
SENATE COMMITTEE AMENDMENTS

2025 Regular Session

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 231
by Senator Reese

1 AMENDMENT NO. 1

2 On page 1, line 2, delete "and to repeal R.S. 9:2800.27(F) and (G)" and insert "and to enact
3 R.S. 9:2800.27(H)"

4 AMENDMENT NO. 2

5 On page 1, line 8, after "certain circumstances;" delete the remainder of the line and insert
6 the following:

7 "to provide relative to admissibility of evidence; to provide relative to
8 automobile liability insurance that provides for medical payments coverage; to
9 provide relative to attorney-negotiated write-offs or discounts for medical expenses;
10 to provide relative to write-offs or discounts provided by a medical provider; to
11 provide related to consideration; to provide relative to attorney fees;"

12 AMENDMENT NO. 3

13 On page 1, delete lines 9 and 10

14 AMENDMENT NO. 4

15 On page 1, line 14, after "and reenacted" insert "and R.S. 9:2800.27(H) is hereby enacted"

16 AMENDMENT NO. 5

17 On page 1, line 15, change "~~past~~" to "past" and "~~limitations;~~" to "limitations;"

18 AMENDMENT NO. 6

19 On page 2, delete lines 1 through 10 and insert the following:

20 "(1) "Contracted medical provider" means any in-network medical provider
21 that has entered into a contract or agreement directly with a health insurance issuer
22 or with a health insurance issuer through a network of providers for the provision of
23 covered healthcare services at a pre-negotiated rate, or any medical provider that has
24 billed and received payment for covered healthcare services from Medicare when the
25 provider is a participating provider in those programs.

26 (2) "Cost of procurement" means the cost paid by or on behalf of the claimant
27 to procure the benefit paid by a health insurance issuer or Medicare and the cost of
28 procurement of the award of medical expenses, including but not limited to
29 contracted attorney fees and health insurance premiums paid."

30 AMENDMENT NO. 7

31 On page 2, line 11, change "~~(3)~~" to "(3)"

32 AMENDMENT NO. 8

33 On page 2, between lines 13 and 14, insert the following:

34 "(4) "Health care provider" means a physician or health care
35 practitioner licensed, certified, and registered to perform specified health care
36 services in accordance with the applicable law and any facility or institution
37 providing health care services, including but not limited to a hospital, licensed

1 inpatient center, ambulatory, surgical, or treatment center, skilled nursing
2 facility, inpatient hospice facility, residential treatment center, diagnostic
3 laboratory or imaging center, or rehabilitation or therapeutic health setting.

4 (5) "Health insurance coverage" means benefits consisting of health care
5 services provided through insurance, or reimbursement, which includes items
6 and services paid for as health care services under any hospital or medical
7 service policy or certificate, hospital or medical service plan contract, preferred
8 provider organization agreement, or health maintenance organization contract
9 offered by a private health insurer, the Office of Group Benefits, Medicare,
10 Medicaid, Louisiana Workers' Compensation Law, or equivalent state health
11 plans."

12 AMENDMENT NO. 9

13 On page 2, line 14, delete "~~(4)~~(2)" and insert "(6)"

14 AMENDMENT NO. 10

15 On page 2, delete lines 18 through 25

16 AMENDMENT NO. 11

17 On page 2, line 26, change "~~(5)~~(4)" to "~~(5)~~(7)"

18 AMENDMENT NO. 12

19 On page 2, delete lines 28 and 29

20 AMENDMENT NO. 13

21 On page 3, delete lines 1 through 17 and insert the following:

22 "B. In cases where a claimant's medical expenses have been paid, in whole
23 or in part, by a health insurance issuer or Medicare to a contracted medical provider,
24 the claimant's recovery of medical expenses is limited to the amount actually paid
25 to the contracted medical provider by the health insurance issuer or Medicare, and
26 any applicable cost sharing amounts paid or owed by the claimant, and not the
27 amount billed. The court shall award to the claimant ~~forty~~ **thirty** percent of the
28 difference between the amount billed and the amount actually paid to the contracted
29 medical provider by a health insurance issuer or Medicare in consideration of the
30 claimant's cost of procurement, provided that this amount shall be reduced if the
31 defendant proves that the recovery of the cost of procurement would make the award
32 unreasonable. The determination of this award shall be made only in accordance with
33 the provisions of Subsection F of this Section."

34 AMENDMENT NO. 14

35 On page 3, line 18, change "€." to "C."

36 AMENDMENT NO. 15

37 On page 3, delete lines 23 through 28 and insert the following:

38 "D. The recovery of past medical expenses other than those provided by
39 Subsection B or C of this Section shall be limited to amounts paid to a medical
40 provider by or on behalf of the claimant, and amounts remaining owed to a medical
41 provider, including medical expenses secured by a contractual or statutory privilege,
42 lien, or guarantee. The determination of this award shall be made only in accordance
43 with Subsection F of this Section, **but shall not exceed three hundred percent of**
44 **the Medicare fee schedule for services.**"

1 AMENDMENT NO. 16

2 On page 3, line 29, change "~~E.C.~~" to "E."

3 AMENDMENT NO. 17

4 On page 4, delete lines 4 through 17 and insert the following:

5 "F. In a jury trial, only after a jury verdict is rendered may the court receive
6 evidence related to the limitations of recoverable past medical expenses provided by
7 Subsection B or D of this Section. The jury shall be informed only of the amount
8 billed by a medical provider for medical treatment. Whether any person, health
9 insurance issuer, or Medicare has paid or has agreed to pay, in whole or in part, any
10 of a claimant's medical expenses, shall not be disclosed to the jury, **but shall be**
11 **discoverable before trial subject to the Code of Civil Procedure and Code of**
12 **Evidence**. In trial to the court alone, the court may consider such evidence.

13 **G. The recovery of medical expenses by a claimant shall not include**
14 **attorney-negotiated write-offs or discounts for medical expenses obtained as a**
15 **product of the litigation process. Attorney fees paid by the claimant to recover**
16 **medical expenses shall not be deemed consideration that diminishes a claimant's**
17 **patrimony.**"

18 AMENDMENT NO. 18

19 On page 4, line 18, change "~~G.E.~~:" to "~~G.H.~~:"

20 AMENDMENT NO. 19

21 On page 4, line 19, after "et seq." insert the following:

22 **"or to any benefits received by a party through a policy of automobile**
23 **liability insurance that provides for medical payments coverage.**"