
DIGEST

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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)