

Regular Session, 2012

HOUSE BILL NO. 569

BY REPRESENTATIVE HUNTER

INSURANCE CLAIMS: Clarifies terms relative to duties to report insurance fraud

1 AN ACT

2 To amend and reenact R.S. 22:1926(A), relative to insurance fraud; to clarify terms relative
3 to insurance fraud; and to provide for related matters.

4 Be it enacted by the Legislature of Louisiana:

5 Section 1. R.S. 22:1926(A) is hereby amended and reenacted to read as follows:

6 §1926. Duties of companies and others

7 A. Any person, company, or other legal entity including but not limited to
8 those engaged in the business of insurance, including agents, brokers, and adjusters,
9 which ~~believes~~ suspects that a fraudulent ~~claim~~ insurance act will be, is being, or has
10 been committed ~~is being made~~, shall, within sixty days of the receipt of such notice,
11 send to the section of insurance fraud, on a form prescribed by the section, the
12 information requested and such additional information relative to the ~~claim~~ insurance
13 act and the parties claiming loss or damages because of an occurrence or accident as
14 the section may require. The section of insurance fraud shall review such reports and
15 select such ~~claims~~ insurance acts as, in its judgment, may require further
16 investigation. It shall then cause an independent examination of the facts
17 surrounding such ~~claim~~ insurance act to be made to determine the extent, if any, to
18 which fraud, deceit, or intentional misrepresentation of any kind exists in the
19 submission of the ~~claim~~ insurance act.

20 * * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Hunter

HB No. 569

Abstract: Clarifies terms relative to insurance fraud.

Present law provides that any person, company, or other legal entity which believes that a fraudulent claim is being made, shall report it to the insurance fraud section of the Dept. of Insurance within 60 days on a form prescribed by the section. The insurance fraud section will review the report and determine whether fraud has been committed.

Proposed law changes and broadens the relevant terminology from a "fraudulent claim" that is being made to a "fraudulent act" that will be, is being, or has been committed.

Provides that any person, company, or legal entity that suspects that a fraudulent act, not only a claim, will be, is being, or has been committed shall report such suspicion to the insurance fraud section.

(Amends R.S. 22:1926(A))