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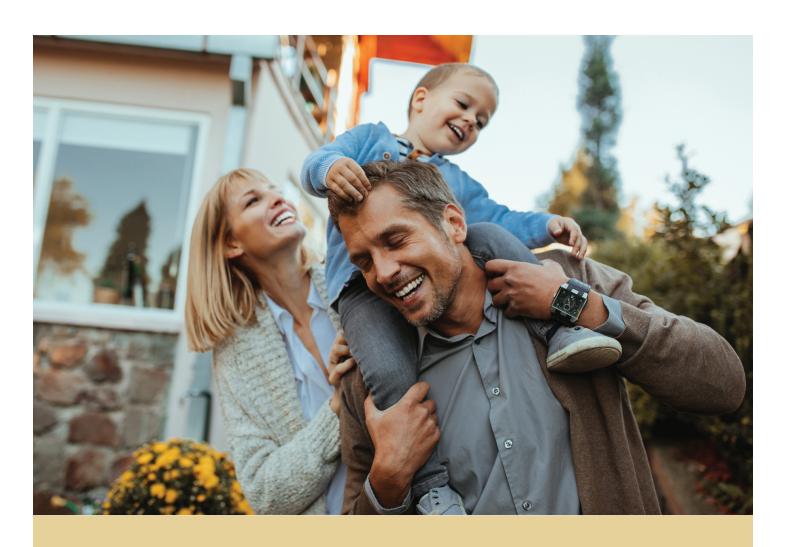
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A big thank you to PIA of Acadiana for hosting the always excellent crawfish boil. (Pics will be highlighted next issue — they didn't make this cut.)

Next up is the 79th Annual PIA Convention "Live from Point Clear — It's PIA!"

Luckily, I bumped into our president-elect, Danette Castello, at the Lafayette Crawfish Boil and she gave me a preview of her incoming speech. I'm not sure if she'll be holding a drink during her speech, but if so, we'll need tarps for the front row.

Let's talk about the convention for a moment. And by that, I mean, you guys can read what I think about it.

The theme this year is Saturday Night Live. There is a lot of pressure to pick a good character and costume, because if you are an insurance agent and you don't pick a costume, there is a good chance that people are going to think you are "Middle Aged Man". That skit was made famous by Mike Myers in 1990 when he was 27. Now he's 59 and probably doesn't find the skit as funny. Which would be fitting, because apparently he's not as funny anymore, either. (Damn, I bet he didn't expect to get roasted in a state insurance periodical...sorry Mike, you don't deserve that.)

The convention (often times referred to as "convention" for some reason without the "the"), plays such an important role in our association. It blends work and play together so well that you almost miss the amount of work going on. Over the years and many, many meetings, I've heard this phrase shared a million times, probably second only to "Living the dream". The phrase is "PIA is like Family". It's the answer to many questions.



Why do you belong to the PIA? PIA is like Family. Why should I join the PIA? PIA is like Family. How is the PIA different from other organizations? PIA is like Family.

I hate this answer because I don't want to be around my Family most of the time. Just kidding, I love my family, but they don't read this anyway.

The convention is where these individuals, fighting the often-lonely insurance fight, become a family. It might be years of going and seeing the same weird uncle that turns out does have some knowledge, or it might just be one crazy night of karaoke with the right group. Whatever it is, that's the magic that everyone has trouble describing, but ultimately it builds trust and develops relationships.

After 79 years of this event, I'm surprised we still call it a convention. At some point we're going to have to start calling it the PIA family reunion. (Maybe that will stop everyone from making out with each other, too!)

I look forward to seeing you all at the Grand in July. I'll be the guy dressed like Gumby.





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COMMISSIONER'S COLUMN

Department of Insurance Unveils 2023 Legislative Agenda

To kick off the 2023 Legislative Session, I recently joined with Senate Insurance Committee Chair Kirk Talbot and House Insurance Committee Chair Mike Huval to introduce a set of measures designed to strengthen Louisiana's housing stock and stabilize our property insurance market.

This legislative package comes after the Legislature overwhelmingly approved \$45 million for the Insure Louisiana Incentive Program in a Special Session earlier this year. Chairman Huval is working with us to appropriate additional funding to the program so we can take full advantage of the amount of new premium these companies are willing and able to write.

The incentive program represents just one part of our comprehensive plan to reestablish a robust, sustainable and competitive insurance market in the wake of three devastating hurricane seasons and the failure of nine insurers (six of which were domiciled in Florida and the District of Columbia) that led to the worst homeowners insurance market we have experienced since hurricanes Katrina and Rita in 2005.

The centerpiece of our legislative package is support for the Louisiana Fortify Homes Program, which was passed but not funded last year. Chairman Huval will be requesting \$20 million for the program and we are proposing other new legislation that would require insurers to offer Fortify discounts and endorsements for policyholders who want them.

Similar to how Florida overhauled its legal environment in a recent Special Session, we are also proposing significant reforms to the legal and claims process in Louisiana. Florida has long been one of the least profitable markets for property insurers in the country. Most of the insurance companies that failed over the past two years that affected our market were either based in Florida or wrote the bulk of their policies in that state. Florida's poor legal environment for insurers drove insurance companies to safer harbor in Louisiana and other coastal states, and we benefitted from those companies' participation in our market until the hurricanes of 2020 and 2021 impacted the industry.

Florida's reforms are making its market more attractive to insurers and less enticing to the bad actors that took advantage of Florida homeowners to file frivolous lawsuits. Because of these recent changes in Florida, we're seeing evidence those bad actors are now targeting Louisiana homeowners.

I recently issued an unprecedented ceaseand-desist order against a Texas law firm that was working with an Alabama roofing contractor to fraudulently represent what appears to be several hundreds of homeowners in claims against insurance companies operating in our state. These actions drive up rates and make insurance companies hesitant to do business in Louisiana.

To combat this problem, we worked with insurance leaders in the legislature and stakeholders throughout Louisiana to draft legal and claims process reforms aimed at strengthening our market for the long term. One of our bills, HB 601 by Chairman Huval, would establish time-frames for insurers to follow regarding acknowledging receipt of a claim, beginning adjusting a claim and requesting the specific information they need from the policyholder to determine satisfactory proof of loss. Insurers would be allowed to require a sworn proof of loss statement from the policyholder to establish proof of



Commissioner of Insurance Louisiana Department of Insurnace

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loss. The proposed measure also adds a twoyear statute of limitations for policyholders to seek penalties and attorney fees for untimely payment of claims.

Louisiana Citizens is held to the same bad faith timelines and penalties as any other insurer, but as the state-backed insurer of last resort, Citizens is not like any other provider and is not motivated by income or the threat of paying bad-faith penalties. Bad-faith penalties exist to provide a negative incentive for private, profit-driven insurers. If Citizens is ordered to pay bad-faith penalties in excess of what it can afford, it would just assess all policyholders in the state. For these reasons, we are proposing legislation that will put Citizens in line with the Louisiana Insurance Guaranty Association (LIGA) and immunize it from bad faith penalties. In both cases such penalties are paid by innocent taxpayers and policyholders.

We are also proposing legislation that would prohibit property insurance policyholders from assigning their benefits to third parties like roofing contractors without their company's approval. Assignment of benefits has been used by bad actors to commit insurance fraud. For example, the law firm mentioned earlier devised a scheme that tricked policyholders into signing over the right to negotiate with an insurer on their behalf without their knowledge.

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As we get ready to head to Washington, DC in the beginning of next month, I would like to "pass on" to you the talking points of what has been and continues to be our number one issue when we visit with our congressional delegation: Flood Insurance. Below are the key issues for Flood Insurance agents.

WYO reimbursement and agent value proposition: The NFIP pays WYOs by remitting to participating carriers a standard percentage of net written premium; that sum, known as the WYO expense reimbursement rate, is then used to pay for various administrative expenses and, importantly, agent commissions. Any cut to the WYO expense reimbursement rate would force carriers to pass the loss on to agents by reducing their commissions. As always, during the NFIP reauthorization process, our goal will

be to unequivocally support the role of the independent agent, and PIA will remain vigilant in opposing any attempt to cut the WYO reimbursement rate.

• Oppose any provision that would cut the WYO reimbursement rate.

Do not let the program lapse: The NFIP's most recent five-year reauthorization expired on September 30, 2017; in advance of that deadline, the 115th Congress was unable to agree on NFIP reforms. As a result, the program briefly lapsed three times. Since 2017, the NFIP has been subject to 25 extensions of varying lengths, but none has been longer than one year. The program is currently set to expire on September 30, 2023.

PASSING IT ON!

By Jody M. Boudreaux, CAE, CIC, CISR

PIA supports a long-term reauthorization of the program with needed reforms, like investments in agent training, updated mapping, and a means-tested affordability program. However, Congress needs time to deliberate the many proposals that have recently been under consideration. We urge you to support a clean extension that would provide time for public hearings and bipartisan negotiation on a long-term reform and reauthorization package.

Support H.R. 1392, a bill to extend the NFIP until December 31, 2024 (Rep. Warren Davidson)

Support the Growth of the Private Flood Market: PIA supports Congressional action to help cultivate growth in the private flood insurance market. Continuous coverage, for example, would protect consumers from prohibitively high NFIP premium increases if, for example, their private-market policy is cancelled for reasons beyond their control. Without this provision, the private

Support H.R. 900, the Continuous Coverage for Flood Insurance Act (Reps. Kathy Castor/Blaine Luetkemeyer)

flood market cannot grow.

"Direct to Consumer" Sales Proposal Must Utilize Expertise Available Only Via Independent Agents: Recently, FEMA proposed a direct-to-consumer (D2C) model, through which prospective NFIP consumers would be able to buy an NFIP policy online, ostensibly without the benefit of the independent agent expertise that undergirds the program. The D2C proposal risks cutting potential policyholders off from agents—the people most capable of giving consumers accurate information about, and thus convincing them to buy, flood insurance. WYOs have also been developing their own versions of online flood insurance sales portals, which may include both NFIP and private market products.

RR 2.0 requires extensive, specific data to generate a policy quote. Each data point is comprehensively explained in the Flood Insurance Manual, a comprehensive, 400-plus-page guide to writing, renewing. and canceling NFIP policies. A D2C system presumes that consumers will have somehow acquired essential data points about their properties themselves, along with an understanding of the complex rules that govern each one. The concept purports to be an attempt to improve the consumer experience, but it fundamentally misunderstands the level of information a prospective NFIP policyholder has about their own property. In the absence of agent expertise, a D2C offering will most confuse low-information consumers.

Given the importance of the NFIP to policyholders, and the many benefits that would emanate from increasing the number of policies in force, the NFIP should not be allowed to experiment with an online sales platform for NFIP policies—using your constituents as test subjects—without establishing a clear role for independent agents to educate consumers about the products available.

• Oppose any effort to create an online NFIP sales portal unless it includes a clear, substantive role for independent agents. ▶ ▶ ■

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How Important is Price when Selling?

By John Chapin

This week price has been coming up a lot on my coaching calls with sales reps but there was one comment in particular that compelled me to write this article. In a story related to a sale he made last week, a rep said, "I told the guy, 'Look, you just tell me where the competition is and I'll cut my price to match it or beat it." After instructing him to never utter those words ever again for the rest of his life, he came back with, "Why not? It's an easy sale every time. All I have to do is make sure I'm the lowest price and I'll get the sale every time. Besides, this guy told me he buys solely on price so that's the only way I'll get the sale." In the salesperson's defense, he's only been in sales for three months. That said, if I had a nickel for every time a sales rep. from newbies to veterans, told me they lost a sale because of price, or they couldn't compete because of price, or used any other similar type of price excuse for not making a sale, well, I'd have a mountain of nickels.

The first thing I asked the sales rep is why we need him if all sales simply come down to price. If prospects buy on price, I could literally show up, having never met the prospect before, with the equipment they need, ask what price they're willing to pay, and then sell it to them right then and there for that price. Or, they could call the company, tell the receptionist what they want and what they want to pay, and the receptionist could take care of that transaction. If that's the case, why are we paying your salary, commission, and expenses?

Next, I asked the sales rep if the prospect eats the cheapest food, wears the cheapest clothes, drives the cheapest vehicle, and lives in the cheapest house. If he does, he might be a pure price shopper, but my guess is he doesn't. Why? Simple, in any area where he doesn't simply buy the cheapest, he sees the value in paying more. So, if he saw value in your product,

you, and your company, he'd be willing to pay more for these.

Here are a couple of other factors that may make prospects appear to be price shoppers. First, price is the one thing on a proposal that's in English. Your prospect does not work in your industry day in and day out, they don't understand the subtleties, and they don't know the true differences and value in features, functions, and other variables between products, companies, and sales reps. Second, most of us been conditioned to ask for a better price since we were little kids because we know salespeople are almost always willing to budge on price, at least a little. As a result, in order to maximize the price drop, the average prospect will tell a salesperson they are strictly price shoppers and if they want the business, they're going to have to give the maximum price cut.

The reality is, people know that you do get what you pay for, and they realize that products, companies, and sales reps are different, but when price is brought up, what does the average sales rep do? They immediately cut the price as the rep in this story did. It leaves the prospect thinking that maybe there is no difference other than price. I mean if there was, why wouldn't the salesperson tell them why theirs is more versus just cutting price? The reason is that the average salesperson is lazy and it takes work to learn the differences between what you offer and what the competition offers. It takes work to calculate the potential value and put that into a form that the average prospect will understand and resonate with. Finally, it takes work to find out what's important to each individual prospect, determine whether or not our product is right for them, and then, if they are, articulate value in a compelling way. Most salespeople don't want to do that hard work, it's simply easier to cut price versus make the case for why someone should pay more for what you have.

Look, if you have two different brands of product, there are differences between them which equals a difference in value and price. Even if you have the same exact product but it's being sold by two different companies, you have a difference in value between the companies and the individual sales reps. In either of the above scenarios, you've got to know the differences and articulate those based upon what's important to the prospect.

That said, is price a factor? Yes. Is it the biggest factor? Study after study shows only about 7% of the population truly buy on price alone. 93% of the time, when you have a price issue, it's because your product costs more and you didn't show added value that was equal to or more than the additional investment. So, if you do your job correctly by building value and tying it to the prospects needs and desires, while price will still be a factor, it will only trip you up about 7% of the time. And by the way, you don't want to deal with the 7% that truly buy on price anyway because true low-price shoppers are a nightmare. They are never satisfied. They will call you and e-mail you at all times of the day and night, on weekends, and during holidays, and your response will never be quick enough or good enough for them. They will show no appreciation for you and they have zero loyalty. Even if you've been dealing with them for years, as soon as someone beats you on price, they'll be gone. On the other hand, the people who buy value are usually the exact opposite of that. They are loyal and a pleasure to deal with. So, while it may be some work up front to identify and articulate your value, your life will be much more pleasant, and you'll be a much more successful salesperson if you do that work.

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Commissioner Column Continued from Page 6

Another bill we are proposing this session includes a measure that addresses an issue in which some insurance companies have attempted to prohibit policyholders from hiring a public adjuster for a second opinion as to the extent of the damage and the estimated costs necessary to make repairs. This bill would disallow insurers from including such clauses in their policies.

Finally, the appraisal process is an important tool policyholders can use to work with insurance companies to determine the amount of a loss when a dispute regarding the amount of the loss arises. Our current process needs a clearer and fairer framework. We have proposed a bill that outlines the qualifications and duties for appraisers and umpires, prohibits one-sided communication between the umpire and any one party without giving the other party an opportunity to participate, and more.

This package is the most ambitious property insurance reform we have attempted to achieve in my 17 years as Insurance Commissioner. I know these past several months have not been easy, and I appreciate your hard work and dedication. The Department of Insurance will continue to be laser focused on building a resilient insurance market that provides sound, affordable policies and protect our Louisiana way of life.

How Important is Price when selling? Continued from page 14

John Chapin is a motivational sales speaker and trainer. For his free newsletter, or to have him speak at your next event, go to: www.completeselling. com John has over 35 years of sales experience as a number-one sales rep and is the author of the 2010 sales book of the year: Sales Encyclopedia. You can reprint provided you keep contact information in place. E-mail: johnchapin@completeselling.com.







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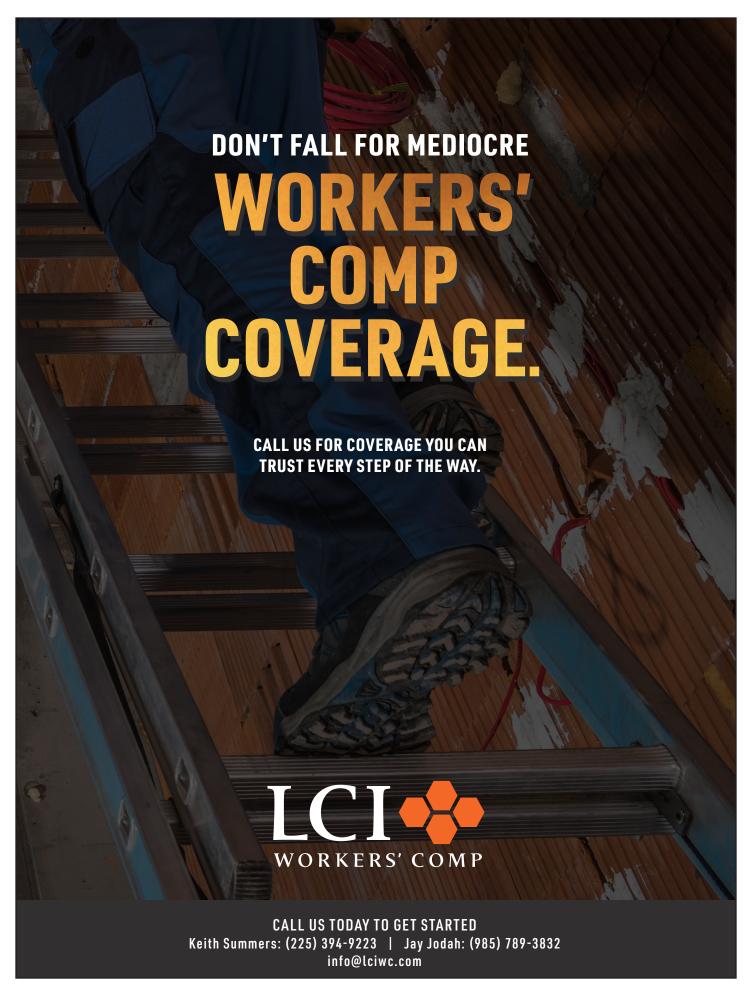
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