

2026 Regular Session

HOUSE BILL NO. 1089

BY REPRESENTATIVES BAMBURG, BERAULT, BOYER, CARLSON, CARVER,  
CHENEVERT, DICKERSON, DOMANGUE, HEBERT, CHANCE HENRY, AND  
WYBLE

CIVIL/DAMAGES: Creates CARE Accounts for certain damages arising from delictual  
actions

1 AN ACT

2 To enact Chapter 25 of Title 6 of the Louisiana Revised Statutes of 1950, to be comprised  
3 of R.S. 6:1431 through 1433, relative to CARE Accounts; to provide for the  
4 establishment of CARE Accounts; to define certain terms; to provide for qualifying  
5 medical expenses; to provide for the deposit of certain funds; to provide for the  
6 disbursement of certain funds; to provide for applicability; and to provide for related  
7 matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. Chapter 25 of Title 6 of the Louisiana Revised Statutes of 1950,  
10 comprised of R.S. 6:1431 through 1433, is hereby enacted to read as follows:

11 CHAPTER 25. CARE ACCOUNTS

12 §1431. Short title

13 This Chapter shall be known and may be cited as the "CARE Account Act".

14 §1432. Definitions

15 For the purpose of this Chapter, the following definitions apply:

16 (1) "CARE Account" or "Compensation Allocated for Reimbursable  
17 Expenses Account" means a money market account for which the court has ordered  
18 the deposit of funds from a special damages award allocated for the purpose of future  
19 medical payments in a delictual action.

1           (2) "Qualifying medical expenses" mean any product or service contained  
2           in the most recently published list of Current Procedural Terminology and  
3           Healthcare Common Procedure Coding System codes maintained by the Centers for  
4           Medicare and Medicaid Services.

5           §1433. Account deposits; disbursements; establishment and maintenance

6           A. In any delictual action for which the court awards special damages for  
7           future medical expenses, the court shall order that the portion of the award allocated  
8           for future medical expenses be placed into a CARE Account unless otherwise agreed  
9           to by the parties and approved by the court.

10           B. A CARE Account shall be established in the name of and owned by the  
11           judgment debtor for the use and benefit of the judgment creditor for the term of the  
12           judgment creditor's life.

13           C. A CARE Account shall be established and maintained at a financial  
14           institution as a money market deposit account.

15           D.(1) Funds deposited in a CARE Account shall only be used for the  
16           purchase of qualifying medical expenses. However, the financial institution in which  
17           the CARE Account is established has no duty to ensure transactions in the account  
18           are made for qualifying medical expenses nor is the financial institution subject to  
19           liability for transactions involving the account for the purchase of items and services  
20           that are not qualifying medical expenses.

21           (2) The judgment debtor may contract with a third-party administrator for  
22           services related to ensuring transactions involving a CARE Account are made only  
23           for qualifying medical expenses.

24           E. If a judgment creditor attempts to use funds from a CARE Account to  
25           purchase a qualifying medical expense and the transaction is declined, the judgment  
26           creditor may utilize either of the following methods to effectuate the transaction:

27           (1) The judgment creditor may pay for the qualifying medical expense with  
28           other funds and present an itemized receipt of the transaction to the financial

1 institution maintaining the CARE Account who shall provide a reimbursement for  
2 the transaction to the judgment creditor utilizing funds from the CARE Account.

3 (2) The judgment creditor may present an itemized invoice for the qualifying  
4 medical expenses to the financial institution maintaining the CARE Account who  
5 shall provide an alternative means of paying for the qualifying medical expenses  
6 utilizing funds from the CARE Account.

7 F. Upon the death of the judgment creditor, any funds remaining in the  
8 CARE Account shall revert to the judgment debtor.

9 Section 2. The provisions of this Act shall have prospective application only and  
10 shall not apply to causes of action filed prior to the effective date of this Act.

11 Section 3. The provisions of this Act shall become effective on January 1, 2027.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HB 1089 Original

2026 Regular Session

Bamburg

**Abstract:** Establishes CARE Accounts for the payment of an award for future medical payments resulting from a delictual action.

Proposed law provides a short title and defines "CARE Account" or "Compensation Allocated for Reimbursable Expenses Account" as a money market account for which the court has ordered the deposit of funds from a special damages award allocated for the purpose of future medical payments in a delictual action.

Proposed law defines "qualifying medical expenses" as any product or service contained in the most recently published list of Current Procedural Terminology and Healthcare Common Procedure Coding System codes maintained by the Centers for Medicare and Medicaid Services.

Proposed law provides for the following:

- (1) A CARE Account is for the use and benefit of the judgment creditor for the term of the judgment creditor's life, and upon the death of the judgment creditor, any funds remaining in the CARE Account reverts to the judgment debtor.
- (2) A CARE Account is established by the judgment creditor and maintained at a financial institution as a money market deposit account.
- (3) Funds in a CARE Account are only to be used for the purchase of qualifying medical expenses.
- (4) Methods for a judgment creditor to use funds from a CARE Account to be reimbursed for a qualifying medical expense if the transaction is declined.

Proposed law provides for prospective application.

Effective on January 1, 2027.

(Adds R.S. 6:1431-1433)