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## DIGEST

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HB 597 Reengrossed

2020 Regular Session

Nelson

**Abstract:** Eliminates the presumption of causation established by lack of prior history of an injury.

Proposed law provides that for a personal injury claim that is not raised pursuant to the La. Workers' Compensation Law, the lack of a prior history of an illness or injury shall not create a presumption that an illness or injury was caused by the act that is the subject of the claim.

Proposed law applies prospectively to causes of action filed on or after the effective date of the Act.

(Adds C.C. Art. 2315.11)

### Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Civil Law and Procedure to the original bill:

1. Remove the word "medical" from the phrase "prior medical history".
2. Remove provisions relative to evidence of the force of impact.
3. Remove provisions relative to evidence of amounts received by a testifying healthcare provider.
4. Remove provisions relative to evidence of the failure to wear a safety belt.

The House Floor Amendments to the engrossed bill:

1. Provide for prospective application.