

contracted CNA has been determined to have committed exploitation, extortion, abuse or neglect of an individual in the care of the CNA, or there has been a misappropriation of the individual's property or funds. If there is such a finding on either database, the prospective employee shall not be hired as a CNA nor shall a current or contracted CNA have continued employment with the NF.

C. All personnel requiring licensure to provide care shall be currently licensed to practice in the state of Louisiana. Credentials of all licensed full-time, part-time, and consultant personnel shall be verified prior to hire or contract, and at least annually thereafter.

D. All personnel, including routine unpaid workers, involved in direct resident care, shall adhere to the *Title 51, Public Health Sanitary Code*, Chapter 5 requirements for health examinations and tuberculosis (TB) testing for employees and volunteers.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2009.1-2116.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 42:1903 (November 2016), amended by the Department of Health, Health Standards Section, LR 51:402 (March 2025), amended by the Department of Health, Health Standards Section, LR 51:1165 (August 2025).

Bruce D. Greenstein  
Secretary

2508#041

## RULE

### Department of Insurance Office of the Commissioner

#### Regulation 120—Administrative and Agency Proceedings Instituted against a License (LAC 37:XIII.Chapter 181)

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 120—Administrative and Agency Proceedings Instituted Against a License.

The purpose of Regulation 120 is to establish procedures for governing the institution of administrative and agency proceedings resulting in administrative action with respect to a license. The statute has been amended by Acts 135 and 487 of the 2024 Regular Legislative Session, which provides for notices of intent and for regulatory actions to be sent to the licensee via electronic means. Therefore, Regulation 120 is being amended to provide for electronic delivery. This Rule is hereby adopted on the day of promulgation.

#### Title 37

#### INSURANCE

#### Part XIII. Regulations

#### Chapter 181. Regulation 120—Administrative and Agency Proceedings Instituted against a License

#### §18109. Definitions

A. ...

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*Electronic Delivery*—a method of providing electronic notice to a licensee including but not limited to email, web portal or other electronic mechanism established for communication from the Department of Insurance.

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AUTHORITY NOTE: Promulgated in accordance with R.S. 22:2, 22:11, 22:18, 22:2191, et seq., and the Administrative Procedure Act, R.S. 49:950, et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 48:1105 (April 2022), amended LR 51:1166 (August 2025).

#### §18111. Actions against License; Notice of Wrongful Conduct; Opportunity to Show Compliance

A. Prior to the institution of an agency proceeding regarding the revocation, suspension, annulment, or withdrawal of a license, the commissioner shall give the licensee notice of the wrongful conduct alleged and an opportunity to show compliance with all lawful requirements for the retention of the license in accordance with R.S. 49:950 et seq. The notice of wrongful conduct shall be in writing and mailed, electronically delivered or delivered personally to the licensee at the last known address or principal place of business identified in the department's database for the licensee, and it must include the particulars set forth under Subpart B herein.

B. ...

C. The licensee shall have 20 calendar days from the mailing, electronic delivery, or personal delivery of the notice of wrongful conduct by the commissioner to demonstrate compliance with all lawful requirements for retention of the license as specified in the notice of wrongful conduct, unless the commissioner determines that an extension of time is warranted.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:2, 22:11, 22:18, 22:2191, et seq., and the Administrative Procedure Act, R.S. 49:950, et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 48:1105 (April 2022), amended LR 51:1166 (August 2025).

#### §18113. Notice of Regulatory Action

A. If the licensee fails to demonstrate compliance with all lawful requirements of Title 22 for retention of the license to the satisfaction of the commissioner within 20 calendar days of the mailing, electronic delivery, or personal service of the notice of wrongful conduct, or within any extension of time approved by the commissioner, a notice of regulatory action may be issued. The notice shall be in writing and issued via mail, electronic delivery or by personal delivery to the last known address or principal place of business identified in the department's database for the licensee. The revocation, suspension, annulment, or withdrawal of a license shall take effect 10 calendar days from the date of issuance of the notice of regulatory action, unless otherwise provided in Title 22. The licensee shall have the right to timely demand an administrative hearing to contest the notice of regulatory action in accordance with R.S. 22:2191, et seq.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:2, 22:11, 22:18, 22:2191, et seq., and the Administrative Procedure Act, R.S. 49:950, et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 48:1105 (April 2022), amended LR 51:1166 (August 2025).

## **§18115. Notice of Summary Suspension or Order**

A. Notwithstanding any other provision of this regulation, if the commissioner finds that the public health, safety, or welfare of Louisiana citizens imperatively requires emergency action, the commissioner may issue a notice of summary suspension or order to the licensee, setting forth the basis for such a finding. The notice of summary suspension or order shall be in writing and mailed, electronically delivered or delivered personally to the licensee at the last known address or principal place of business identified in the department's database for the licensee, and it may be issued while agency proceedings for license revocation or other adverse actions authorized by R.S. 49:961© are pending, unless otherwise provided in Title 22. The licensee shall have the right to timely demand an administrative hearing to contest the notice of summary suspension or order in accordance with R.S. 22:2191, et seq.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:2, 22:11, 22:18, 22:2191, et seq., and the Administrative Procedure Act, R.S. 49:950, et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 48:1106 (April 2022), amended LR 51:1167 (August 2025).

Timothy J. Temple  
Commissioner

2508#026

## **RULE**

### **Department of Insurance Office of the Commissioner**

#### **Regulation 135—Advisory Board or Commission (LAC 37:XIII.Chapter 207)**

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 promulgates Regulation 135—Advisory Board or Commission.

The Department of Insurance promulgates Regulation 135 to comply with Act 339 of the 2024 Regular Session of the Louisiana Legislature which amended R.S. 22:2161. Regulation 135 provides the commissioner with the authority to create and operate advisory boards or commissions. This Rule is hereby adopted on the day of promulgation.

### **Title 37**

### **INSURANCE**

### **Part XIII. Regulations**

#### **Chapter 207. Regulation 135—Advisory Board or Commission**

##### **§20701. Authority**

A. The commissioner issues Regulation 135 pursuant to the provisions of Act 339 of the 2024 Regular Session of the Louisiana Legislature and in accordance with the Administrative Procedure Act, R.S. 49:950 et seq. R.S. 22:11.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:2, R.S. 22:11, Act 339, 2024 Regular Session of the Louisiana Legislature, and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 51:1167 (August 2025).

##### **§20703. Purpose**

A. The purpose of Regulation 135 is to implement the provisions of Act 339 of the 2024 Regular Session of the Louisiana Legislature, which allows the commissioner to create advisory boards or commissions to advise with respect to the availability and affordability of insurance and other insurance matters the commissioner may submit for consideration.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:2, R.S. 22:11, Act 339, 2024 Regular Session of the Louisiana Legislature, and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 51:1167 (August 2025).

##### **§20705. Definitions**

*Commissioner*—Commissioner of Insurance

*Conflicts of Interest*—when a member's immediate family member, or legal entity in which they have a substantial economic interest bids on or enters into or has a substantial economic interest in any contract, subcontract, or other transaction which is under the supervision or jurisdiction of the agency of such appointed member.

*Department*—Louisiana Department of Insurance.

*Open Meetings Law*—provisions of law regarding public meetings pursuant to R.S. 42:11 et seq.

*Public Records Law*—provisions of law regarding public records pursuant to R.S. 44:1 et seq.

*Quorum*—means a simple majority of the total membership of an advisory board or commission.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:2, R.S. 22:11, Act 339, 2024 Regular Session of the Louisiana Legislature, and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 51:1167 (August 2025).

##### **§20707. Creation**

A. The commissioner may create an advisory board or commission. For any advisory board or commission so created, the commissioner may appoint members to the advisory board or commission, appoint the Chair, Vice Chair, and other officers and staff, and designate the number of members. The commissioner may charge the advisory board or commission to study and report on any subject matter relative to the availability and affordability of insurance and other insurance matters.

B. Subject to approval of the commissioner, the Chair and Vice Chair may create, appoint members, and charge a subcommittee on any issue within the charge of the advisory board or commission.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:2, R.S. 22:11, Act 339, 2024 Regular Session of the Louisiana Legislature, and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 51:1167 (August 2025).

##### **§20709. Duty**

A. An advisory board or commission is responsible for providing guidance and recommendations regarding the availability and affordability of insurance products for the residents of Louisiana and other matters relative to the insurance industry of this state that the commissioner may