

2018 Regular Session

HOUSE BILL NO. 790

BY REPRESENTATIVE CONNICK

WORKERS COMPENSATION: Provides relative to benefits for hearing loss

1 AN ACT

2 To amend and reenact R.S. 23:1221(4)(p), relative to workers' compensation; to provide
3 with respect to benefits for hearing loss; and to provide for related matters.

4 Be it enacted by the Legislature of Louisiana:

5 Section 1. R.S. 23:1221(4)(p) is hereby amended and reenacted to read as follows:

6 §1221. Temporary total disability; permanent total disability; supplemental earnings
7 benefits; permanent partial disability; schedule of payments

8 Compensation shall be paid under this Chapter in accordance with the
9 following schedule of payments:

10 * * *

11 (4) Permanent partial disability. In the following cases, compensation shall
12 be solely for anatomical loss of use or amputation and shall be as follows:

13 * * *

14 (p) In cases not falling within any of the provisions already made, where the
15 employee is seriously and permanently disfigured or suffers a permanent hearing loss
16 ~~solely due to a single traumatic accident~~, or where the usefulness of the physical
17 function of the respiratory system, gastrointestinal system, or genito-urinary system,
18 as contained within the thoracic or abdominal cavities, is seriously and permanently
19 impaired, compensation not to exceed sixty-six and two-thirds percent of wages for
20 a period not to exceed one hundred weeks may be awarded. In cases where

1 compensation is so awarded, when the disability is susceptible to percentage
 2 determination, compensation shall be established in the proportions set forth in
 3 Subparagraph (o) of this Paragraph. In cases where compensation is so awarded,
 4 when the disability is not susceptible to percentage determination, compensation as
 5 is reasonable shall be established in proportion to the compensation hereinabove
 6 specifically provided in the cases of specific disability.

7 * * *

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)]

HB 790 Original

2018 Regular Session

Connick

Abstract: Provides with respect to workers' compensation benefits for hearing loss.

Present law provides for workers' compensation wage percentages for certain injuries that qualify as permanent partial disabilities.

Present law provides that hearing loss is compensable and classified as a permanent partial disability when it is sustained in a single traumatic accident.

Proposed law retains present law regarding the compensability of the injury but deletes the requirement that any hearing loss suffered shall have been sustained as a result of a single traumatic accident.

(Amends R.S. 23:1221(4)(p))