
SENATE COMMITTEE AMENDMENTS

2020 Regular Session

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 418
by Senator Talbot

1 AMENDMENT NO. 1

2 On page 1, line 2, change "Article" to "Articles"

3 AMENDMENT NO. 2

4 On page 1, line 3, change ", R.S. 22:1269(B) and R.S. 32:291.1(E)" to "and R.S.
5 22:1269(B)"

6 AMENDMENT NO. 3

7 On page 1, line 4, after "R.S. 22:333(E)" and before ", relative to liability" insert "and R.S.
8 32:295.1(E)"

9 AMENDMENT NO. 4

10 On page 1, delete lines 8 through 13 and insert the following:

11 "source; to provide relative to collateral source, prescription, jury trials, and jury trial
12 thresholds under certain circumstances; to provide relative to the right of direct
13 action against an insurer; to repeal provisions prohibiting certain evidence regarding
14 the failure to wear safety belts; to"

15 AMENDMENT NO. 5

16 On page 2, delete lines 16 and 17

17 AMENDMENT NO. 6

18 On page 2, delete line 29, and on page 3, delete lines 1 and 2, and insert the following:

19 "**or those** which arise due to damages sustained as a result of an act defined as a
20 crime of violence under Chapter 1 of Title 14 of the Louisiana Revised Statutes of
21 1950, except as provided in Article 3496.2, are subject to a liberative prescription of
22 two"

23 AMENDMENT NO. 7

24 On page 4, at the end of line 3, insert "**; evidence**"

25 AMENDMENT NO. 8

26 On page 4, delete lines 4 through 10, and insert the following:

27 **"A. For the purpose of this Section, the following terms shall mean:**

28 **(1) "Health insurance issuer" means an health insurance coverage**
29 **through a policy or certificate of insurance subject to regulation of insurance**
30 **under state law, health maintenance organization, employer sponsored health**
31 **plan, the office of group benefits, and an equivalent federal or state health plan.**

32 **(2) "Medical provider" means any healthcare provider, hospital,**
33 **ambulance service, or their heirs or assignees.**

34 **B. In cases where a plaintiff's medical expenses have been paid, in whole**
35 **or in part, by a health insurance issuer, Medicaid, or Medicare to a contracted**
36 **or participating medical provider, the plaintiff's recovery of medical expenses**

1 is limited to the amount actually paid to the medical provider by the health
2 insurance issuer, Medicaid, or Medicare and any applicable cost sharing
3 amount, and not the amount billed."

4 AMENDMENT NO. 9

5 On page 4, line 11, change "**B.(1)**" to "**C.**"

6 AMENDMENT NO. 10

7 On page 4, delete lines 15 through 20 in their entirety

8 AMENDMENT NO. 11

9 On page 4, line 21, change "**C.**" to "**D.**"

10 AMENDMENT NO. 12

11 On page 6, delete lines 8 through 26, and insert the following:

12 "Section 6. R.S. 22:333(E) and R.S. 32:295.1(E) are hereby repealed in their
13 entirety."

14 AMENDMENT NO. 13

15 On page 7, line 27, change "Section 8." to "Section 7."

16 AMENDMENT NO. 14

17 On page 6, line 3, change "Section 9." to "Section 8."

18 AMENDMENT NO. 15

19 On page 7, between lines 15 and 16, insert the following:

20 "Section 9. The provisions of Section 3 of this Act regarding limitations upon
21 jury trials shall have prospective application only and shall not apply to a cause of
22 action arising or action pending prior to the effective date of this Act."