

## Insurance Regulation and Compliance

Experienced at all aspects of insurance regulation, McGlinchey Stafford provides comprehensive legal coverage for health, life, property and casualty insurance companies, health maintenance organizations, preferred provider organizations and insurance divisions within Fortune 500 manufacturing companies.

Our attorneys anticipate regulatory concerns and evaluate risks before they become problematic. We also guide clients on continued compliance with evolving statutes and regulations.

During the process, issues may arise related to business law litigation, tax and healthcare. Using the firm's extensive experience in these areas, attorneys provide insurers with multistate and nationwide counsel in such areas as:

- Agency Formation
- Acquisitions and Divestitures of Books of Business
- Organizational and Operational Counsel
- Licensing and Regulatory Approvals
- Rate, Quarterly and Annual Filings
- Insurance Product Development and Regulation
- High Deductible Health Plans
- Consumer Credit Products
- Insurance Holding Company Reporting
- Insurance Agency, Reinsurance, Retrocession and Intermediary Agreements
- Market Conduct Examinations
- Regulatory Hearings and Enforcement Actions
- Risk Retention Groups
- Captive Reinsurance and Self Insurance
- Defense of Business Litigation
- Voluntary Liquidations and Insolvencies

Should statutory violations occur, we maintain productive relationships with key authorities and represent clients' interests before administrative departments and agencies. Our familiarity with the insurance environment allows us to resolve regulatory disputes quickly and favorably for our clients.

### Practice Focus and Clients

McGlinchey Stafford advises insurance producers, agencies and companies, managed care companies, third-party administrators, and reinsurers.

A significant number of our clients are HMOs and PPOs. Our attorneys also counsel manufacturers, such as car and heavy equipment makers, seeking to remain compliant as they expand customer services and establish their own insurance subsidiaries.

We support clients' growth strategies. We have achieved simultaneous and expedited HMO and Medicare licensing in Louisiana for a national healthcare provider. And our regulatory team has extensive experience obtaining licenses in all fifty states for newly structured insurance agencies.

McGlinchey Stafford lawyers are active in state and national insurance regulation and compliance organizations such as the National Association of Insurance Commissioners, Consumer Credit Insurance Association and Federation of Regulatory Counsel.

### Professionals



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### Areas of Focus

Insurance Regulatory and  
Compliance - Auto Finance



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## Experience

Represented financial services company in sale

Representation as main outside counsel of Japanese Big 3 manufacturer's captive finance company

Provided structure, advice, and consultations for their restructure of credit insurance and guaranteed automobile protection processes from inception through cancellation, refund, and run off responsibility.

Representation of client in purchase of a national vehicle warranty and service contract company, including change of control advice and approvals

Representation of clients in multiple 50-state research projects regarding credit insurance and related ancillary collateral protection products

Representation of Detroit Big 3 manufacturer in connection with client's initial foray into aftermarket sales of ancillary products

Product initiatives include motor vehicle service contracts, guaranteed automobile protection, tire and wheel protection, and the like. Provide structure, advice, and consultation in ongoing representation.

Representation of German auto maker in connection with restructuring entire service contract documentation for a national program

Representation of heavy trucking manufacturer in connection with creation of a 50-state warranty program

Representation of major credit insurance agency in connection with national product implementation, development, and sales

Representation of statewide credit insurance business in connection with preparing a credit insurance policy, along with all processes and documentation

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## Recent Publications

October 25, 2019 [A lender's guide to refund fees and charges of ancillary products](#)

Auto Finance Excellence

April 4, 2017 [Expected Cancellation of Insurance Due to August 2016 Louisiana Flooding](#)

Currently, all insurers are prohibited by an Emergency Rule issued by the Louisiana Commissioner of Insurance from cancelling or non-renewing any homeowners insurance, residential property insurance, commercial insurance, fire and extended coverage insurance, credit property and casualty insurance, property and casualty insurance, and any other insurance regulated by the Commissioner of Insurance insuring an August flood-damaged dwelling, residential property, or commercial property located in one of the listed parishes on the grounds of a material change in the risk being insured.

McGlinchey Insurance Regulation & Compliance/Consumer Financial Services Alert

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## Recent News

November 1, 2018 [McGlinchey Stafford's Practices Ranked Among Top in Nation in U.S. News/Best Lawyers' "Best Law Firms" 2019](#)

McGlinchey News Release

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McGlinchey News Release

July 14, 2015 [McGlinchey Stafford Welcomes Associates Kieffer Petree and Alex Velazquez](#)

McGlinchey News Release

November 4, 2019 [McGlinchey Stafford announces 50 Practice Areas Ranked in 2020 Best Law Firms®](#)

McGlinchey News Release