

2017 Regular Session

HOUSE BILL NO. 137

BY REPRESENTATIVE JENKINS

1 AN ACT

2 To amend and reenact R.S. 40:1231.8(A)(2)(b) and 1237.2(A)(2)(b), relative to medical
3 malpractice claims; to provide for the date of filing of a request for a medical review
4 panel; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 40:1231.8(A)(2)(b) and 1237.2(A)(2)(b) are hereby amended and
7 reenacted to read as follows:

8 §1231.8. Medical review panel

9 A.

10 * * *

11 (2)

12 * * *

13 (b)(i) The request for review of a malpractice claim under this Section shall
14 be deemed filed on the date of receipt of the request stamped and certified by the
15 division of administration or on the date of mailing of the request if mailed to the
16 division of administration by certified or registered mail the request is:

17 (aa) Sent, if the request is electronically sent by facsimile transmission or
18 other authorized means, as provided by R.S. 9:2615(A), to the division of
19 administration.

20 (bb) Mailed, if the request is delivered by certified or registered mail to the
21 division of administration.

22 (cc) Received, if the request is delivered to the division of administration by
23 any means other than as provided by Subitem (aa) or (bb) of this Item.

24 (ii) Upon receipt, the request shall be stamped with the filing date and
25 certified by the division of administration. Filing of the request shall be complete
26 only upon timely compliance with the provisions of Subparagraph (1)(c) or (d) of

1 this Subsection. Upon receipt of any request, the division of administration shall
2 forward a copy of the request to the board within five days of receipt.

3 * * *

4 §1237.2. State medical review panel

5 A.

6 * * *

7 (2)

8 * * *

9 (b)(i) The request for review of the claim under this Section shall be deemed
10 filed on the date of receipt of the complaint stamped and certified by the
11 commissioner, or on the date of mailing of the complaint if mailed to the
12 commissioner by certified or registered mail the request is:

13 (aa) Sent, if the request is electronically sent by facsimile transmission or
14 other authorized means, as provided by R.S. 9:2615(A), to the division of
15 administration.

16 (bb) Mailed, if the request is delivered by certified or registered mail to the
17 division of administration.

18 (cc) Received, if the request is delivered to the division of administration by
19 any means other than as provided by Subitem (aa) or (bb) of this Item.

20 (ii) Upon receipt, the request shall be stamped with the filing date and
21 certified by the division of administration. Filing of the request shall be complete
22 only upon timely compliance with the provisions of Subparagraph (1)(c) or (d) of
23 this Subsection.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____