

2024 Regular Session

HOUSE BILL NO. 423

BY REPRESENTATIVE MELERINE

1 AN ACT

2 To amend and reenact R.S. 9:2800.27(B), (D), and (F) and to repeal R.S. 9:2800.27(G),
3 relative to recoverable medical expenses; to provide with respect to adjusting the
4 award and payment of medical expenses; to provide relative to payment of
5 recoverable medical expenses from collateral sources; to provide for limitations of
6 the amount of medical expenses paid by collateral sources; to provide relative to jury
7 instructions; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 9:2800.27(B), (D), and (F) are hereby amended and reenacted to read
10 as follows:

11 §2800.27. Recoverable past medical expenses; collateral sources; limitations;
12 evidence

13 * * *

14 B. In cases where a claimant's medical expenses have been paid, in whole
15 or in part, by a health insurance issuer or Medicare to a contracted medical provider,
16 the claimant's recovery of medical expenses is limited to the amount actually paid
17 to the contracted medical provider by the health insurance issuer or Medicare, and
18 any applicable cost sharing amounts paid or owed by the claimant, and not the
19 amount billed. The court ~~shall~~ may award to the claimant ~~forty~~ up to thirty percent
20 of the difference between the amount billed and the amount actually paid to the
21 contracted medical provider by a health insurance issuer or Medicare in
22 consideration of the claimant's cost of procurement, ~~provided that this amount shall~~

1 ~~G.~~ F. This Section shall not apply in cases brought pursuant to R.S.
2 40:1231.1 et seq., or 1237.1 et seq to any benefits received by the claimant through
3 medical payments coverage provided through an auto insurance policy.
4 Section 2. This Act shall be effective for any cause of action occurring after
5 January 1, 2025.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____