HLS 201ES-66 ORIGINAL

2020 First Extraordinary Session

1

HOUSE CONCURRENT RESOLUTION NO. 4

BY REPRESENTATIVE SEABAUGH

LIABILITY/TORTS: Suspends provisions of law relative to recoverable medical expenses (Item #40)

A CONCURRENT RESOLUTION

2	To suspend until sixty days after final adjournment of the 2021 Regular Session of the
3	Legislature of Louisiana R.S. 9:2800.25(C) and (D) as enacted by the Act that
4	originated as Senate Bill 418 of the 2020 Regular Session of the Legislature of
5	Louisiana relative to the award of health insurance premiums as damages and
6	evidence of premiums paid.
7	WHEREAS, the Legislature of Louisiana passed Senate Bill 418 during the 2020
8	Regular Session of the Legislature of Louisiana; and
9	WHEREAS, Senate Bill 418 enacts R.S. 9:2800.25, relative to recoverable medical
10	expenses in an action for damages, as part of the Omnibus Premium Reduction Act of 2020;
11	and
12	WHEREAS, R.S. 9:2800.25(C) provides that the court shall award the plaintiff as
13	damages one and one-half times the amount of health insurance premiums paid; and
14	WHEREAS, R.S. 9:2800.25(D) provides that in an action for damages, the court may
15	receive evidence of the amount of private insurance premiums paid; and
16	WHEREAS, Section 9 of Senate Bill 418 provides that the Act shall become
17	effective on January 1, 2021, and shall have prospective application only and shall not apply
18	to a cause of action arising or action pending prior to January 1, 2021; and
19	WHEREAS, the provisions of R.S. 9:2800.25(C) and (D) as enacted by the Act that
20	originated as Senate Bill 418 of the 2020 Regular Session require additional revision to
21	properly implement the intent of the Omnibus Premium Reduction Act of 2020; and

- WHEREAS, the purpose of this Resolution is to allow the Legislature of Louisiana
- 2 additional opportunity to make necessary revisions to R.S. 9:2800.25(C) and (D).
- THEREFORE, BE IT RESOLVED that the Legislature of Louisiana hereby suspends
- 4 R.S. 9:2800.25(C) and (D) as enacted by the Act that originated as Senate Bill 418 of the
- 5 2020 Regular Session of the Legislature of Louisiana.
- 6 BE IT FURTHER RESOLVED that this suspension shall become effective upon
- 7 adoption of this Resolution and shall extend through the sixtieth day after final adjournment
- 8 of the 2021 Regular Session of the Legislature of Louisiana.

## **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)]

HCR 4 Original

2020 First Extraordinary Session

Seabaugh

Suspends R.S. 9:2800.25(C) and (D) as enacted by the Act that originated as Senate Bill 418 of the 2020 Regular Session of the Legislature of Louisiana relative to the award of health insurance premiums as damages and evidence of premiums paid.

(Suspends R.S. 9:2800.25(C) and (D) as added by the Act that originated as SB 418 of the 2020 R.S.)