



LOUISIANA DEPARTMENT OF INSURANCE

JAMES J. DONELON
COMMISSIONER

September 19, 2022

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

ELECTRONIC TRANSMISSION
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RE: Summary Report – Amend Rule 10 — Continuing Education

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

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 the amendment of Rule 10, which was published as a Notice of Intent in the August 2022 edition of the *Louisiana Register*.

Interested persons were provided an opportunity to submit comments to the LDI on the proposed regulation. The LDI received comments from multiple persons in response to the Notice of Intent and the LDI responded accordingly. These comments and the LDI's responses are summarized below and enclosed for your review.

Comment 1: Chase Holmes requested to be unsubscribed from the LDI Industry Portal Notification System.

Response to Comment 1: The request is not relevant to Rule 10. However, the request to be unsubscribed was routed to the proper division within the LDI to be processed accordingly.

Comment 2: Brian Taylor requested to be unsubscribed from the LDI Industry Portal Notification System.

Response to Comment 2: The request is not relevant to Rule 10. However, the request to be unsubscribed was routed to the proper division within the LDI to be processed accordingly.

Comment 3: Lily Shigaki requested to be unsubscribed from the LDI Industry Portal Notification System.

Response to Comment 3: The request is not relevant to Rule 10. However, the request to be unsubscribed was routed to the proper division within the LDI to be processed accordingly.

Comment 4: Alice Belanger asked for clarification as to the intent of the amendment of Rule 10.

Response to Comment 4: The request was routed to the proper division within the LDI to be addressed.

Comment 5: Jamiah Griggs requested to be unsubscribed from the LDI Industry Portal Notification System.

Response to Comment 5: The request is not relevant to Rule 10. However, the request to be unsubscribed was routed to the proper division within the LDI to be processed accordingly.

Comment 6: John Front requested assistance in updating his mailing address.

Response to Comment 6: The request was routed to the proper division within the LDI to be addressed.

Comment 7: Gio Biziack requested to be unsubscribed from the LDI Industry Portal Notification System.

Response to Comment 7: The request is not relevant to Rule 10. However, the request to be unsubscribed was routed to the proper division within the LDI to be processed accordingly.

Comment 8: Sabrina Plessala requested information about continuing education for life insurance only.

Response to Comment 8: The request was routed to the proper division within the LDI to be addressed.

Comment 9: Jennifer Lee requested to be unsubscribed from the LDI Industry Portal Notification System.

Response to Comment 9: The request is not relevant to Rule 10. However, the request to be unsubscribed was routed to the proper division within the LDI to be processed accordingly.

Comment 10: Bob Foehlinger requested to be unsubscribed from the LDI Industry Portal Notification System.

Response to Comment 10: The request is not relevant to Rule 10. However, the request to update the email address was routed to the proper division within the LDI to be processed accordingly.

Comment 11: Victoria Seal asked for the requirements to become a licensed agent.

Response to Comment 11: The request was routed to the proper division within the LDI to be addressed.

Comment 12: Anthony Ciervo asked for clarification as to the intent of the amendment of Rule 10.

Response to Comment 12: The request was routed to the proper division within the LDI to be addressed.

Comment 13: Patricia Tejeda requested guidance as to the procedure to get a Louisiana Adjuster license.

Response to Comment 13: The request was routed to the proper division within the LDI to be addressed.

Comment 14: Jesus A. Reina requested to be unsubscribed from the LDI Industry Portal Notification System.

Response to Comment 14: The request is not relevant to Rule 10. However, the request to be unsubscribed was routed to the proper division within the LDI to be processed accordingly.

Comment 15: Melinda Yarrito requested to be unsubscribed from the LDI Industry Portal Notification System.

Response to Comment 15: The request is not relevant to Rule 10. However, the request to be unsubscribed was routed to the proper division within the LDI to be processed accordingly.

Comment 16: Marie Hohensee asked if there is an age when a licensed producer no longer needs Continuing Education to renew a property and casualty or surplus lines license.

Response to Comment 16: The request was routed to the proper division within the LDI to be addressed.

Comment 17: Wendy Thompson requested to be unsubscribed from the LDI Industry Portal Notification System.

Response to Comment 17: The request is not relevant to Rule 10. However, the request to be unsubscribed was routed to the proper division within the LDI to be processed accordingly.

Comment 18: Eric Hanson requested to be unsubscribed from the LDI Industry Portal Notification System.

Response to Comment 18: The request is not relevant to Rule 10. However, the request to be unsubscribed was routed to the proper division within the LDI to be processed accordingly.

Comment 19: Jeff Albright asked the following questions regarding §715 of Rule 10:

First, all our courses are monitored webinars which have periodic “response codes” that the participants must enter throughout the course to verify that they are actually participating. Participants cannot go through the course at their own speed and they cannot spend less time than the number hours approved by LDI. Several of our third-party CE providers have informed us that other departments of insurance do not consider these courses “internet-based self-study programs” because participants cannot alter the time spent on the course.

Specific concerns include:

(1) shall include statistical information related to the length of time spent by all licensees who participated in the course

Since our courses have periodic “response codes” that the participants must enter throughout the entire course to verify that they are actually participating in the course, if it is a three-hour course, all participants spend three hours. We can report this, but it seems redundant to report the number of hours for which the course is approved.

(2) and the average and median amount of time spent in the course environment by those licensees.

We can't report average and median amount of time spent in the course environment. All participants spend the number of hours for which the course is approved by LDI. This is why we do not believe these courses should be considered “internet-based self-study programs.”

(3) In addition to the required information, the provider may also include information for all participants of the program.

We are not clear what this means. What information would you want us to report on participants?

Responses to Comment 19:

(1) As you responded earlier, some of your courses are live and some recorded, but all have response codes throughout the course to ensure that participants are actively engaged for the entirety of either course. The live course is separate and distinct from an “internet-based self-study”, therefore statistical information related to the length of time spent by all licensees who participated in the course is not required to be reported for live courses. However, if those “live” courses are recorded and used again as self-based study, the length of time spent in the course should be reported. Using a previously recorded live webinar should have its own separate continuing education approval.

For example, a three hour pre-recorded course that does not allow participants to spend less than three hours in the course should be reported as three hours.

(2) Since participants cannot go through the course at their own speed and they cannot spend less time than the number hours approved by the LDI, the average and median amount of time spent in the course would be reported the same as the length of time spent in the course.

For example, the average and median time for a three hour pre-recorded course that does not allow participants to spend less than three hours in the course should be reported as three hours.

(3) The provider must provide Louisiana resident participation information to the LDI. However, they are given the option of providing information for participants other than Louisiana residents. This information may be used by the commissioner in determining the appropriate number of credit hours to be awarded to the program upon renewal.

Subject to legislative oversight, the LDI intends to submit Rule 10 to the Office of the State Register for final publication in the November 2022 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).

Enclosure: Notice of Intent to Amend Rule 10 — Continuing Education

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, by faxing comments to (225) 342-1632, or electronically at regulations@ldi.la.gov. Comments will be accepted through the close of business, 4:30 p.m., September 12, 2022.

James J. Donelon
Commissioner

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

RULE TITLE: Rule 9—Prelicensing Education

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

The proposed rule change will not result in additional costs or savings for state or local governmental units. The rule revisions repeal Rule 9, which was implemented to establish the curricula for programs of instruction required to be completed by applicants seeking an insurance license in the state of Louisiana; to establish criteria for approval of prelicensing program providers; and to establish a mechanism of examination and review of the performance and quality of the instruction. LDI is repealing Rule 9 due to the passage of Act 273 of the 2022 Regular Legislative Session, which repeals prelicensing requirements for insurance producers.

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, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)

The proposed rule change will not result in any costs and/or economic benefits to directly affected persons or non-governmental groups. The rule revision repeals Rule 9 due to the passage of Act 273 of the 2022 Regular Legislative Session.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

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

S. Denise Gardner
Chief of Staff
2208#042

Alan M. Boxberger
Interim Legislative Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

Department of Insurance Office of the Commissioner

Rule 10—Continuing Education (LAC 37:XI.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 gives notice of its intent to amend Rule 10—Continuing Education. The amendment of Rule 10 implements the provisions of Act 56 and Act 273 of the 2022 Regular Session of the Louisiana Legislature. The purpose of the amendment to Rule 10 is to (1) remove the first renewal exemption for completion of continuing education as prelicensing education is no longer required; (2) include required information that must be submitted to qualify for continuing education credit for participation in professional association activities; (3) clarify what data is required in association with the renewal of a continuing education course; (4) modify terminology relative to accident and health insurance and the commissioner; and (5) provide for technical changes.

Title 37 INSURANCE Part XI. Rules

Chapter 7. Rule Number 10— Continuing Education §703. Purpose

A. The purpose of this Rule is to protect the public, maintain high standards of professional competency in the insurance industry, and maintain and improve the insurance skills and knowledge of producers, adjusters, and insurance consultants licensed by the commissioner. This shall be accomplished by prescribing the following:

1. - 2. ...

3. a procedure for establishing to the commissioner that continuing education requirements have been met.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:11, R.S. 22:1547, R.S. 22:1573, R.S. 22:1673, R.S. 22:1678, R.S. 22:1702, R.S. 22:1708, R.S. 22:1808.4 and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 37:2173 (July 2011), repromulgated LR 47:600 (May 2021), amended LR 48:

§705. Applicability and Scope

A. This Rule applies to all natural persons who are licensed by the commissioner as producers for the lines of life, accident and health or sickness, property, casualty, bail bonds, personal lines or title and all adjusters and insurance consultants licensed by the commissioner. This Rule shall

also apply to the providers of continuing education programs and instructors for such programs.

B. - B.1. ...

2. an individual renewing a resident claims adjuster license for the first time after initial issuance. Thereafter the licensee shall be subject to all applicable continuing education requirements;

3. an individual renewing a public adjuster license within one year of initial issuance;

4. an individual licensed as an insurance producer who, on the date of renewal submission, is 65 years or older and who has at least 15 years of experience and who either:

a. - b. ...

C. Any person seeking an exemption to the continuing education requirements pursuant to the provisions of Paragraph B.4 above shall attest to his eligibility for the exemption on a form provided by the commissioner.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:11, R.S. 22:1547, R.S. 22:1573, R.S. 22:1673, R.S. 22:1678, R.S. 22:1702, R.S. 22:1708, R.S. 22:1808.4 and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 37:2173 (July 2011), amended LR 47:600 (May 2021), amended LR 48:

§709. Definitions

A. As used in this Rule, unless the context otherwise requires, the following definitions shall be applicable.

Adjuster—an individual who is licensed by the commissioner as a claims adjuster pursuant to the provisions of R.S. 22:1661-1678 or as a public adjuster pursuant to the provisions R.S. 22:1691-1708.

Claims Adjuster—an individual who is licensed by the commissioner as a claims adjuster pursuant to the provisions of R.S. 22:1661-1678.

Commissioner—the commissioner of insurance of Louisiana.

Insurance Consultant—an individual licensed as an insurance consultant pursuant to the provisions of R.S. 22:1808.1-1808.13.

Insurance Producer or Producer—an individual who is licensed by the commissioner as an insurance producer pursuant to the provisions of R.S. 22:1541-1566.

Licensee—an individual licensed as an insurance producer or insurance consultant for the lines of life, accident and health or sickness, property, casualty, bail bonds, personal lines, title, or as a claims adjuster or a public adjuster by the commissioner.

Provider—an entity presenting a continuing education program.

Public Adjuster—an individual who is licensed by the commissioner as a public adjuster pursuant to the provisions of R.S. 22:1691-1708.

Renewal Period—the two years immediately preceding expiration of a producer or adjuster license. For the purposes of a newly issued license “renewal period” shall mean the time between the issuance of the license and the next scheduled expiration of the license.

Self-Study—an internet, CD-ROM, DVD, or other computer based presentation or a correspondence course.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:11, R.S. 22:1547, R.S. 22:1573, R.S. 22:1673, R.S. 22:1678, R.S. 22:1702, R.S. 22:1708, R.S. 22:1808.4 and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 37:2173 (July 2011), amended LR 47:600 (May 2021), amended LR 48:

§711. Continuing Education Requirements

A. As a condition of the renewal of a license, the continuing education provider or licensee must furnish the commissioner, prior to the license expiration date, proof of satisfactory completion of approved programs having the required minimum hours of continuing education credit.

1. Insurance producers or insurance consultants licensed for one or more of the lines of life, accident and health or sickness, property, casualty or personal lines—24 hours.

2. - 4. ...

B. The 24 hours of continuing education required for insurance producers or insurance consultants licensed for one or more of the lines of life, accident and health or sickness, property, casualty or personal lines shall include a minimum of three hours dedicated to the subject of ethics.

C. The 24 hours of continuing education required for insurance producers or insurance consultants licensed for one or more of the lines of property, casualty or personal lines shall include a minimum of three hours dedicated to the subject of flood insurance.

D. - K. ...

L. Subject to the provisions of Subsection K above, a licensee who acts as an instructor for any program approved for continuing education credit by the commissioner shall receive the same number of hours as would be granted to a licensee taking and successfully completing the program.

M. - N. ...

O.1. Insurance producers who are members of state or national insurance associations may be granted up to four continuing education credits each renewal period for actively participating in a state or national insurance association in any of the following methods:

a. attend a formal meeting of a state or national insurance association where a formal business program is presented and attendance is verified in a manner consistent with the provisions of this Rule;

b. serve on the board of directors or a formal committee of a state or national chapter of the insurance association, and actively participate in the activities of the board or committee;

c. participate in industry, regulatory, or legislative meetings held by or on behalf of a state or national chapter of the insurance association; or

d. participate in other formal insurance business activities of a state or national chapter of the insurance association.

2. To qualify for continuing education credit under this provision, members must participate in qualified activities as described in Paragraph O.1 of this Section. The state or national insurance association shall be responsible for verifying participation. Attendance at meetings which are otherwise approved for continuing education credit do not qualify under the terms of this provision. The state or national insurance association shall submit a formal request to the commissioner for approval of continuing education credits issued under the terms of this provision. The request shall include the name and Louisiana license number for all producers for whom credit is being requested and

information on the completed activities including the dates, times and descriptions of those activities. Such requests shall be made to the commissioner no more than 365 days after completion of the activity and shall be made in increments of not less than one hour. The commissioner shall review the requests and grant credit to the producers only after determining that the request is consistent with the provisions of this Rule.

3. ...

4. Regardless of the number of state or national insurance associations in which an insurance producer actively participates, under no circumstances shall an insurance producer receive more than four credit hours per renewal period for such participation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:11, R.S. 22:1547, R.S. 22:1573, R.S. 22:1673, R.S. 22:1678, R.S. 22:1702, R.S. 22:1708, R.S. 22:1808.4 and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 37:2173 (July 2011), amended LR 47:600 (May 2021), amended LR 48:

§715. Program Certification Requirements

A. An application for certification of a continuing education program shall be submitted to the commissioner not less than 30 days prior to the expected use of the program. Each application shall be submitted electronically using the “CE Course Administration Module” of the Industry Access System or succeeding system and shall include:

1. - 2. ...

3. a statement of the method used to determine the course has been completed and whether there has been a positive achievement of education on the part of the licensee participating in the program. Such method may be a written examination, a written report by the licensee, certification by the organization providing the program of the attendance or completion of the program by the licensee, or any other method approved by the commissioner as appropriate for the subject;

4. - 9. ...

10. payment of all fees as required by R.S. 22:821(B)(29).

B. - L. ...

M. A request for renewal of an internet-based self-study program shall include statistical information related to the program including the total number of Louisiana resident licensees who participated in the program in the previous three years and the average and median amount of time spent in the course environment by those licensees. In addition to the required information, the provider may also include information for all participants of the program. This information may be used by the commissioner in determining the appropriate number of credit hours to be awarded to the program upon renewal.

N. - N.4. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:11, R.S. 22:1547, R.S. 22:1573, R.S. 22:1673, R.S. 22:1678, R.S. 22:1702, R.S. 22:1708, R.S. 22:1808.4 and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 37:2175 (July 2011), amended LR 47:602 (May 2021), amended LR 48:

§717. Measurement of Credit Hours

A. ...

B. Credit for continuing education programs shall be given in full hours only.

B.1. - D. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:11, R.S. 22:1547, R.S. 22:1573, R.S. 22:1673, R.S. 22:1678, R.S. 22:1702, R.S. 22:1708, R.S. 22:1808.4 and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 37:2176 (July 2011), amended LR 47:602 (May 2021), amended LR 48:

§719. Provider Requirements

A. - B.8. ...

9. the fee required by R.S. 22:821(B)(29);

B.10 - D.6. ...

E. Every certification of a provider by the commissioner shall expire three years from the date of issuance and may be renewed by filing a renewal application as required by the commissioner not less than 90 days prior to expiration.

F. If the certification of a provider expires without renewal or is rescinded or renewal refused, the commissioner’s approvals of continuing education programs presented by that provider shall be rescinded.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:11, R.S. 22:1547, R.S. 22:1573, R.S. 22:1673, R.S. 22:1678, R.S. 22:1702, R.S. 22:1708, R.S. 22:1808.4 and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 37:2176 (July 2011), amended LR 47:603 (May 2021), amended LR 48:

§721. Instructor Qualifications

[Formerly §719]

A. Every provider of a continuing education program shall designate an individual as a supervisory instructor. The supervisory instructor shall be responsible for the conduct of all other instructors or guest instructors and shall be responsible for assuring the quality of the instructional program. Every supervisory instructor shall have a minimum of five years of insurance experience and/or graduate level or professional education satisfactory to the commissioner.

B. - D.4 ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:11, R.S. 22:1547, R.S. 22:1573, R.S. 22:1673, R.S. 22:1678, R.S. 22:1702, R.S. 22:1708, R.S. 22:1808.4 and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 37:2176 (July 2011), repromulgated LR 47:603 (May 2021), amended LR 48:

§727. Program Completion

[Formerly §725]

A. - C. ...

D. A provider may not provide credit unless the licensee has completed the full continuing education program. A licensee may not receive partial credit.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:11, R.S. 22:1547, R.S. 22:1573, R.S. 22:1673, R.S. 22:1678, R.S. 22:1702, R.S. 22:1708, R.S. 22:1808.4 and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 37:2177 (July 2011), amended LR 47:604 (May 2021), amended LR

§729. Fees

[Formerly §727]

A. All applications submitted to the commissioner seeking certification of a continuing education program or provider shall be accompanied by the fee set forth in R.S. 22:821(B)(29).

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:11, R.S. 22:1547, R.S. 22:1573, R.S. 22:1673, R.S. 22:1678, R.S. 22:1702, R.S. 22:1708, R.S. 22:1808.4 and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 37:2177 (July 2011), amended LR 47:604 (May 2021), amended LR 48:

§733. Violations

[Formerly §731]

A. The commissioner may deny, suspend, rescind, or refuse to renew the certification of a continuing education program or provider should he find the program, the supervisory instructor, instructor or the provider of the program has violated any provision of this Rule or any applicable provisions of the Louisiana Insurance Code or should he find that continued operation of the continuing education program is not in the best interest of the citizens of this state or the insurance buying public.

B. - C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:11, R.S. 22:1547, R.S. 22:1573, R.S. 22:1673, R.S. 22:1678, R.S. 22:1702, R.S. 22:1708, R.S. 22:1808.4 and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 37:2177 (July 2011), amended LR 47:604 (May 2021), amended LR 48:

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 children 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, by faxing comments to (225) 342-1632, or electronically at regulations@ldi.la.gov. Comments will be accepted through the close of business, 4:30 p.m., September 12, 2022.

James J. Donelon
Commissioner

**FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES
RULE TITLE: Rule 10—Continuing Education**

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

The proposed rule is not anticipated to result in implementation costs or savings to the state or local governmental units. The proposed rule is being amended to implement the provisions of Act 56 and Act 273 of the 2022 Louisiana Regular Legislative Session. The amendments remove the first renewal exemption for completion of continuing education as prelicensing education is no longer required. Also, the amendments update the required information that must be submitted to qualify for continuing education credit for participation in professional association activities; clarifies what data is required in association with the renewal of continuing education courses; modifies terminology relative to accident and health insurance and terminology related to the commissioner; and makes other technical changes.

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, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)

The proposed is amended to update the continuing education requirements as implemented under the provisions of Act 56 and Act 273 of the 2022 Louisiana Regular Legislative Session.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

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

S. Denise Gardner
Chief of Staff
2208#043

Alan M. Boxberger
Interim Legislative Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

**Department of Insurance
Office of the Commissioner**

**Regulation 114—Claims Adjuster Pre-Licensing
Education Program (LAC 37:XIII.Chapter 165)**

In accordance with R.S. 49:950 et seq., the Administrative Procedure Act, and through the authority granted under R.S. 22:1 et seq., and specifically R.S. 22:11, the Department of Insurance hereby gives notice of its intent to repeal Regulation 114—Claims Adjuster Pre-Licensing Education Program. The Department of Insurance is repealing Regulation 114 in light of Acts 2022, No. 273, §1 of the Regular Session of the Louisiana Legislature that amended

and reenacted R.S. 22:821(B)(29), 1551(A) and (B), the heading of Subpart B of Part I of Chapter 5 of Title 22 of the Louisiana Revised Statutes of 1950, R.S. 22:1573(B), 1574(A)(4), 1581(B)(1), 1808.2(C)(6) and (E), and 1808.6(A) and (B) and repealed R.S. 22:513(B)(6), 1545(C), 1546(A)(4), 1571, 1808.2(C)(1) through (5), and 1808.3(A)(4), relative to pre-licensing requirements for insurance producers and bail enforcement agents.

The purpose of Regulation 114 was to provide for the submission of approved pre-licensing education programs to be listed on the web page of the Louisiana Department of Insurance and to establish the requirements and set forth the procedure for pre-licensing programs and providers of programs by the Commissioner.

Title 37

INSURANCE

Part XIII. Regulations

**Chapter 165 Regulation Number 114—Claims
Adjuster Pre-Licensing Education
Program**

§16501. Purpose

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:11, 22:1668, 22:1678, the Administrative Procedure Act, R.S. 49:950 et seq., and Acts 2022, No. 273, §1.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 46:37 (January 2020), repealed LR 48:

§16503. Applicability and Scope

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:11, 22:1668, 22:1678, the Administrative Procedure Act, R.S. 49:950 et seq., and Acts 2022, No. 273, §1.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 46:37 (January 2020), repealed LR 48:

§16505. Authority

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:11, 22:1668, 22:1678, the Administrative Procedure Act, R.S. 49:950 et seq., and Acts 2022, No. 273, §1.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 46:37 (January 2020), repealed LR 48:

§16507. Definitions

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:11, 22:1668, 22:1678, the Administrative Procedure Act, R.S. 49:950 et seq., and Acts 2022, No. 273, §1.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 46:37 (January 2020), repealed LR 48:

**§16509. Claims Adjuster Pre-Licensing Education
Program Optional**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:11, 22:1668, 22:1678, the Administrative Procedure Act, R.S. 49:950 et seq., and Acts 2022, No. 273, §1.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 46:37 (January 2020), repealed LR 48:

**§16511. Posting of Information for Claims Adjuster Pre-
Licensing Education**

Repealed.