

GREEN SHEET REDIGEST

HB 200

2024 Regular Session

Melerine

**WORKERS COMPENSATION: Provides relative to past payments of workers' compensation premiums.**

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DIGEST

Proposed law prohibits an insurer from collecting additional workers' compensation premiums from an insured for a claim that arises out of the misclassification of an employee, unless, the insurer provides written notice to the insured by certified mail, commercial courier, or via electronic transmission within 90 days of discovery of the misclassification.

Proposed law prohibits an insurer from modifying or completing a payroll audit more than three years after the end of the policy period or cancellation of a workers' compensation policy. Proposed law also provides that the provisions of proposed law will not apply to the following:

- (1) A misrepresentation or omission of relevant information during a prior audit.
- (2) A noncompliant payroll audit.
- (3) A payroll audit disputed by an insured.

Proposed law allows an insurer to return premiums to the insured if the insurer receives relevant information after the audit is completed.

Proposed law provides that proposed law does not apply to self-insurance funds.

Proposed law provides that proposed law only applies for the duration of a policy.

(Adds R.S. 23:1172.3)

Summary of Amendments Adopted by House

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

- 1. Clarify that the audit provided for in proposed law is a payroll audit.
- 2. Provide for workers' compensation premiums when the National Council on Compensation Insurance conducts an audit.
- 3. Provide that proposed law does not apply to self-insurance funds.
- 4. Provide that proposed law only applies for the duration of a policy.
- 5. Make a technical change.

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Labor and Industrial Relations to the engrossed bill

- 1. Make technical changes.
- 2. Add that insurers can provide written notice via commercial courier and electronic transmission.

3. Prohibit insurers from modifying or completing a payroll audit more than three years after the end of the policy period or cancellation of a workers' compensation policy except under certain circumstances.