 amended 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 amended 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 amended 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 amended 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 amended 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 amended regulation should have no effect on employment and workforce development.

4. Describe the Effect on Taxes and Tax Credits. The proposed amended 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 amended 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 the Small Businesses Subject to the Proposed Rule. The proposed amended regulation should have no measurable impact upon 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 amended regulation should have no measurable impact upon small businesses.

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

4. Describe any Less Intrusive or Less Costly Alternative Methods of Achieving the Purpose of the Proposed Rule. The proposed amended 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 amended 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 amended regulation will have no effect.

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

Public Comments

Interested persons who wish to make comments may do so by writing to Jennifer Land, Staff Attorney, Louisiana Department of Insurance, P.O. Box 94214, Baton Rouge, LA 70804-9214, or by faxing comments to (225) 342-1632. Comments will be accepted through the close of business, 4:30 p.m., September 10, 2021.

James J. Donelon
Commissioner

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: Regulation 117—Submission of Contact Information for Risk-Bearing Entities

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

The proposed rule will have no cost to state agencies and local governmental units. The proposed rule is promulgated to establish a procedure for the submission of required contact information for risk-bearing entities, and to set 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.

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

The proposed rule will have no impact on state or local governmental revenues.

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

The proposed rule establishes a procedure for the submission of required contact information for risk-bearing entities. Failure to provide notice to the commissioner of the required contact information on or before March 1st, or failure to provide a notification of change to the commissioner within

30 days of any change, may be determined a violation and may result in penalties pursuant to R.S. 22:18 or 22:337(A)(5).

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule will have no impact upon competition and employment in the state.

Denise Gardner
Chief of Staff
2108#019

Alan M. Boxberger
Staff Director
Legislative Fiscal Office

NOTICE OF INTENT

**Department of Natural Resources
Office of Conservation**

**Water Well Registration
(LAC 56:I.117 and 119)**

The Department of Natural Resources, Office of Conservation proposes to amend LAC 56 I.117.A., B., E., M. and LAC 56 I.119.A., B., C.6., C.8. 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 clarifies the existing water well requirements and provides instructions on how to submit the electronic registration forms to the agency in LAC 56 I.117.A., B., E., M. and LAC 56 I.119.A., B., C.6., C.8.

Title 56

PUBLIC WORKS

Part I. Water Wells

Chapter 1. Registering Water Wells

§117. Water Well Registration (Long Form)

A. The Water Well Registration Long Form (DNR-GW-1) and detailed instructions for properly completing and distributing the form are available by contacting department staff at (225) 342-8244 or by accessing the department's website at www.dnr.louisiana.gov/gwater. A copy is to be mailed, or delivered by an Office of Conservation approved electronic delivery system, by the water well contractor within 30 days after the well has been completed. If by mail, send to:

Department of Natural Resources
Office of Conservation
P.O. Box 94275
Baton Rouge, LA 70804-9275

B. A copy of the form is to be retained by the water well contractor for their files, and another copy is to be given to the well owner immediately upon completion of the work. The commissioner will consider and encourages the electronic submission of registration, data or reports required under this section.

C - D.2 ...

E. Well Location. List the parish where the well is located, including the nearest town, city, physical address, etc., and give directions to the well site. The location of the well should be described in detail and as accurately as possible so that the well can be easily located by the department's staff or field inspector. Please include a detailed map or sketch on the back of the original form, or provide a legible attachment to the original form, showing location of well with reference to roads, railroads, buildings, etc. Use an (X) to indicate location of the well. Show location of nearest

existing well(s), if any nearby, by marking (Os), and approximate distance between wells. If submitting the registration form by an Office of Conservation approved electronic delivery system, follow the instructions on the electronic form for including a detailed location map. Determine the well's Global Positioning System (GPS) location and record the GPS longitude and latitude coordinates onto the form.

F - L. ...

M. Driller's Log. Give a description of the materials encountered and depth as detailed in the form instructions. If space on front of the form is insufficient, continue driller's log on reverse side of original form or attach a copy of the driller's log to the original form to be transmitted to the department. If submitting the registration form by an Office of Conservation approved electronic delivery system, follow the instructions on the electronic form for including the Driller's Log information.

1 - 2. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:3098-38:3098.8.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Highways, LR 1:249 (May 1975), amended LR 11:971 (October 1985), repromulgated by the Department of Transportation and Development, Office of Public Works, LR 31:942 (April 2005), amended by the Department of Natural Resources, Office of Conservation, LR 37:907 (March 2011), LR 47:

§119. Water Well Registration (Short Form)

A. The Water Well Registration Short Form (DNR-GW-1S) and detailed instructions for properly completing and distributing the form are available by contacting department staff at (225) 342-8244 or by accessing the department's website at www.dnr.louisiana.gov/gwater. A copy is to be mailed, or delivered by an Office of Conservation approved electronic delivery system, by the water well contractor within 30 days after the well has been completed. If by mail, send to:

Department of Natural Resources
Office of Conservation
P.O. Box 94275
Baton Rouge, LA 70804-9275

B. A copy of the form shall be retained by the water well contractor for their files and another copy shall be given to the well owner immediately upon completion of the work. The commissioner will consider and encourages the electronic submission of registration, data or reports required under this section.

C. - C.5. ...

6. Well Location. List the parish where the well is located, including the nearest town, city, physical address, etc., and give directions to the well site. The location of the well should be described in detail and as accurately as possible so that the well can be easily located by the department's staff or field inspector. Please include a detailed map or sketch on the back of the original form, or provide a legible attachment to the original form, showing the location of the well with reference to roads, railroads, buildings, etc. Use an (X) to indicate location of the well. Show location of nearest existing well(s), if any nearby, by making (Os) and approximate distance between wells. If submitting the registration form by an Office of Conservation approved electronic delivery system, follow the instructions on the



September 1, 2021

Jennifer Land, Staff Attorney
Louisiana Department of Insurance
P.O. Box 94214
Baton Rouge, LA 70804-9214

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Commissioner of Insurance
Legal Division

Via Facsimile: (225) 342-1632

RE: Regulation 117--Submission of Contact Information for Risk-Bearing Entities

Dear Ms. Land:

The American Property Casualty Insurance Association (APCIA)¹ appreciates the opportunity to provide comments on proposed Regulation 117 – Submission of Contact Information for Risk-Bearing Entities. We certainly appreciate the frustration that stems from distributing critical information to insurers only to receive undeliverable email responses or other challenges reaching key contacts, and support Louisiana Department of Insurance efforts to ensure it has appropriate contact information for key insurer personnel.

APCIA supports the provisions contained in section 17505 B and C allowing insurers to “designate more than one individual to meet any one of the requirements of this section” and to “designate one individual as its primary contact to satisfy any one or more of the required contact requirements.” These provisions provide insurers the opportunity to ensure that, regardless of staff schedules or changes, a company representative will receive timely notification of Department communications and be able to provide a timely reply.

APCIA respectfully requests that Section 17511, “Penalties” be amended to reflect that in cases where insurers have provided multiple individuals as contacts required under section 17505, and the communication is received by one of the multiple contacts, the penalty provisions of section 17511 will not apply. We believe this amendment will greatly reduce the need for Department follow-ups with insurers to determine the circumstances involved with an undeliverable email or unanswered call from one contact when the communication did successfully reach a second contact provided in the annual update of contact information required by section 17507, “Annual Notification of Contact Information.” Making this change would, APCIA believes, ensure a smoother process for all while also potentially saving valuable Department follow-up-related time and resources.

¹ Representing nearly 60 percent of the U.S. property casualty insurance market, the American Property Casualty Insurance Association (APCIA) promotes and protects the viability of private competition for the benefit of consumers and insurers. APCIA represents the broadest cross-section of home, auto, and business insurers of any national trade association. APCIA members represent all sizes, structures, and regions, protecting families, communities, and businesses in the U.S. and across the globe.

Thank you in advance for your consideration. APCIA welcomes the opportunity to work with the Department to ensure that insurers provide you with complete and accurate contact information.

Respectfully submitted,



Lee Ann Alexander
Vice President, State Government Relations

Cc: David Caldwell, via email