

West's Louisiana Statutes Annotated
Louisiana Revised Statutes
Title 22. Insurance Code (Refs & Annos)
Chapter 5. Producers and Other Regulated Entities
Part V. Public Adjusters

LSA-R.S. 22:1706
Formerly cited as LA R.S. 22:1210.106

§ 1706. Standards of conduct of public adjuster

Effective: August 1, 2012
Currentness

- A. A public adjuster is obligated, under his license, to serve with objectivity and complete loyalty to the interest of his insured alone and to render to the insured such information and service, as within the knowledge, understanding, and good faith of the licensee, as will best serve the insured's insurance claim needs and interest.
- B. A public adjuster shall not solicit, or attempt to solicit, an insured during the progress of a loss-producing occurrence, as defined in the insured's insurance contract.
- C. A public adjuster shall not permit an unlicensed employee or representative of the public adjuster to conduct business for which a license is required under this Part.
- D. A public adjuster shall not have a direct or indirect financial interest in any aspect of the claim, other than the compensation established in the written contract with the insured.
- E. A public adjuster shall not acquire any interest in salvage of property subject to the contract with the insured.
- F. A public adjuster shall not solicit employment for or otherwise solicit engagement, directly or indirectly, for or on behalf of any attorney at law, contractor, or subcontractor, in connection with any loss or damage with respect to which such adjuster is concerned or employed. Nothing in this Part shall be interpreted to prevent a public adjuster from recommending a particular attorney, contractor or subcontractor; however, the public adjuster is prohibited from collecting any fee, compensation, or thing of value for such referral.
- G. A public adjuster shall not solicit or accept any compensation, direct or indirect, from, by, or on behalf of any contractor or subcontractor engaged by or on behalf of any insured by which such adjuster has been, is, or will be employed or compensated, directly or indirectly.
- H. Public adjusters shall also adhere to the following general requirements:

(1) No public adjuster, while so licensed by the department, may represent or act as a company adjuster or independent adjuster in Louisiana.

(2) A public adjuster shall not enter into a contract or accept a power of attorney that vests in the public adjuster the authority to choose the persons who shall perform repair work.

(3) A public adjuster shall ensure that all contracts for the public adjuster's services are in writing and set forth all terms and conditions of the engagement.

(4) A public adjuster shall not file or record on behalf of an insured client any complaint to or with any court of record or agency of the state.

(5) A public adjuster shall not provide services with any claim except a first-party claim on behalf of an insured against such insured's insurer.

(6) A public adjuster shall not provide services to the insured in connection with any claim for personal injury.

(7) A public adjuster shall not render legal advice to the insured, including but not limited to legal advice regarding the policy provisions or coverage issues.

(8) A public adjuster shall not engage in the unauthorized practice of law as defined in [R.S. 37:212](#) and 213.

(9) A public adjuster may not agree to any loss settlement without the insured's knowledge and written consent.

(10) A public adjuster shall not act as an appraiser or umpire pursuant to the appraisal provisions of [R.S. 22:1311](#) or any similar provision of a policy of insurance if that public adjuster is adjusting or has adjusted all or any part of the claim, or both, or property subject to that appraisal provision.

Credits

Renumbered from [R.S. 22:1210.106](#) by [Acts 2008, No. 415, § 1, eff. Jan. 1, 2009](#). Added by [Acts 2006, No. 806, § 1](#). Amended by [Acts 2011, No. 94, § 1, eff. Jan. 1, 2012](#); [Acts 2012, No. 309, § 1](#).

Editors' Notes

REDESIGNATION AND RENUMBERING OF TITLE 22--ACTS 2008, NO. 415

<Acts 2008, No. 415, § 1 amended and reenacted Title 22 of the Louisiana Revised Statutes of 1950, the Louisiana Insurance Code, and directed the Louisiana State Law Institute to redesignate the provisions of Title 22, formerly comprised of [R.S. 22:1](#) to [22:3311](#), into a new format and numbering scheme comprised of [R.S. 22:1](#) to [22:2371](#), without changing the substance of the provisions.>