

2016 Regular Session

HOUSE BILL NO. 195

BY REPRESENTATIVE JENKINS

1 AN ACT

2 To amend and reenact R.S. 40:1231.8(A)(1)(c) and (5) and 1237.2(A)(1)(c) and (5), relative
3 to the filing requirements for a medical review panel; to provide relative to the delay
4 within which to pay the required filing fee; to provide for commencement upon
5 receipt of certain notices; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 40:1231.8(A)(1)(c) and (5) and 1237.2(A)(1)(c) and (5) are hereby
8 amended and reenacted to read as follows:

9 §1231.8. Medical review panel

10 A.(1)

11 * * *

12 (c) A claimant shall have forty-five days from the ~~mailing~~ date of receipt by
13 the claimant of the confirmation of receipt of the request for review in accordance
14 with Subparagraph (3)(a) of this Subsection to pay to the board a filing fee in the
15 amount of one hundred dollars per named defendant qualified under this Part.

16 * * *

17 (5) In the event that ~~any~~ the board is unable to determine after forty-five days
18 from the date of mailing of the notification, whether notification by certified mail,
19 return receipt requested, provided for in Paragraphs (3) and (4) of this Subsection has
20 been received by the claimant, or the notification is not claimed or is returned
21 undeliverable, the board shall provide such notification by regular first class mail,
22 which date of mailing shall have the effect of receipt of notice by certified mail for
23 purposes of Subparagraphs (1)(c) and (d) of this Subsection.

24 * * *

1 §1237.2. State medical review panel

2 A.(1)

3 * * *

4 (c) A claimant shall have forty-five days from the date of ~~the mailing receipt~~
5 by the claimant of the confirmation of receipt of the request for review in accordance
6 with Subparagraph (3)(a) of this Subsection to pay to the commissioner a filing fee
7 in the amount of one hundred dollars per named defendant state health care provider.

8 * * *

9 (5) In the event that ~~any~~ the commissioner is unable to determine after forty-
10 five days from the date of mailing of the notification, whether notification by
11 certified mail, return receipt requested, provided for in Paragraphs (3) and (4) of this
12 Subsection has been received by the claimant, or the notification is not claimed or
13 is returned undeliverable, the ~~board~~ commissioner shall provide such notification by
14 regular first class mail, which date of mailing shall have the effect of receipt of
15 notice by certified mail for purposes of Subparagraphs (1)(c) and (d) of this
16 Subsection.

17 * * *

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____