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## DIGEST

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Seabaugh

HB No. 773

**Abstract:** Prohibits an award by the court to the plaintiff of any portion of any medical expense, bill, or invoice that the plaintiff is not personally obligated to pay to the provider because it has been reduced or paid by any healthcare insurer, Medicare, Medicaid, other state or federal agency or program, or by private agreement.

Present law provides that every act whatever of man that causes damage to another obliges him by whose fault it happened to repair it.

Present law provides that damages may include loss of consortium, service, and society, and also include any sales taxes paid by the owner on the repair or replacement of the property damaged.

Present law provides that damages do not include costs for future medical treatment, services, surveillance, or procedures of any kind unless such treatment, services, surveillance, or procedures are directly related to a manifest physical or mental injury or disease.

Proposed law retains present law and provides that in any action for damages in which a person suffers injury, death, or loss, the court shall not award to the plaintiff any portion of any medical expense, bill, or invoice that the plaintiff is not personally obligated to pay to the provider because it has been reduced or paid by any healthcare insurer, Medicare, Medicaid, other state or federal agency or program, or by private agreement.

(Adds C.C. Art. 2315(C))