

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

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, July 9, 1962, repealed LR 50:1497 (October 2024).

Timothy J. Temple
Commissioner

2410#036

RULE

Department of Insurance Office of the Commissioner

Regulation 39—Statement of Actuarial Opinion (LAC 37:XIII.Chapter 7)

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 39—Statement of Actuarial Opinion*. The Department of Insurance is repealing *Regulation 39* as the guidance it provides is included in the NAIC Annual Statement Instructions, which R.S. 22:771 directs insurers to follow. This Rule is hereby adopted on the day of promulgation.

Title 37

INSURANCE

Part XIII. Regulations

Chapter 7 Regulation 39—Statement of Actuarial Opinion

§701. Purpose

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:904

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 18:619 (June 1992), repealed LR 50:1498 (October 2024).

§703. Applicability and Scope

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:904.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 18:619 (June 1992), repealed LR 50:1498 (October 2024).

§705. Definitions

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:904.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 47:52 (January 2021), repealed LR 50:1498 (October 2024).

§707. Content

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:904.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 18:619 (June 1992), repealed LR 50:1498 (October 2024).

§709. Exemptions

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:904.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 18:619 (June 1992), repealed LR 50:1498 (October 2024).

Timothy J. Temple
Commissioner

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RULE

Department of Insurance Office of the Commissioner

Regulation 43—Companies in Hazardous Financial Condition (LAC 37:XIII.Chapter 13)

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 43*.

The purpose of the amendment to *Regulation 43* is to update the standards which the commissioner may use for identifying insurers found to be in such condition as to render the continuance of their business hazardous to their policyholders, creditors or the general public in accordance with the model regulation adopted by the National Association of Insurance Commissioners (NAIC). This Rule is hereby adopted on the day of promulgation.

Title 37

INSURANCE

Part XIII. Regulations

Chapter 13. Regulation Number 43—Companies in Hazardous Financial Condition

§1305. Standards

A. ...

1. - 4. ...

5. whether the insurer's operating loss in the last 12-month period or any shorter period of time, including but not limited to net capital gain or loss, change in non-admitted assets, and cash dividends paid to shareholders, is greater than 50 percent of the insurer's remaining surplus as regards policyholders in excess of the minimum required;

6. - 20. ...

21. whether the insurer has experienced or will experience in the foreseeable future cash flow or liquidity problems.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:11 and 22:220 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Commissioner of Insurance, LR 18:1408 (December 1992), amended LR 39:3303 (December 2013), amended by the Department of Insurance, Office of the Commissioner, LR 50:1498 (October 2024).

Timothy J. Temple
Commissioner

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