





Present law provides that a dispute as to whether recommended care, services, or treatment is in accordance with the medical treatment schedule, or whether a variance from the medical treatment schedule is reasonably required, may be appealed within 15 calendar days to the office of workers' compensation administration medical director or associate medical director.

Present law provides that any party may appeal the decision of the medical director or associate medical director by filing a "Disputed Claim for Compensation" form provided by the La. Workforce Commission within 45 days of the date of the issuance of the decision.

Present law further provides that the medical director or the associate medical director's decision may be overturned by clear and convincing evidence that the decision was not in accordance with law.

Proposed law retains present law and adds that the party who filed the appeal must notify the director that he has done so within 10, after which the director will compile and forward the entire record used by the medical director in issuing the decision to the district hearing office within 15 days of receiving the notice. Proposed law provides that the record will be made available to the parties upon request. Proposed law further provides that at the hearing on the appeal, if no evidence in addition to the record is introduced, the workers' compensation judge will either affirm or reverse the decision of the medical director based upon the record that was before the medical director. Proposed law further provides that if additional evidence that was not submitted to the medical director is introduced at the hearing, then the judge will remand the case to the medical director for consideration of the additional evidence. Proposed law further provides that following remand, the medical director will render a new decision after considering the additional evidence within 30 days of the remand. Proposed law further provides that if the medical director takes no action within 30 days of the remand order, the judge will decide the appeal based upon the entire record.

Effective August 1, 2026.

(Amends R.S. 23:1203.1(K))

#### Summary of Amendments Adopted by Senate

##### Committee Amendments Proposed by Senate Committee on Judiciary C to the original bill

1. Change procedure by which an appeal of the medical director's decision is conducted.