

Third Party Administrator & Pharmacy Benefit Manager Update

TPA & PBM LICENSING AND COMPLIANCE DEVELOPMENTS

Louisiana Insurance Department Catastrophe Response Plans

The Louisiana Insurance Department (“Department”) recently sent e-mail notifications to numerous third party administrators (“TPA”) regarding the failure to file their Catastrophe Response Plans with the Department by June 1, 2023, as required by Louisiana Revised Statute 22:572. The email notification instructed those TPAs that have not yet filed their Catastrophe Response Plan with the Department that they have until September 25, 2023, to file their plans via the Department’s Industry Access Portal. The Department also advised that any TPA that fails to file their Catastrophe Response Plan by September 25, 2023, may be subject to enforcement action pursuant to Louisiana Revised Statute 22:18.

The Catastrophe Response Plans should include the following information:

1. Emergency contact information of key or essential personnel.
2. Alternative office locations or work sites likely to be used in the event of a catastrophe.
3. Procedures to address the following:
 - a. The backup, storage, retrieval, and security of records and data used to adjust claims.
 - b. The handling and processing of claims, whether prior to or subsequent to the catastrophe.
 - c. Relevant training of staff.
 - d. Communication with agents, policyholders, and subscribers, in the event of mail delivery or other communication system disruption. Procedures shall address the process for filing claims and methods for obtaining information concerning a claim.
 - e. The distribution of catastrophe claims information to policyholders or subscribers.
4. Considering the scale of the catastrophe and the number of policies issued in the affected area, the methodology for determining the following:
 - a. The approximate number of field adjusters, desk adjusters, and other administrative personnel necessary to respond to the catastrophe.
 - b. The process for providing claims and administrative personnel to service policyholder and subscriber needs in a timely manner.

- c. The process through which the TPA will provide logistical support for claims and administrative personnel in the area affected by the catastrophe.

To learn more about Polsinelli's Third Party Administrator Licensing and Compliance practice or to contact a member of the Third Party Administrator Licensing and Compliance Services team, visit our [Third Party Administrator \(TPA\) Licensing and Compliance Services](#) web page.

Third Party Administrator and Pharmacy Benefit Manager Licensing and Compliance Services

Polsinelli's Third Party Administrator and Pharmacy Benefit Manager Team has significant experience representing TPAs and PBMs on a national basis regarding a variety of business and compliance issues. The group includes attorneys who were formerly in-house counsel for TPAs, as well as attorneys who were formerly insurance regulators and attorneys who are currently members of the Federation of Regulatory Counsel.

Polsinelli's experience in the third party administrator and pharmacy benefit manager industries is demonstrated by these representative examples:

- National and multi-state TPA and PBM licensing projects.
- Assistance with investigations, market conduct examinations and formal regulatory actions brought by state insurance departments.
- Monitor regulatory and legislative activity affecting our TPA and PBM clients and provide periodic reports regarding such activity.
- Maintain licensure as a TPA or PBM through periodic renewal and annual report filings.

To learn more about Polsinelli's [Third Party Administrator and Pharmacy Benefit Manager Licensing and Compliance Services](#) practice, contact a member of the Third Party Administrator and Pharmacy Benefit Manager Licensing and Compliance Services team.

POLSINELLI'S THIRD PARTY ADMINISTRATOR AND PHARMACY BENEFIT MANAGER LICENSING AND COMPLIANCE SERVICES TEAM



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