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**HOUSE COMMITTEE AMENDMENTS**

2022 Regular Session

Amendments proposed by House Committee on Civil Law and Procedure to Original House  
Bill No. 705 by Representative Seabaugh

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1 AMENDMENT NO. 1

2 On page 1, delete lines 9 through 20 in their entirety and delete page 2 in its entirety and  
3 insert the following:

4 "Art. 1464. Order for an additional medical opinion for physical or mental  
5 examination of persons

6 A. ~~When~~ Upon motion of the opposing party, when the mental or physical  
7 condition of a party, or of a person in the custody or under the legal control of a  
8 party, is in controversy, the court in which the action is pending may shall order the  
9 party to submit to an one or more additional medical ~~opinion~~ opinions regarding  
10 physical or mental examination by a physician or to produce for examination the  
11 person in his custody or legal control, except as provided by law. In addition, the  
12 court may order the party to submit to an additional medical opinion regarding an  
13 examination by a vocational rehabilitation expert or a licensed clinical psychologist  
14 who is not a physician, provided the party has given notice of intention to use such  
15 an expert. ~~The order may be made only on motion for good cause shown and upon~~  
16 ~~notice to the person to be examined and to all parties and shall specify the time,~~  
17 ~~place, manner, conditions, and scope of the examination and the person or persons~~  
18 ~~by whom it is to be made.~~

19 B.(1) Regardless of the number of defendants, a plaintiff shall not be ordered  
20 to submit to multiple examinations by multiple physicians within the same field of  
21 specialty for the same injury except for good cause shown.

22 (2)(a) Notwithstanding Subsection (1) of this Paragraph, when the party has  
23 claimed more than one mental or physical condition in controversy, or a person in  
24 the custody of or under the legal control of a party has claimed more than one mental  
25 or physical condition in controversy, the court shall, upon motion of the opposing  
26 party, order separate examinations regarding each mental or physical condition  
27 placed in controversy.

28 (b) The party, or person in the custody of or under the legal control of the  
29 party, shall not be examined by more than one duly qualified medical practitioner in  
30 any one field or specialty for the same injury except for good cause shown.

31  
32 C. A minor subject to examination under the provisions of this Article shall  
33 have the right to have a parent, tutor, or legal guardian present during the  
34 examination. If such person cannot be present, the court shall order the examination  
35 to be videotaped at the expense of the party being examined. The court shall  
36 consider the best interests of the minor and may impose conditions upon videotaping,  
37 including that it be done in a manner least harmful to the minor and without  
38 disclosure to the minor.

39 D. Except as provided in Paragraph C of this Article, any individual or  
40 emancipated minor shall have no right to have any examination videotaped or have  
41 a third party present at any examination."