The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Margaret M. Corley.

## DIGEST 2020 Regular Session

**Talbot** 

<u>Proposed law</u> provides that reductions in medical bills based upon the write-offs or write-downs by insurance companies or Medicare are not collateral sources and are not recoverable as damages in civil litigation.

<u>Proposed law</u> provides that when a plaintiff's medical expenses have been paid by a health insurance company or Medicare, plaintiff's recovery of medical expenses is limited to the amount actually paid to the healthcare provider by the insurer or Medicare, and not the amount billed.

<u>Proposed law</u> provides that if the plaintiff pays the medical expenses directly to the healthcare provider when health insurance is available, recovery is limited to the amount that would have been paid by the insurer or Medicare.

<u>Proposed law provides that payment for medical expenses is limited to the amount payable pursuant to the fee schedule of the present law Workers' Compensation Law when that present law is applicable, and provides that if the plaintiff pays those expenses directly to the healthcare provider, the plaintiff's recovery for medical expenses is limited to the amount that would have been paid pursuant to the Workers' Compensation Law fee schedule.</u>

<u>Proposed law</u> provides that in an action for damages where a person suffers injury, death, or loss, the court may receive evidence concerning any amount which has been paid or contributed as of the date it enters judgment, by or on behalf of, the claimant or members of his immediate family to secure his right to any private insurance benefit which he has received as a result of such injury or death.

Effective August 1, 2020.

(Adds R.S. 9:2800.25)

SB 266 Original