

**PROGRAM DIVISION
BULLETIN**

2005-60

October 28, 2005

**IMPORTANT NOTICE REGARDING HURRICANE KATRINA RESTRICTIONS
IN LOUISIANA AND MISSISSIPPI**

The States of Louisiana and Mississippi currently have states of emergency in effect due to Hurricane Katrina. Attached are the latest Proclamation (from Louisiana) and Bulletin (2005-12 from Mississippi).

In Louisiana, the state of Emergency is extended until November 24, 2005 and in Mississippi, the moratorium on cancellation/non-renewal for the non-payment of premiums on policies is extended until November 27, 2005 for three selected counties (Jackson, Harrison and Hancock).

Copies of all applicable bulletins and notices have been attached for your review. If you have any questions regarding this notice, please contact your Program Manager.

© 2000 American International Group, Inc.
The material contained herein is proprietary to the member companies of American International Group, Inc. and is intended for use only by Program Administrators. Unauthorized disclosure, dissemination, copying, or other use of this material without the expressed written permission of AIG is strictly prohibited.

LEXINGTON INSURANCE COMPANY

PROGRAM DIVISION

100 Summer Street/19th Floor, Boston, MA 02110
phone 617-330-1100 / fax 617-330-8595

DECLARATION OF EMERGENCY

Department of Insurance Office of the Commissioner

Rule 15C Suspension of Certain Statutes and Regulations
Regarding Cancellations, Non-Renewals, Reinstatements,
Premium Payments, Claim Filings and Related Provisions
Regarding Any and All Insurance Matters Affecting
Insureds in Louisiana Caused by Hurricane Katrina
(LAC 37:XI.Chapter 27)

Emergency Rule 15 is issued pursuant to the plenary authority of the Commissioner of Insurance for the State of Louisiana, including, but not limited to, the following: Proclamation No. 48 KBB 2005 issued on August 26, 2005 by Governor Kathleen Babineaux Blanco declaring a State of Emergency; Executive Order No. KBB 2005 - 40 issued September 19, 2005 by Governor Kathleen Babineaux Blanco transferring authority over any and all insurance matters to Commissioner of Insurance J. Robert Wooley (commissioner); R.S. 29:724; R.S. 29:766; R.S. 22:2; R.S. 22:3; R.S. 22:1214.(7), (12) and (14); R.S. 49:950 et seq.

On August 26, 2005, Governor Kathleen Babineaux Blanco declared the existence of a State of Emergency within the state of Louisiana caused by Hurricane Katrina. This State of Emergency extends from Friday, August 26, 2005 through Sunday, September 25, 2005.

Thousands of Louisiana citizens have suffered damages due to Hurricane Katrina. In some places, it could be months before electricity is restored. The homes of many Louisiana citizens were destroyed precluding habitation and the delivery of mail. This disruption has affected the ability of these citizens to pay their insurance premiums, access their insurance policies, and communicate with insurance agents and their respective insurance companies for insurance related matters. Hurricane Katrina has created a mass disruption to the normalcy previously enjoyed by Louisianians and produced an immediate threat to the public health, safety, and welfare of Louisiana citizens.

The commissioner will be hindered in the proper performance of the duties and responsibilities regarding this State of Emergency without the authority to suspend certain statutes in the Louisiana Insurance Code and the rules and regulations that implement the Louisiana Insurance Code including, but not limited to, cancellation, nonrenewal, reinstatement, premium payment and claim filings with regard to any and all types of insurance subject to the Louisiana Insurance Code.

In light of this, Emergency Rule 15 is issued and shall apply to all insurers, HMOs, health and accident insurers, property and casualty insurers, surplus lines insurers and any and all other entities doing business in Louisiana and/or regulated by the commissioner, including any entity enumerated in Emergency Rule 17, regarding any and all types of insurance, including, but not limited to, flood insurance, homeowners insurance, life insurance, health and accident insurance, limited benefit insurance, vehicle insurance, liability insurance, workers' compensation insurance, burglary and forgery insurance, glass insurance,

fidelity and surety insurance, title insurance, fire and extended coverage insurance, steam boiler and sprinkler leakage insurance, crop and livestock insurance, marine and transportation insurance, credit life, medical supplement insurance, credit property and casualty insurance, annuity insurance, HMOs, professional and medical malpractice liability insurance, property and casualty insurance, all surplus lines insurance, self insurance funds, reciprocal insurance and any and all other insurance related entities licensed by the Commissioner or doing business in Louisiana.

Emergency Rule 15 is applicable to insureds, as defined in §2701, from the following seven primary parishes: Jefferson, Orleans, Plaquemines, St. Bernard, St. Tammany, Tangipahoa, and Washington. Emergency Rule 15 is also applicable to insureds, as defined in §2701, from the following seven secondary parishes: Lafourche, Livingston, St. Charles, St. James, St. John the Baptist, St. Mary and Terrebonne. The zip codes applicable to these seven primary parishes include, but may not be limited to, the list identified as "Hurricane Katrina Seven Primary Parish Zip Code List" found on the official Louisiana Department of Insurance Web site at www.lidi.state.la.us. The zip codes applicable to the seven secondary parishes include, but may not be limited to, the list identified as "Hurricane Katrina Seven Secondary Parish Zip Code List" found on the official Louisiana Department of Insurance Web site at www.lidi.state.la.us. Insureds shall include, but not be limited to, any and all policyholders, members, subscribers and certificate holders.

In the ordinary course of business, insurers, HMOs, health and accident insurers, property and casualty insurers, surplus lines insurers and any and all other entities doing business in Louisiana and/or regulated by the commissioner and other entities send notices to insureds, many of which are required by statute, giving the insured certain limited periods of time within which to pay premiums or otherwise respond. Hurricane Katrina and its aftermath have produced a disruption in the notification process because of the inability of insureds to receive mail due to mandatory evacuations and/or the destruction of their homes. Thus, many of Hurricane Katrina's victims are currently unable to timely act or respond to such notices or to pay insurance premiums and need additional time within which to act or respond. Some insurers, HMOs, health and accident insurers, property and casualty insurers, surplus lines insurers and any and all other entities doing business in Louisiana and/or regulated by the Commissioner and other entities may attempt to cancel, nonrenew or not reinstate such insurance policies. Additionally, some insureds with policies in force as of 12:01 a.m. on August 26, 2005, who wish to make timely payment, are also prevented from making such payment because of the aforementioned circumstances. This could result in an insured being without coverage and/or potentially uninsured. Emergency Rule 15 provides emergency relief to the insureds of Louisiana affected by Hurricane Katrina and its aftermath so that they will be insured and their coverage will continue under those policies that were in effect as of 12:01 a.m. on August 26, 2005.

Title 37
INSURANCE
Part XI. Rules

Chapter 27. Emergency Rule 15C Suspension of Certain Statutes and Regulations Regarding Cancellations, Non-Renewals, Reinstatements, Premium Payments, Claim Filings and Related Provisions Regarding Any and All Insurance Matters Affecting Insureds in Louisiana Caused by Hurricane Katrina

§2701. Benefits, Entitlements, and Protections

A. The benefits, entitlements and protections of Emergency Rule 15 shall be applicable to insureds who, as of 12:01 a.m. on August 26, 2005 had a policy or contract for any of the types of insurance enumerated in §2703.A, and meet one of the following criteria.

1. Any person who, as of August 26, 2005, resided in one of the following seven primary parishes: Jefferson, Orleans, Plaquemines, St. Bernard, St. Tammany, Tangipahoa and Washington. The zip code for these seven primary parishes is on the list identified as "Hurricane Katrina Seven Primary Parish Zip Code List" found on the official Louisiana Department of Insurance Web site at www.ldi.state.la.us.

2. Any person whose primary place of employment was in, or whose permanent employer had assigned said person to a business located in, one of the seven primary parishes enumerated in §2701.A shall be eligible to be defined as an insured if said person verifies such employment status by written documentation to his insurer. No insurer shall unreasonably withhold eligibility to an insured upon receipt of such written documentation.

3. Any person who, as of August 26, 2005, resided in one of the following seven secondary parishes: Lafourche, Livingston, St. Charles, St. James, St. John the Baptist, St. Mary and Terrebonne. However any such person shall only be eligible to be defined as an insured if said person obtains written documentation from either the chief executive officer of the applicable parish of the person or the United States Postal Service that said person incurred an interruption of mail service after August 26, 2005. The zip code for these seven secondary parishes is on the list identified as "Hurricane Katrina Seven Secondary Parish Zip Code List" found on the official Louisiana Department of Insurance internet Web site at www.ldi.state.la.us.

4. Nothing in Emergency Rule 15 shall preclude an insurer from voluntarily applying the provisions of Emergency Rule 15 relating to cancellation, nonrenewal and nonreinstatement to any other person who is an insured and who resides in any parish other than the parishes set forth in §2701A.1 or 3.

AUTHORITY NOTE: Promulgated in accordance with Executive Order KBB 05-48, R.S. 29:724, R.S. 29:766, R.S. 22:2, R.S. 22:3, R.S. 22:1214.(7), (12) and (14), R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 32:

§2703. Application

A. Emergency Rule 15 shall apply to any and all types of insurance, including, but not limited to, flood insurance, homeowners insurance, life insurance, health and accident insurance, limited benefit insurance, vehicle insurance, liability insurance, workers' compensation insurance,

burglary and forgery insurance, glass insurance, fidelity and surety insurance, title insurance, fire and extended coverage insurance, steam boiler and sprinkler leakage insurance, crop and livestock insurance, marine and transportation insurance, credit life, medical supplement insurance, credit property and casualty insurance, annuity insurance, HMOs, professional and medical malpractice liability insurance, property and casualty insurance, all surplus lines insurance, self insurance funds, disability insurance, reciprocal insurance and any and all other insurance related entities licensed by the commissioner or doing business in Louisiana.

B. Any statutory or regulatory provision, or any policy provision contained in any and all policies of insurance set forth in Subsection A above, shall be suspended to the extent that said statutory or regulatory provision, or policy provision, imposed upon an insured a time limit to perform any act or transmit information or funds with respect to any insurance enumerated in Subsection A above, which act or transmittal was to have been performed on or after 12:01 a.m. on August 26, 2005. The time limit for any such performance, act or transmittal shall be suspended during the term of the present State of Emergency, and any subsequent State of Emergency declared thereafter, with regard to Hurricane Katrina or its aftermath.

AUTHORITY NOTE: Promulgated in accordance with Executive Order KBB 05-48, R.S. 29:724, R.S. 29:766, R.S. 22:2, R.S. 22:3, R.S. 22:1214.(7), (12) and (14), R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 32:

§2705. Cancellation, Nonrenewal, and Nonreinstatement

A. Emergency Rule 15 hereby suspends any notice of cancellation, notice of nonrenewal, nonreinstatement or any other notice related to any of the types of insurance enumerated in §2703.A that was in force and effect at 12:01 a.m. on August 26, 2005, and any such action shall be null and void and have no force or effect. Furthermore, any such notice shall be reissued *de novo* to the insured in accordance with existing statutory requirements after the expiration of the present State of Emergency, or any subsequent State of Emergency, related to Hurricane Katrina or its aftermath has been lifted by Governor Kathleen Babineaux Blanco.

B. Any and all provisions in the Louisiana Insurance Code relative to providing for a premium finance company to act on behalf of and/or as agent for an insurance company are hereby suspended. In furtherance thereof, the right, entitlement, legal provision or any other form of legal authority, including any policy provision, of any and all insurers to send a notice of cancellation is suspended effective 12:01 a.m. on August 26, 2005 and shall remain suspended during the State of Emergency related to Hurricane Katrina and its aftermath. Emergency Rule 15 hereby suspends the right of any insurer to utilize the services of a premium finance company to issue any such notice to any insured.

C. No policy shall be cancelled or nonrenewed solely because of a claim resulting from Hurricane Katrina or its aftermath.

D. Except as provided for in §2703.B, the cancellation of any and all types of insurance enumerated in §2705.A, including, but not limited to, flood insurance, homeowners insurance, life insurance, health and accident insurance,

limited benefit insurance, vehicle insurance, liability insurance, workers' compensation insurance, burglary and forgery insurance, glass insurance, fidelity and surety insurance, title insurance, fire and extended coverage insurance, steam boiler and sprinkler leakage insurance, crop and livestock insurance, marine and transportation insurance, credit life, medical supplement insurance, credit property and casualty insurance, annuity insurance, HMOs, professional and medical malpractice liability insurance, property and casualty insurance, all surplus lines insurance, self insurance funds, disability insurance, reciprocal insurance and any and all other insurance related entities licensed by the commissioner or doing business in Louisiana, is hereby suspended and shall not be allowed until the State of Emergency declared by Governor Kathleen Babineaux Blanco with regard to Hurricane Katrina or its aftermath has been lifted.

E. Except as provided for in §2705.B the nonrenewal or nonreinstatement of any and all types of insurance enumerated in §2705 herein and in §3101.B, including any and all other insurance licensed by the commissioner, or doing business in Louisiana, that was in effect at 12:01 a.m. on August 26, 2005 is hereby suspended and shall be deferred until January 1, 2006.

F. Any rate increase that may be applicable to any and all types of insurance enumerated in §2703 herein and in §3101.B, including any and all other insurance licensed by the commissioner, or doing business in Louisiana, that was in effect at 12:01 a.m. on August 26, 2005 shall be deferred until January 1, 2006, and said insurance shall continue in full force and effect until January 1, 2006 at the previously established premium.

AUTHORITY NOTE: Promulgated in accordance with Executive Order KBB 05-48, R.S. 29:724, R.S. 29:766, R.S. 22:2, R.S. 22:3, R.S. 22:1214.(7), (12) and (14), R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 32:

§2707. Copy of Policy

A. If an insured requests from his insurer a copy of the policy the insurer shall provide a copy of the requested policy to the insured without any charge or fee.

AUTHORITY NOTE: Promulgated in accordance with Executive Order KBB 05-48, R.S. 29:724, R.S. 29:766, R.S. 22:2, R.S. 22:3, R.S. 22:1214.(7), (12) and (14), R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 32:

§2709. New Policies

A. The provisions of Emergency Rule 15 shall not apply to any new policies of insurance for the types of insurance enumerated in Emergency Rule 15 if said insurance policy was issued on or after 12:01 a.m. August 26, 2005.

AUTHORITY NOTE: Promulgated in accordance with Executive Order KBB 05-48.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 32:

§2711. New Rate or Premium

A. Emergency Rule 15 shall not affect the right of any insurer to implement a new rate or premium for any policy of insurance enumerated in §2703.B if the new rate or premium had been approved for implementation by the commissioner on or before July 31, 2005, or if the insurer had mailed to the insurer the notice of the new rate or premium on or before July 31, 2005.

AUTHORITY NOTE: Promulgated in accordance with Executive Order KBB 05-48, R.S. 29:724, R.S. 29:766, R.S. 22:2, R.S. 22:3, R.S. 22:1214.(7), (12) and (14), R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 32:

§2713. Premium Offset

A. All insurers regulated by Emergency Rule 15, including, but not limited to, property and casualty insurers, surplus lines insurers and any and all other entities doing business in Louisiana and/or regulated by the commissioner and other similar or related entities receiving a claim from an insured owing a premium may offset the premium that is owed by the insured from any claim payment made to the insured under the policy. §2715 is not applicable to health insurance issuers, HMOs, PPOs, MCOs, TPAs or any other health insurance entities doing business in Louisiana and/or regulated by the commissioner.

AUTHORITY NOTE: Promulgated in accordance with Executive Order KBB 05-48, R.S. 29:724, R.S. 29:766, R.S. 22:2, R.S. 22:3, R.S. 22:1214.(7), (12) and (14), R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 32:

§2715. Written Request for Cancellation

A. A cancellation shall not occur prior to the expiration of the State of Emergency or any subsequent State of Emergency related to Hurricane Katrina and its aftermath, unless upon the documented written request or written concurrence of the insured.

AUTHORITY NOTE: Promulgated in accordance with Executive Order KBB 05-48, R.S. 29:724, R.S. 29:766, R.S. 22:2, R.S. 22:3, R.S. 22:1214.(7), (12) and (14), R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 32:

§2717. Obligation to Pay Premium

A. Unless otherwise cancelled pursuant to the provisions of §2715 herein, nothing in Emergency Rule 15 shall be construed to exempt or excuse an insured from the obligation to pay the premiums otherwise due for actual insurance coverage provided.

AUTHORITY NOTE: Promulgated in accordance with Executive Order KBB 05-48, R.S. 29:724, R.S. 29:766, R.S. 22:2, R.S. 22:3, R.S. 22:1214.(7), (12) and (14), R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 32:

§2719. Fraud or Material Misrepresentation

A. Emergency Rule 15 shall not prevent an insurer from canceling or terminating a policy of insurance for fraud or material misrepresentation on the part of the insured.

AUTHORITY NOTE: Promulgated in accordance with Executive Order KBB 05-48, R.S. 29:724, R.S. 29:766, R.S. 22:2, R.S. 22:3, R.S. 22:1214.(7), (12) and (14), R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 32:

§2721. Insured's Obligation

A. Emergency Rule 15 shall not relieve an insured who has a claim caused by Hurricane Katrina or its aftermath from compliance with the insured's obligation to provide information and cooperate in the claim adjustment process relative to the claim.

AUTHORITY NOTE: Promulgated in accordance with Executive Order KBB 05-48, R.S. 29:724, R.S. 29:766, R.S. 22:2, R.S. 22:3, R.S. 22:1214.(7), (12) and (14), R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 32:

§2723. Interest, Penalty, Fee, or Other Charge

A. The right of an insurer to impose or levy any interest, penalty, fee or other charge is hereby suspended until the present State of Emergency, or any subsequent State of Emergency, related to Hurricane Katrina or its aftermath has been lifted by Governor Kathleen Babineaux Blanco.

AUTHORITY NOTE: Promulgated in accordance with Executive Order KBB 05-48, R.S. 29:724, R.S. 29:766, R.S. 22:2, R.S. 22:3, R.S. 22:1214.(7), (12) and (14), R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 32:

§2725. Exemption from Compliance

A. Notwithstanding any other provision contained herein, the commissioner may exempt any insurer from compliance with Emergency Rule 15 upon the written request by the insurer if the commissioner determines that compliance with Emergency Rule 15 may be reasonably expected to result in said insurer being subject to undue hardship, impairment, or insolvency.

AUTHORITY NOTE: Promulgated in accordance with Executive Order KBB 05-48, R.S. 29:724, R.S. 29:766, R.S. 22:2, R.S. 22:3, R.S. 22:1214.(7), (12) and (14), R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 32:

§2727. Purpose

A. The provisions of Emergency Rule 15 shall be liberally construed to effectuate the intent and purposes expressed herein and to afford maximum consumer protection for the insureds of Louisiana.

AUTHORITY NOTE: Promulgated in accordance with Executive Order KBB 05-48, R.S. 29:724, R.S. 29:766, R.S. 22:2, R.S. 22:3, R.S. 22:1214.(7), (12) and (14), R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 32:

§2729. Penalty for Violation

A. The commissioner retains the sole authority to enforce violations of Emergency Rule 15. Accordingly, any insurer enumerated in Emergency Rule 15 or other entity doing business in Louisiana and/or regulated by the commissioner who violates any provision of Emergency Rule 15 shall be subject to prosecution by the commissioner under any applicable provisions of the Louisiana Insurance Code, including the provisions of the R.S. 22:250.41, et seq., 22:1211, et seq., and specifically including, but not limited to, R.S. 22:1214(7), (12) and (14). Additionally, the penalty provisions set forth in R.S. 22:1217 shall be applicable. These provisions include penalties of \$1,000 for each separate act, or \$25,000 for each separate act if the violator knew or reasonably should have known he was in violation of Emergency Rule 15, as well as a cease and desist order and the imposition of other penalties and suspension or revocation of the license. Additionally, R.S. 22:1220, which, among other things, imposes the obligation of good faith and fair dealing shall also be subject to the sole enforcement authority of the commissioner. This law sets forth penalties and exemplary damages which shall be enforceable by the commissioner for any violation of Emergency Rule 15. Finally, the commissioner reserves the sole right to make the determination regarding whether any violator shall be subject to any and all other applicable civil and criminal sanctions for violations of Emergency Rule 15.

AUTHORITY NOTE: Promulgated in accordance with Executive Order KBB 05-48, R.S. 29:724, R.S. 29:766, R.S. 22:2, R.S. 22:3, R.S. 22:1214.(7), (12) and (14), R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 32:

§2731. Rule Amendment

A. The commissioner reserves the right to amend, modify, alter or rescind all or any portions of Emergency Rule 15.

AUTHORITY NOTE: Promulgated in accordance with Executive Order KBB 05-48, R.S. 29:724, R.S. 29:766, R.S. 22:2, R.S. 22:3, R.S. 22:1214.(7), (12) and (14), R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 32:

§2732. Severability Clause

A. If any section or provision of Emergency Rule that is held invalid, such invalidity or determination shall not affect other sections or provisions, or the application of Emergency Rule 15, to any persons or circumstances that can be given effect without the invalid sections or provisions and the application to any person or circumstance shall be severable.

AUTHORITY NOTE: Promulgated in accordance with Executive Order KBB 05-48, R.S. 29:724, R.S. 29:766, R.S. 22:2, R.S. 22:3, R.S. 22:1214.(7), (12) and (14), R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 32:

§2733. Effective Date

A. Emergency Rule 15 shall become effective at 12:01 a.m. on August 26, 2005 and shall continue in full force and effect for the duration of the present State of Emergency proclaimed by Governor Kathleen Babineaux Blanco, or any subsequent State of Emergency proclamation made thereafter.

AUTHORITY NOTE: Promulgated in accordance with Executive Order KBB 05-48, R.S. 29:724, R.S. 29:766, R.S. 22:2, R.S. 22:3, R.S. 22:1214.(7), (12) and (14), R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 32:

J. Robert Wooley
Commissioner

0510#009

DECLARATION OF EMERGENCY

**Department of Insurance
Office of the Commissioner**

Rule 16C Registration of Public Insurance Adjusters Actively Engaged in the Settlement of Claims and Damages Resulting from Hurricane Katrina (LAC 37:XI.Chapter 29)

Emergency Rule 16 is issued pursuant to the plenary authority of the Commissioner of Insurance for the state of Louisiana, including, but not limited to, the following: Proclamation No. 48 KBB 2005 issued on August 26, 2005 by Governor Kathleen Babineaux Blanco declaring a State of Emergency; Executive Order No. KBB 2005 - 40 issued September 19, 2005 by Governor Kathleen Babineaux Blanco transferring authority over any and all insurance matters to Commissioner of Insurance J. Robert Wooley (commissioner); R.S. 29:724; R.S. 29:766; R.S. 22:2; R.S. 22:3; R.S. 22:1214.(7), (12) and (14); R.S. 49:950 et seq.

On August 26, 2005, Governor Kathleen Babineaux Blanco declared a State of Emergency within the state of Louisiana in response to the expected landfall of Hurricane Katrina. As a result of the hurricane's landfall, Hurricane

State of Louisiana

EXECUTIVE DEPARTMENT

PROCLAMATION NO. 54 KBB 2005

EXTENSION OF STATE OF EMERGENCY - HURRICANE KATRINA

WHEREAS, Proclamation No. 48 KBB 2005, issued on August 26, 2005, declared a state of emergency for the state of Louisiana due to Hurricane Katrina's potential to cause severe storms, high winds, and torrential rain that could cause flooding and damage to private property and public facilities, and threaten the safety and security of the citizens of Louisiana;

WHEREAS, On August 29, 2005, Hurricane Katrina struck Louisiana resulting in severe flooding and damage to the southeastern part of the state of Louisiana which has threatened the safety, health, and security of the citizens of the state of Louisiana, along with private property and public facilities; and

WHEREAS, it is necessary to renew Proclamation No. 48 KBB 2005, to extend the state of emergency due to the extreme damage caused by Hurricane Katrina and the continuing disaster and emergency conditions in the affected areas;

NOW THEREFORE I, KATHLEEN BABINEAUX BLANCO, Governor of the state of Louisiana, by virtue of the authority vested by the Constitution and laws of the state of Louisiana, do hereby order and direct as follows:

SECTION 1: Pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, *et seq.*, a state of emergency is declared to continue to exist in the state of Louisiana due to Hurricane Katrina and its aftermath, which resulted in severe storm damage and extreme flooding to private property and public facilities, and continues to threaten the safety, health, and security of the citizens of the state of Louisiana;

SECTION 3: The state of emergency is extended for an additional thirty (30) days from Sunday, September 25, 2005, through Tuesday, October 25, 2005, unless terminated sooner.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana, at the Capitol, in the city of Baton Rouge, on this 22nd day of September, 2005.

/S/ Kathleen Babineaux Blanco
GOVERNOR OF LOUISIANA



ATTEST BY
THE GOVERNOR

/S/ Al Ater
SECRETARY OF STATE

State of Louisiana

EXECUTIVE DEPARTMENT

PROCLAMATION NO. 61 KBB 2005

EXTENSION OF STATE OF EMERGENCY - HURRICANE KATRINA

WHEREAS, Proclamation No. 48 KBB 2005, issued on August 26, 2005, declared a state of emergency for the state of Louisiana due to Hurricane Katrina's potential to cause severe storms, high winds, and torrential rain that could cause flooding and damage to private property and public facilities, and threaten the safety and security of the citizens of Louisiana;

WHEREAS, On August 29, 2005, Hurricane Katrina struck Louisiana resulting in severe flooding and damage to the southeastern part of the state of Louisiana which has threatened the safety, health, and security of the citizens of the state of Louisiana, along with private property and public facilities;

WHEREAS, Proclamation No. 54 KBB 2005, issued on September 22, 2005, extended the state of emergency until October 25, 2005; and

WHEREAS, it is necessary to renew Proclamation No. 48 KBB 2005, as amended by Proclamation No. 54 KBB 2005, to extend the state of emergency/disaster due to the extreme damage caused by Hurricane Katrina and the continuing disaster and emergency conditions in the affected areas;

NOW THEREFORE I, KATHLEEN BABINEAUX BLANCO, Governor of the state of Louisiana, by virtue of the authority vested by the Constitution and laws of the state of Louisiana, do hereby order and direct as follows:

SECTION 1: Pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, *et seq.*, a state of emergency/disaster is declared to continue to exist in the state of Louisiana due to Hurricane Katrina and its aftermath, which resulted in severe storm damage and extreme flooding to private property and public facilities, and continues to threaten the safety, health, and security of the citizens of the state of Louisiana;

SECTION 3: The state of emergency/disaster is extended for an additional thirty (30) days from Sunday, September 25, 2005, through Thursday, November 24, 2005, unless terminated sooner.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana, at the Capitol, in the city of Baton Rouge, on this 24th day of October, 2005.



//S/ Kathleen Babineaux Blanco
GOVERNOR OF LOUISIANA

ATTEST BY
THE GOVERNOR

/S/ Al Ater
SECRETARY OF STATE



GEORGE DALE
Commissioner of Insurance
State Fire Marshal

LEE HARRELL
Deputy Commissioner of Insurance

STATE OF MISSISSIPPI
Mississippi Insurance Department

501 N. West Street
1001 Woolfolk Building (39201)
Post Office Box 79
Jackson, Mississippi 39205-0079
(601) 359-3569
<http://www.doi.state.ms.us>

Mississippi Insurance Department
September 15, 2005
Bulletin No. 2005-7

After Hurricane Katrina made landfall, the Mississippi Insurance Department ("Department") issued a press release calling on the insurance industry to impose a 60-day moratorium on cancellation/non-renewal for non-payment of premiums. While we think this directive has served the impacted citizens very well, we need to clarify the scope of the moratorium.

The 60-day moratorium began on August 29, 2005, the date Hurricane Katrina hit the Mississippi Gulf Coast.

Per our earlier request, we asked for this moratorium for all policyholders in the "impacted areas". Due to the urgency of the moratorium and the fact that no one was certain how widespread the damage was, we were not able to define the impacted areas. My office has been contacted by numerous carriers and insureds seeking clarification. As a result, we are defining "impacted areas" as all those counties abutting and south of Interstate I-20. While there may be other areas with damage from Hurricane Katrina, we are asking that insurance companies address policyholders in those areas on an individual basis.

We need to emphasize that this "moratorium" is not a waiver; it is only an extension or grace period in which to pay the premium. After the 60 days, the policyholder will have to resume making premium payments. The Department requests insurance companies work with the impacted policyholders in repaying the premiums that would have become due during the moratorium period by either allowing a repayment plan or a further extension in paying the amount due in full.

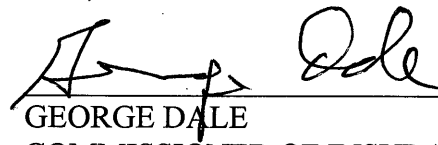
This moratorium applies only to cancellations/non-renewals that are attributed to a failure to pay premiums during the 60-day period. If a policy is to be cancelled or non-renewed for any other allowable reason, the cancellation or non-renewal may be made pursuant to the statutory notice requirements. However, the Department would request insurance companies take into consideration that persons in the heavily impacted areas may be unable to receive a notice of cancellation or non-renewal due to evacuation or delayed postal service in that area.

Insurance companies may continue to send premium notices to persons in the impacted area; however, direct billing payments should cease unless the insurance company has the approval of the

policyholder in the impacted area to continue said direct billing payments.

Also, some insurance companies have encountered situations where they have been unable to forward or deliver claim checks to claimants because the claimant has evacuated and/or there is no postal service in the area. We urge the insurance companies to try and make contact with the impacted policyholders. Furthermore, we ask impacted policyholders who were expecting pre-Katrina insurance claim checks such as health, workers' compensation or disability checks, to contact their insurance company to arrange for delivery.

With respect to other notices, forms or correspondence an insurance company may send to its policyholders residing in the impacted area, the Department requests that the insurance company be cognizant and take into consideration that the policyholders may have evacuated and/or have no postal delivery and, therefore, may not receive said notices, forms or correspondence.

A handwritten signature in black ink, appearing to read "George Dale", is written over a horizontal line.

GEORGE DALE
COMMISSIONER OF INSURANCE



GEORGE DALE
Commissioner of Insurance
State Fire Marshal

LEE HARRELL
Deputy Commissioner

STATE OF MISSISSIPPI
Mississippi Insurance Department

501 N. West Street
1001 Woolfolk Building (39201)
Post Office Box 79
Jackson, Mississippi 39205-0079
(601) 359-3569
<http://www.doi.state.ms.us>

Mississippi Insurance Department
September 28, 2005
Bulletin No. 2005-9

On September 15, 2005, the Mississippi Insurance Department ("Department") issued Bulletin No. 2005-7 to clarify the scope of the Department's moratorium, previously issued as a result of Hurricane Katrina, concerning cancellations/nonrenewals of policies for non-payment of premiums.

In the sixth paragraph of Bulletin No. 2005-7, the Department directed that "Insurance companies may continue to send premium notices to persons in the impacted area; however, direct billing payments should cease unless the insurance company has the approval of the policyholder in the impacted area to continue said direct billing payments." The Department has had numerous inquiries regarding this provision and hereby seeks to provide further clarification and direction, as follows:


- (1) The term "direct billing payments", as used in Bulletin No. 2005-7, includes automatic bank draft/electronic fund transfer arrangements ("abd/eft arrangements") whereby premium payments are automatically deducted from a policyholder's bank account on a periodic basis.
- (2) Generally, in order for an abd/eft arrangement to be lifted, a policyholder must contact his or her lending institution and request that the arrangement cease. In some cases, insurers are encountering difficulty in contacting or locating their insureds, which makes it very difficult to cancel abd/aft arrangements. Some policyholders are complaining that they do not wish for their abd/eft arrangements to be cancelled because such cancellations would be too disruptive to their household budgets.

In view of these issues, and in an effort to clarify the sixth paragraph of Bulletin No. 2005-7, the Department hereby advises that direct billing/abd/eft payments may continue unless a policyholder contacts the insurer, requests that such payments cease, and demonstrates that he or she has suffered significant adverse consequences as discussed further below.

- (3) Insurers are reminded that they must work with impacted policyholders in repaying the premiums that would have become due during the moratorium period by either allowing a repayment plan or a further extension in repaying the amount in full.

Another issue which has been the source of considerable inquiry is whether the 60-day moratorium period automatically applies to every policyholder located in the "impacted areas", or only to those in the impacted areas who can demonstrate that they have suffered significant adverse consequences as a result of Katrina. It has come to the attention of the Department that some policyholders who reside in the impacted areas, defined in Bulletin No. 2005-7 as all those counties abutting and south of Interstate I-20, are electing not to pay their premiums even though they have not been significantly impacted by Katrina. The intent of the moratorium was to protect those who suffered a loss of mail service or significant damage or loss resulting in displacement, or in a need to use available funds for basic necessities and living expenses. Consequently, the Department hereby clarifies that the moratorium does not automatically apply to all policyholders residing in counties abutting and south of Interstate I-20. Policyholders are encouraged to contact their carriers and to be prepared to demonstrate that they have suffered significant adverse consequences in order to qualify for the premium moratorium. Likewise, insurers are encouraged to contact their policyholders in the impacted areas and to work with them in providing relief under the moratorium where the circumstances so justify.

Issued this the 28 day of September, 2005.



GEORGE DALE
COMMISSIONER OF INSURANCE



GEORGE DALE
Commissioner of Insurance
State Fire Marshal

LEE HARRELL
Deputy Commissioner of Insurance

STATE OF MISSISSIPPI
Mississippi Insurance Department

501 N. West Street
1001 Woolfolk Building (39201)
Post Office Box 79
Jackson, Mississippi 39205-0079
(601) 359-3569
<http://www.doi.state.ms.us>

Mississippi Insurance Department
October 26 2005
Bulletin 2005-12

After Hurricane Katrina made landfall, the Mississippi Department of Insurance ("Department") issued a press release calling on the insurance industry to impose a 60 day moratorium on the cancellation/nonrenewal of policies for non-payment of premiums. On September 15, 2005, the Department issued Bulletin 2005-7 for the purpose of clarifying the scope of the moratorium. The scope and terms of the moratorium were further clarified in Bulletin 2005-9, which was issued on September 28, 2005.

The 60 day moratorium began on August 29, 2005, and is scheduled to end on October 27, 2005. Due to the fact many persons on the Mississippi Gulf Coast remain displaced and/or are still dealing with significant or extensive damage to their property, it is the intent of this Bulletin to extend the moratorium for those persons particularly affected by Hurricane Katrina.

Therefore, the 60 day moratorium on the cancellation/non-renewal for the non-payment of premiums is hereby extended for 30 additional days from and after October 27, 2005, for those policyholders in **Jackson, Harrison and Hancock counties**.

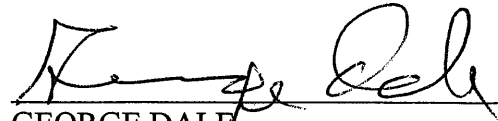
This moratorium extension is not automatic; to be eligible for the 30 day moratorium extension, the policyholder must request this extension from their insurance carrier. Policyholders in these counties needing an extension are encouraged to contact their carriers and to be prepared to demonstrate that they have suffered significant adverse consequences in order to qualify for the premium moratorium extension. Likewise, insurers are encouraged to contact their policyholders in the three county impacted area and to work with them in providing relief under the moratorium extension where the circumstances so justify.

The 30 day moratorium extension, if requested by the policyholder, will include a moratorium on any direct premium payments and payments made by automatic bank draft/electronic fund transfer arrangement.

Policyholders are reminded that this moratorium is not a waiver; it is only an extension or grace period in which to pay the premiums. Insurers are reminded that they must work with impacted

policyholders in repaying the premiums that would have become due during the moratorium period by either allowing a repayment plan or a further extension in repaying the amount in full.

Issued this the 26th day of October, 2005.



GEORGE DALE
COMMISSIONER OF INSURANCE