
The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Margaret M. Corley.

DIGEST

SB 14 Original

2020 First Extraordinary Session

McMath

Present act language provides that the court shall award the plaintiff as damages one and one-half times the amount of premiums paid for a period not to exceed one year prior to the date of the accident or occurrence for procuring the health insurance policy providing benefits to the plaintiff for the treatment or services received.

Proposed law provides that in cases where a plaintiff's medical expenses incurred as a result of the injury at issue have been paid in whole or in part by a health insurance issuer the court may award, as an item of damages to the plaintiff, the cost of procuring the health insurance policy for which the plaintiff received the benefit of coverage on the medical expenses incurred as a result of the incident at issue. Further provides that the damages shall not exceed an amount equal to one and one-half times the premium paid for the policy in the twelve-month period prior to the injury at issue.

Effective January 1, 2021.

(Amends R.S. 9:2800.25(C) as enacted by §4 of Act No. __ of the 2020 Regular Session of the Louisiana Legislature, which originated as Senate Bill No. 418)