

**Louisiana Property and Casualty Insurance Commission**  
**Notice of Meeting and *Revised* Agenda**  
**Thursday, January 16, 2020 at 10:00 A.M.**  
**Department of Insurance—Plaza Hearing Room—Poydras Building**

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- I. Call to Order—Chairman
- II. Roll Call—Director
- III. Discussions and Presentations
  - A. Discussion of and voting on recommendations for the Annual Report. (The following list of topics is drawn from the 2019 recommendations this year’s meetings. Members may propose additions, deletions, or amendments. The public may comment before each vote.)
    - 1. Uniform Construction Code. The LPCIC recommends the maintenance and strengthening of the Louisiana State Uniform Construction Code.
    - 2. Highway Safety. The LPCIC recommends that the legislature ban the manual use by the operator of a motor vehicle while in motion of all electronic devices not permanently installed in the vehicle.
    - 3. Civil Justice Reforms. The LPCIC recommends that the legislature:
      - a) Reduce the civil jury threshold.
      - b) Repeal the direct action statute or amend it to limit the instances for naming an insurer as a defendant to those where the insured is unable to be served with process.
      - c) Modify the collateral source rule to limit the ability of a plaintiff to recover damages for expenses that are not due or payable when there is a write-off pursuant to a healthcare provider agreement with an insurer or other health coverage issuer.
      - d) Amend La. C.C. P. art. 1812(C)(4) to provide for only one written finding of each of the following: general damages; past lost wages, future lost wages for each plaintiff on a special verdict form.
      - e) Amend La. R.S. 32:295.1(E) to admit seat belt use as evidence of comparative negligence.
      - f) Amend La. C.E. art. 411 to prohibit the reference to the name of an insurer or the retention of counsel by the insurer in a civil proceeding involving an insurer that issues a policy to a party to the suit.
      - g) Amend La. R.S. 32:866(A) to prohibit the recovery of general damages for an owner or operator of a motor vehicle who fails to maintain

compulsory liability insurance.

h) Amend C.C.P. art. 966 to permit certain evidence in rebuttal to opposition to motion for summary judgment.

i) Amend the Code of Evidence to permit force of impact evidence in personal injury cases.

j) Amend the Code of Evidence to require documentary evidence of past lost wages to support a claim for that element of damages.

k) Amend C.E. art. 408 to permit evidence of settlement to show why a party is not a defendant in a civil action.

l) Enact a statute to set a maximum fee for medical services rendered for bodily injuries sustained in a motor vehicle accident.

4. Opioid Abuse. The LPCIC recommends that the legislature enact a requirement for the use of a closed pharmacy formulary in workers' compensation claims.

B. Discussion and voting on study topics for the coming year.

1. Insurance and Technology. The LPCIC will monitor and study issues related to the effects of technology on the business of insurance and insurance coverage.

2. Cybersecurity and Insurance. The LPCIC will continue monitor and study issues related to cybersecurity and insurance.

3. Highly Automated Vehicles (HAV) and Driverless Vehicles. The LPCIC will study regulatory and insurance issues that arise with the development of driverless vehicles.

4. Federal and International Actions Affecting Insurance and Insurance Regulation. The LPCIC will monitor and study the effects of federal laws and regulations and international actions on the affordability and availability of property and casualty insurance.

5. Automobile Insurance Market. The LPCIC will study the automobile insurance market to determine solutions to the problems with availability and affordability of private passenger and commercial automobile insurance.

**IV. Any Other Matters and Public Comments**

**V. Adjournment**