

2018 Regular Session

SENATE BILL NO. 261

BY SENATOR ERDEY

PUBLIC EMPLOYEES. Provides for certain insurance benefits for firemen and law enforcement officers who suffer a catastrophic injury resulting in permanent and total disability caused by an individual with the specific intent to kill an officer while the fireman or officer is engaged in the performance of his official duties. (gov sig)

1 AN ACT

2 To amend and reenact R.S. 40:1668(C)(1)(a) and (b) and to repeal R.S. 40:1668(G)(4),  
3 relative to insurance benefits for firemen and officers who suffer a catastrophic  
4 injury resulting in permanent and total disability in certain circumstances; and to  
5 provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 40:1668(C)(1)(a) and (b) are hereby amended and reenacted to read  
8 as follows:

9 §1668. Benefits for disabled firemen and law enforcement officers in certain cases

10 \* \* \*

11 C.(1) In any case in which an officer is determined by the board or a court of  
12 competent jurisdiction pursuant to Paragraph (E)(2) of this Section to be permanently  
13 and totally disabled as the direct and proximate result of a catastrophic injury arising  
14 out of and in the course of the performance of the officer's official duties, the  
15 following shall be paid by the state risk manager out of the Self-Insurance Fund on  
16 behalf of the officer from the date of the catastrophic injury as long as the officer is  
17 permanently and totally disabled:

1 (a)(i) Premiums due from the officer for the amount and type of life, health,  
 2 accident, accidental death and dismemberment, hospital, surgical, and medical  
 3 expense insurance covering the officer and maintained by the officer through the  
 4 officer's employer at the time of the catastrophic injury.

5 **(ii) If the injured officer no longer qualifies under Item (i) of this**  
 6 **Subparagraph, premiums due for insurance that provides for life, health,**  
 7 **accident, accidental death, and dismemberment, hospitals, surgical, and medical**  
 8 **expense insurance similar to that maintained by the officer through his**  
 9 **employer at the time of the catastrophic injury.**

10 (iii) This Subparagraph shall not apply to any premium due from the officer  
 11 for insurance covering any individual other than the officer.

12 (b) Copayments and deductibles applicable to any insurance policy for which  
 13 premiums are paid pursuant to Subparagraph (a)(i) or (ii) of this Paragraph for  
 14 healthcare benefits received by the officer.

15 \* \* \*

16 Section 2. R.S. 40:1668(G)(4) is hereby repealed in its entirety.

17 Section 3. This Act shall become effective upon signature by the governor or, if not  
 18 signed by the governor, upon expiration of the time for bills to become law without signature  
 19 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
 20 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
 21 effective on the day following such approval.

---

The original instrument and the following digest, which constitutes no part  
 of the legislative instrument, were prepared by Jerry J. Guillot.

---

DIGEST

SB 261 Engrossed 2018 Regular Session Erdey

Present law provides that in any case in which a fireman or law enforcement officer is determined by the Law Enforcement Officers and Firemen's Survivor Benefit Review Board or a court of competent jurisdiction to be permanently and totally disabled as the direct and proximate result of a catastrophic injury arising out of and in the course of the performance of the fireman's or officer's official duties, the following shall be paid by the state risk manager out of the Self-Insurance Fund on behalf of the officer from the date of the catastrophic injury as long as the officer is permanently and totally disabled:

(1) Premiums due from the fireman or officer for the amount and type of life, health,

accident, accidental death and dismemberment, hospital, surgical, and medical expense insurance covering the officer and maintained by the fireman or officer through his employer at the time of the catastrophic injury. Proposed law retains present law.

Proposed law provides that if the injured officer no longer qualifies under (1) above, then premiums shall be paid for insurance that provides for life, health, accident, accidental death, and dismemberment, hospitals, surgical, and medical expense insurance similar to that maintained by the officer through his employer at the time of the catastrophic injury.

Present law provides that present law not apply to any premium due for insurance covering any other individual. Proposed law retains present law.

- (2) Copayments and deductibles applicable to any insurance policy for which premiums are paid for healthcare benefits received by the fireman or officer. Proposed law makes this provision applicable to either circumstance listed in (1) above.

Present law provides that the premiums, deductibles, and copayments paid pursuant to present law are in addition to any other benefit or income available and paid to the injured officer for the disability due to the catastrophic injury. Proposed law retains present law.

Present law provides that no benefit is payable pursuant to present law if the fireman or officer qualifies for federal or state life, health, accident, accidental death and dismemberment, hospital, surgical, or medical expense programs. Proposed law repeals this provision.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 40:1668(C)(1)(a) and (b); repeals R.S. 40:1668(G)(4))