

[ VOL. XLVII, NO. 09 | DECEMBER 2020 ]



# THE Agent's Voice



**YIP 2020 YEAR IN REVIEW**

P. 14-17

**GETTING MOTIVATED TO PROSPECT**

P. 20

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*President, PIA of Louisiana*




Your Board, Executive Committee, some former board members and the PIA Staff have been busy working on your behalf and on behalf of our customers and companies. Several of us met in person and electronically with Commissioner Donelon, Deputy Commissioner of Property & Casualty Warren Byrd, Chief State Actuary Rich Piazza and other key DOI staff, and then had a follow up meeting with most of the same players by Zoom.

We were hoping to accomplish several things and were pleasantly surprised how flexible and encouraging the Commissioner was. Pleasantly surprised! Chief amongst them was some flexibility on the Commissioner's 'Desk Rule', which is the 12-month filing rule that companies can only file for one rate increase per year. In this case we were hoping to get some rate relief for the 30 or so new (new since 2005) homeowner companies who could be straining under the weight of 2020 being a hard market for re-insurance and then the strain of several hurricanes. Included in this edition of The Agent's Voice on page 9 you will see the fruits of our labors. What you can't read was the openness and willingness the Commissioner expressed to us in both meetings to do the right thing, allow rates when warranted to protect solvency and keep companies open and writing business in Louisiana for our customers.

We were also concerned about a few of those companies and the Commissioner was forthcoming that the DOI was diligently monitoring the situation, which was reassuring. That will be an ongoing process, but it's nice to know they are actively engaged in regulating that situation.

And in addition, we were concerned that some companies have not been prompt in their payments of valid hurricane claims. A frank and open conversation also led to the DOI Bulletin 2020-07 dealing with "Timely payments of Property and Casualty claims and bad faith damages." A copy of this can bulletin can also be found on page 10.

I want to thank those that participated in these conversations with me: Secretary-Treasurer Ryan Daul, Immediate Past President Bryan Duplantier, National Director Al Pappalardo, Jr., Board Member Danielle Wagner and Immediate Past Presidents Lou Fey and Manuel DePascual as well as Executive Vice President Jody Boudreaux. These sorts of discussions don't just happen. People have to know what the problems are and look for solutions and it sure helps to have a strong working relationship with Commissioner Donelon.

Imagine what we might accomplish once we get out of 2020 and into a New Year. Merry Christmas and Happy, Happy New Year! 



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# PASSING IT ON!

By Jody M. Boudreaux, CAE, CIC, CISR

We often get start-up agencies and/or new agency owners that have bought into an agency to request assistance with agency operations – best practices type of need. It’s been something that we’ve talked about at the state level for some time now, so I’m so excited to announce that PIA National has introduced the *PIA Blueprint for Agency Success*. It’s an 11-week program that provides materials and resources to take an independent insurance agent from start up to success. By following the advice outlined within the *PIA Blueprint for Agency Success*, individuals or teams can systematically launch, grow, and sustain their independent insurance agency.



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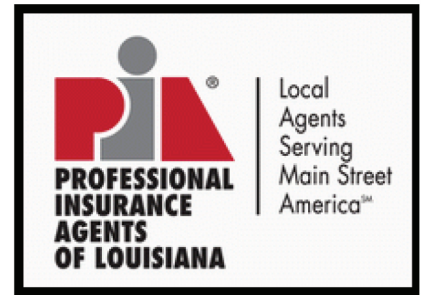
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# Commissioner Donelon Suspends 12-month Filing Rule

On December 17, 2020, the Louisiana Department of Insurance (DOI) emailed members of the insurance industry about its decision to temporarily suspend the 12-month filing rule for rate requests due to the unprecedented 2020 hurricane season and the cost of reinsurance. The DOI specifies separate rate filing procedures for property insurance and all other requests. The DOI plans to reinstate the 12-month filing rule on July 1, 2021.

Details

## Property Rate Filing Requests

Until July 1, 2021, the Louisiana Department of Insurance (DOI) will allow property insurers to make as many rate adjustments as they deem necessary to compete profitably in Louisiana's property markets. Insurers filing rate requests must include all information required in the "Rate and Rule Filing Handbook" and should note the filing's exception in the cover memo of the rate filing.

## All Other Requests

For requests other than property insurance, the DOI will consider an exception to the 12-month filing rule on a case-by-case basis, such as the merits. Before filing rate requests with the DOI, insurers should file their requests directly with the Commissioner, along with a copy to the Deputy Commissioner of Property and Casualty. Otherwise, insurers filing their requests through the System for Electronic Rates & Forms Filing (SERFF) should clearly state in the cover memo of the filing that it should be treated as an exception to the 12-month filing rule.

## Technical Questions

Please direct technical questions regarding your filings to the following DOI staff:

1. Warren Byrd, Deputy Commissioner, Office of Property & Casualty, at Warren.Byrd@ldi.la.gov; or
2. Rich Piazza, Chief State Actuary, at Richard.Piazza@ldi.la.gov.

## Copy of email sent to companies:

Greetings,

Due to the unprecedented 2020 hurricane season and as was discussed in our meeting on December 11 with the PIA, Commissioner Donelon has agreed to make an exception to the 12-month filing rule for changes due to the cost of reinsurance. This exception will be documented in the Louisiana Department of Insurance's (LDI) Rate and Rule Filing Handbook.

## Exception to the 12-Month Filing Rule

1. For all property rate filing requests: Due to the difficulties created by an unprecedented 2020 hurricane season (five named-storm landfalls in Louisiana), the LDI suspends the 12-month filing rule until July 1, 2021. A company can make as many rate adjustments as the company deems necessary to compete profitably in Louisiana's property markets. Rate requests under this temporary suspension should clearly state, in the cover memo of the rate filing, that the filing is being made under the temporary suspension of the 12-month rule.

On July 1, 2021, the 12-month rule will again be effective and the last rate increase, even if made under the temporary suspension, will be used as the beginning reference point for the 12-month rule.

A rate filing made under this exception to the 12-month rule must include all rate filing information required in the Rate and Rule Filing Handbook.

2. For all other requests for exception to the 12-month filing rule: The LDI will consider an exception to the 12-month filing rule based on a case-by-case basis based on the request's merits. Such requests should be made directly to the Commissioner (with a copy to the Deputy Commissioner of Property and Casualty) before a rate filing is filed with the LDI or the request to be treated as an exception to the 12-month filing rule should be clearly stated in the cover memo of the rate filing made with the LDI through SERFF.

Please contact Rich Piazza or Warren Byrd if you have any questions or need any clarification.



LOUISIANA DEPARTMENT OF INSURANCE  
JAMES J. DONELON  
COMMISSIONER

TO: ALL AUTHORIZED PROPERTY AND CASUALTY INSURERS AND ALL SURPLUS LINES INSURERS

FROM: JAMES J. DONELON,  
COMMISSIONER OF INSURANCE

**RE: TIMELY PAYMENT OF PROPERTY AND CASUALTY CLAIMS AND BAD FAITH DAMAGES**

DATE: DECEMBER 11, 2020

The purpose of Bulletin 2020-07 is to provide notification and guidance to all authorized property and casualty insurers and all surplus lines insurers (hereinafter jointly referred to as "insurers") of the statutory requirements placed upon them relative to their obligation as it relates to the timely payment of property and casualty claims to both first party insureds as well as third party claimants.

La. R.S. 22: 1892 provides that all insurers issuing any type of contract other than life, health and accident, or workers compensation contracts shall comply with the following in their claims handling practices:

- 1) Insurers shall pay the amount of any claim due any insured within thirty days after receipt of satisfactory proofs of loss from the insured or any party in interest.
- 2) Insurers shall pay the amount of any third party property damage claim and of any reasonable medical expenses claim due any bona fide third party claimant within thirty days after written agreement of settlement of the claim.
- 3) All insurers shall make a written offer to settle any property damage claim, including a third party claim, within thirty days after receipt of satisfactory proof of

loss of the claim.

Failure to comply with the above described claims handling practices, when such

failure is found to be arbitrary, capricious, or without probable cause, shall subject the insurer to a penalty, in addition to the amount of the loss, of fifty percent damages on the amount found to be due from the insurer to the insured, or one thousand dollars, whichever is greater, or in the event a partial payment or tender has been made, fifty percent of the difference between the amount paid or tendered and the amount found to be due as well as reasonable attorney fees and costs.

La. R.S. 22:1973 provides that an insurer, including but not limited to a foreign line and surplus line insurer, owes to his insured a duty of good faith and fair dealing. The insurer has an affirmative duty to adjust claims fairly and promptly and to make a reasonable effort to settle claims with the insured or the claimant, or both. Any insurer who breaches these duties shall be liable for any damages sustained as a result of the breach. The statute further provides that certain acts, if knowingly committed or performed by an insurer, constitute a breach of the insurer's duties of good faith

- 1) Failing to pay a settlement within thirty days after an agreement is reduced to writing.
- 2) Failing to pay the amount of any claim due any person insured by the contract within sixty days after receipt of satisfactory proof of loss from the claimant when such failure is arbitrary, capricious, or without probable cause.

The penalty provision of La. R.S. 22: 1973

provides that in addition to any special or general damages to which a claimant is entitled for breach of the imposed duty of good faith and fair dealing, the claimant may be awarded penalties assessed against the insurer in an amount not to exceed two times the damages sustained or five thousand dollars, whichever is greater.

All insurers, including authorized insurers and surplus lines insurers are subject to the requirements of La. R.S. 22: 1892 and La. R.S. 22:1973 with regard to the timely payment of claims. Insurers owe a duty of good faith and fair dealing to their insureds in the claim handling process. Insurers who fail to comply with the statutory requirements regarding the timely payment of claims and settlements may be subject to regulatory action by the Louisiana Department of Insurance. Any questions or concerns regarding Bulletin 2020-07 should be directed to the Louisiana Department of Insurance, Office of Property and Casualty, at [public@ldi.la.gov](mailto:public@ldi.la.gov).



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# YIP Young Insurance Professionals 2020 Year - in - Review

The Young Insurance Professionals of Louisiana (YIPs) was formed in 1998 with the idea of giving young professionals an educational resource to develop business savvy and to cultivate future leaders of PIA. Over the course of its 20+ year-existence, the group has gained much popularity for its social functions. While the association remains true to its history, continuing to provide the social gatherings, the growth that the organization has seen in recent years has been extraordinary. In the past few years, the networking, social club YIPs once was has morphed into a professional and well-rounded collection of young insurance individuals. YIPs continue to host those time-honored social traditions with ease, but they have added to these events, enhancing professional growth and developmental aspects. It is through strong vision, focus and dedication that the leaders of YIPs have forged this recent transformation.

Unfortunately, after the YIPs Conference, many of our usual events were not able to happen due to COVID-19. We were not able to have our YIPs Hospitality Suite or Pool Party at the PIA convention, no Bowl-a-Thon or CE & Day at the Races, and we couldn't try out our new Casino Night that was planned to be held the evening prior to the PIA of Acadiana Crawfish Boil. We WERE able to participate in ULM's Career Day early in the year and then held our relief efforts following Hurricane Laura.

**Annual Conference** In January, the YIPs held their Annual Winter Conference, *The Greatest Show on Earth*. We showcased new and exciting education seminars as well as multiple opportunities for networking and career enhancement. Delegates in attendance kicked off the conference with two great education seminars, followed by an old favorite – Dine Around in downtown Baton Rouge.

In addition to the fun and education presented at the 2019 conference, The Young Insurance Professionals held their Annual Membership Meeting where new Board members and officers were installed. During the meeting, President Brandi Lamonte presented Laurie Whipp with the Hall of Fame Award.

## YIPs at ULM Career Day

Continuing its efforts, the YIPs participated in ULM's Career Day early on in the year. Who better to tell the story of how insurance is a great career choice than our Young Insurance Professionals! During these programs, students were given information about all the different options available to them within the insurance industry as well as the average salary potential for those job opportunities. We hope to once again do more of this in 2021 and welcome anyone who would like to participate to get involved with this worthy cause!



## YIPs Relief Efforts

On September 26, 2020, the YIPs traveled to Westlake to serve food and supplies. This trip was coordinated by an incredible team of folks from Houma and President-elect Ryan Page. It was a very successful and rewarding day, serving 3,400 plates of jambalaya, pastalaya, roast beef, white beans and boiled shrimp.

Thanks to those that helped us onsite: YIPs President Jessica Clayton; President-elect Ryan Page and wife, Lauren, and daughter, Landry; Directors Baylie Babin, Kristin Swanson and father, Greg, Mary Dias; PIA Board Member Jennifer Clements and husband, Mackie; Dan O'Brien and son, Gavin; Kyle Marks and Jody Boudreaux.

We also want to thank all those that provided both financial support and supplies to this trip: YIPs, AFCO, Alliance Insurance, Allied Trust, Americas, Anchor Insurance, Classic Insurance, Dan Burghardt Insurance, Gulf States, IPFS, Laris Insurance, Page Insurance, SafePoint Insurance, Sagesure, ServPro, Southern Fidelity, Surplus Lines Association, Swanson Insurance, Debbie Harrington (Americas), Karra Lafleur (RISCOM), Sheri Lindsey and Anne Missett (Americas).

Like was the case for so many, it was a challenging year for YIPs. They have already started looking forward to a better, more productive year in 2021 (hopefully). In addition to trying again to hold their first ever Casino Night, they are also going to be introducing a new Professional Development Series for its members, which they plan to kick off at this year's conference. You'll definitely want to participate and be a part of this exciting event! Be sure to register for the 2021 Annual Conference as YIPs Gives Back, which will allow you the opportunity to raise funds for the charity of your choice during their first-ever Walk-a-Thon!





# Young Insurance Professionals 2020 Year - in - Review

## YIPs 2019

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*YIPs 2020 Board of Directors*







# Young Insurance Professionals 2020 Winter Conference

The Young Insurance Professionals of Louisiana will pay it forward during their Annual Winter Conference, **Thursday, February 4 – Friday, February 5, 2021** at The Hilton Baton Rouge Capitol Center.

At this year’s conference, **YIPs Gives Back**, we will share our passions, and discuss how we can best utilize our talents to empower our neighbors and communities in tangible ways. Our events are streamlined to best maximize your time out of the office. Our two day conference will conclude on Friday afternoon. Be sure to check out the agenda for event information.

## CE SESSIONS

How do we translate our passions into the insurance industry? Our CE Sessions will provide you with opportunity for development and efficient, streamlined function.

## PAY IT FORWARD EXHIBIT HALL

Join us at the YIPS exhibit hall as we pay it forward! This is a great networking opportunity and will give attendees the opportunity to receive good things and pass them on. In addition to networking with insurance industry professional, stroll the hall, share a meal and revel in fellowship.



**YIPs Gives Back**

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## River WALK-A-THON

The YIPS will stroll the river to support charities that reflect their passions, whether it’s animal rescue, disaster relief, feeding the hungry or otherwise. With a minimum \$50 charitable contribution, conference delegates are welcome to participate in this outdoor walk on the mighty Mississippi levee. **BONUS:** A minimum contribution of \$50 to charity not only garners you a fancy t-shirt for the River walk-a-thon, but YIPS will also match your \$50 in-kind! Please be sure to sign up for this pay it forward community event on the River walk-a-thon registration form!

## ACCOMMODATIONS

Book your room by calling **The Hilton Baton Rouge Capitol Center at (800) 955-6962**. Please use the group name “YIP” when calling in your requests. Cutoff for hotel reservations is **January 20, 2021**. Space is limited, so make sure to book your room early!

**Questions: Please contact Jody Boudreaux at (800) 349-3434 or via email at [jody@piaoflouisiana.com](mailto:jody@piaoflouisiana.com).**



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# Getting Motivated to Prospect

By John Chapin

Recently I was in a sales meeting in which the owner of the company passed out an article on habits. We discussed good sales habits, how to acquire them, and what kind of habits it ultimately takes to be successful in sales. What was interesting was that we didn't have any ah-ha moments or unearth anything new. Everyone had a pretty good idea of what it takes to be successful and yet, most weren't doing those things.

Something I've noticed over the years is that most people who aren't doing what they need to do blame it on a lack of motivation. Many salespeople I encounter are constantly looking for motivation to go out and prospect and as a result, they struggle to make enough calls. Sure, most eventually get themselves to make some calls, but it's rarely enough. Here's the problem with motivation: if you're waiting for positive motivation to "feel like" cold calling, it's not coming. Do you wait for inspiration to strike before you take out the trash? In school, did you wait until you were excited to do your homework? Of course not. Why not? Because you knew it wasn't coming. The same is true with cold calling. You're never going to look forward to doing it. And, by the way, if right now you're saying, "What?! I love to cold call!!", you can stop reading this article. For the other 99.99999% of you, keep reading.

So, the first point here is don't wait until you feel like, or are positively motivated, to prospect. It's not going to happen. Second, avoid the trap many salespeople fall into when trying to avoid the discomfort of prospecting. It's what I call 'tricking yourself' into 'thinking' you're prospecting when you're actually not. What do I mean by that? Anything other than in-person, over the phone, or other 'live' forms of prospecting where you are actually talking to a person who is a potential prospect, is not prospecting. The most common forms of false prospecting are: sending cold e-mails without an immediate phone call, messages on LinkedIn, hanging out on other forms of social media, and going to the same networking

events where you see 95 to 100% of the same people every time. E-mails, LinkedIn messages and the like are fine for follow-up, but never as an initial prospecting contact. Look, at the end of the day, you simply need to figure out how many phone calls and/or in-person calls you have to make and then find a way to get yourself to make the calls. If this is something you struggle with, here are a few things you can try:

**Tip #1: Focus on the long-term pain of inaction versus the short-term pain of action.** If you're like most people, and assuming you're a person of good character and integrity, you're hard on yourself when you don't make the necessary sales calls, which is what you get paid for, and ultimately what you promised to do when you accepted your job. You beat yourself up, talk down to yourself, your confidence and self-esteem take a hit, you feel guilty, you have a bad day because you didn't live up to your obligations, and your lack of sales leads to depression. It's painful all the way around and all those bad feelings suck. And by the way, you should feel this way if you don't do what you're supposed to do and what you promised to do when you accepted the job. That's the long-term pain. All you have to do to avoid the long-term pain is make the calls and face the short-term pain of possible rejection. And by the way, stop kidding yourself, the short-term pain is never as bad as you think it will be. You're not going to die, most people will not hang up on you, slam the door in your face, or scream at you and call you names, but even if some of them did, so what, what's the worst that can happen? In fact, not only will the short-term pain not be as bad, you'll also get a reward. All the negative things that happen when you don't make the calls will flip. You'll feel better about yourself, have more self-esteem, more self-confidence, and that in turn will flow positively into all the other areas of your life, oh, and you'll be more successful and have a lot more money.

**Tip #2: Calculate how much money you make per call, whether you talk to**

**someone or not. Take the size of your average sale.** Figure out how many calls you make to get a sale. Divide the amount of the sale by the number of calls. If you call and you get a busy signal, voicemail, someone says they aren't interested, or any other number of things happen, just think to yourself, "Cool, I just made another \$10 dollars." Or, whatever number you came up with.

**Tip #3: Related to the above, realize that every call gets you closer to a sale.**

**Tip #4: Focus on the intrinsic reward.** Imagine the ultimate payoff. What are your goals and dreams? What does your perfect life look like 5, 10, 20 or more years down the road? The more calls you make, the faster you'll move toward that reality. Procrastinating and wasting another day moves you further away from that and closer to the opposite of that, closer to pain and misery. You can also tie it to something important like being a good example for your kids.

**Tip #5: Take some caffeine, listen to motivational music, watch a video that motivates you.**

**Tip #6: Have someone hold you accountable.** Tell someone how many calls you're going to make and if you don't make the calls, you have to write a check for \$500 to or a political candidate you can't stand or an organization you don't like and would never support.

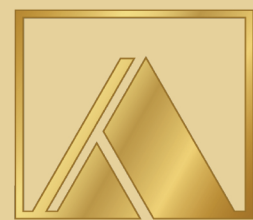
**Tip #7: Make prospecting your #1 priority and get it done before you do anything else.** Once you get your most difficult task out of the way, the rest of the day will be much easier.

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**Getting Motivated to Prospect**  
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**Tip #8: Get completely sold on what you have to offer.** The first sale is to yourself. People will hear your conviction. Know that you are helping people and making their lives better.

**Tip #9: Repeat several positive affirmations two or three times before making your calls.**

**Tip #10: Be prepared.** Have a script that you've rehearsed well and know exactly what to do and what to say.

Finally, don't expect to be perfect and do expect to face rejection. If being a great salesperson and making a ton of money was easy, everyone would be doing it.

*John Chapin is a motivational sales speaker, coach, and trainer. For his free eBook: 30 Ideas to Double Sales and monthly article, or to have him speak at your next event, go to: [www.completeselling.com](http://www.completeselling.com) John has over 33 years of sales experience as a number one sales rep and is the author of the 2010 sales book of the year: Sales Encyclopedia (Axiom Book Awards). You can reprint provided you keep contact information in place. E-mail: [johnchapin@completeselling.com](mailto:johnchapin@completeselling.com). *



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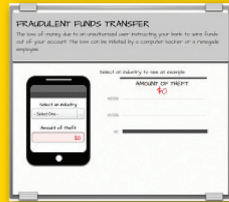
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By B.D.Hicks

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