



LOUISIANA DEPARTMENT OF INSURANCE

JAMES J. DONELON
COMMISSIONER

ADVISORY LETTER NO. 2010-02

**TO: ALL AUTHORIZED INSURERS AND
HEALTH MAINTENANCE ORGANIZATIONS**

FROM: JAMES J. DONELON, COMMISSIONER OF INSURANCE

RE: ANTI-FRAUD PLAN FILING REQUIREMENTS

DATE: DECEMBER 30, 2010

LSA-R.S. 22:572.1 becomes effective on January 1, 2011, and mandates that each authorized insurer and each health maintenance organization (HMO) licensed to operate in Louisiana shall file with the Commissioner of Insurance (Commissioner) an anti-fraud plan with regard to its operations in this state. In accordance with LSA-R.S. 22:572.1.F, the initial filing of the anti-fraud plan shall be made between January 1 and April 1, 2011. Any insurer or HMO that may have already filed its anti-fraud plan with the Louisiana Department of Insurance (LDI) prior to the January 1, 2011 effective date shall re-file with the LDI in accordance with the electronic format specified below.

Also, LSA-R.S. 22:572.1 authorizes the Commissioner to establish the format for the filing of the initial anti-fraud plan, any supplemental report on material changes to the anti-fraud plan and the mandatory annual summary report. Accordingly, I hereby direct that each authorized insurer and each health maintenance organization shall file its initial anti-fraud plan, any supplemental report on material changes to its anti-fraud plan and the mandatory annual summary report with the LDI in electronic format only. To facilitate these filings, an electronic link has been established, effective January 1, 2011, on the LDI website at www.lidi.state.la.us.

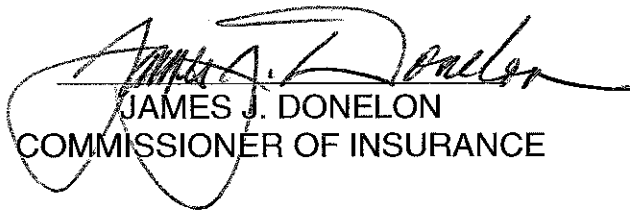
An electronic check list will be provided in the LDI link for each insurer and HMO to advise the LDI which pages in its initial anti-fraud plan contain the necessary information for each of the nine (9) items required by LSA-R.S. 22:572.1.B. This electronic checklist will allow each insurer and HMO to verify that it has complied with the anti-fraud plan requirements and will also facilitate the LDI's review of the initial anti-fraud plan for the required information. Upon filing electronically with the LDI each insurer and HMO will receive an electronic acknowledgment stating that it can assume substantial compliance unless it is advised otherwise by the LDI, in writing, within forty-five (45) days of said filing. No other information and no statistical data are due at the time of the filing of the initial 2011 anti-fraud plan with the LDI.

Additionally, between January 1 and April 1 of every year, each insurer and HMO licensed to operate in Louisiana shall file with the LDI both a supplemental report regarding its anti-fraud plan and an annual summary report of its suspected fraud referrals for each preceding calendar year. The first of these reports is due between January 1 and April 1, 2012, for the 2011 calendar year. A supplemental report and a summary report for each subsequent calendar year thereafter shall be filed between January 1 and April 1 of the following year. If there are no material changes to the anti-fraud plan, the insurer or HMO must click a checkbox to that effect. If there are material changes to the anti-fraud plan, then the insurer or HMO must click a different checkbox and provide an attachment with the material changes to its anti-fraud plan.

In the annual summary report each insurer and HMO shall provide the following statistics to the LDI: (1) How many claims did your company process in Louisiana the previous calendar year; and (2) How many of those claims did your company refer to the LDI Fraud Section as suspicious? Blanks will be available for each insurer and HMO to report on each of these statistics.

If you have any questions or need clarification about Advisory Letter No. 2010-02, the filing of the initial anti-fraud plan, the annual supplemental report or the annual summary report, please contact the Director of the LDI Fraud Section by telephone at (225) 342-4956.

Baton Rouge, Louisiana, this 30th day of December 2010.



JAMES J. DONELON
COMMISSIONER OF INSURANCE