
DIGEST

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HB 556 Engrossed

2024 Regular Session

Glorioso

Abstract: Provides relative to injuries producing the permanent total disability of an employee and provides for the determination and calculation of the average weekly wage owed to injured employees.

Present law provides that present law shall be cited as the "Louisiana Workers' Compensation Law" and provides the intent of the legislature.

Proposed law retains present law.

Proposed law adds that it is the intent of the legislature to counteract inflation by providing a cost-of-living adjustment for permanent total disability benefits to all injured workers, who suffer an injury or disease arising out of and in the course and scope of their employment.

Proposed law provides the formula for determining an injured worker's average weekly wage.

Proposed law provides that an injured worker shall be entitled to an adjustment in the weekly compensation rate at one-year intervals beginning Sept. 1st of each year with the initial review occurring on or after the third anniversary of the injury.

Proposed law requires every insurance carrier or self-insured employer to report each compensable injury case to the secretary of the La. Workforce Commission, if permanent total disability payments continue or are expected to continue for six months from the date of injury.

Proposed law provides that adjustments in weekly benefit rates shall apply only to those injuries that result in permanent total disability for the injured employee. Proposed law further provides that the adjustments shall not be retroactive from the anniversary date, unless an employee entitled to the adjustment did not receive the amount due because of a mistake, misfortune, or lack of knowledge.

(Adds R.S. 23:1020.1(B)(4) and 1221(2)(f)-(i))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Labor and Industrial Relations to the original bill:

1. Remove the definition of consumer price index and cost-of-living adjustment from the

bill.

2. Change the calculated percentage of the injured employee's average weekly wage at the time of injury from not exceeding 66 2/3% to not exceeding 100%.
3. Revise provisions of proposed law regarding the calculation of the percentage of an injured employee's average weekly wage.
4. Revise provisions of proposed law regarding the calculation of the adjusted average weekly wage of an injured employee.
5. Change the month from August to September for when an injured employee receives an adjustment in their weekly compensation rate.
6. Clarify that the adjustment in weekly benefits is only for injuries that result in permanent total disability.
7. Make technical changes.