

2022 Regular Session

HOUSE BILL NO. 239

BY REPRESENTATIVE FRIEMAN

WORKERS COMPENSATION: Provides relative to stays in workers' compensation cases

1 AN ACT

2 To enact R.S. 23:1310.5.1, relative to workers' compensation; to provide for motions to stay;
3 to require the granting of a motion to stay under certain circumstances; to require
4 status conferences; to prohibit dismissal on the grounds of abandonment; and to
5 provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 23:1310.5.1 is hereby enacted to read as follows:

8 §1310.5.1. Stays

9 A. Upon an uncontested motion to stay or a joint motion to stay of the
10 parties, the workers' compensation judge shall order a stay of the proceeding on a
11 claim and the stay shall remain in effect as long as the parties jointly agree.

12 B. If the motion to stay is granted, a telephone status conference shall be set
13 at such intervals occurring at least every six months as directed by the workers'
14 compensation judge.

15 C. The provisions of the Louisiana Administrative Code 40:1.5705(A)
16 regarding abandonment shall not apply to any matter subject to a stay order pursuant
17 to this Section during the pendency of the stay.

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 239 Original

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Frieman

Abstract: Provides for stays in workers' compensation cases.

Proposed law provides that upon an uncontested motion to stay or a joint motion to stay of the parties, the workers' compensation judge shall order a stay of the proceeding on a claim and the stay shall remain in effect as long as both parties agree.

Proposed law provides that when a motion to stay is granted, a telephone status conference shall be set at intervals at the direction of the workers' compensation judge. Proposed law further provides that the telephone status conference must occur at least every six months.

Proposed law provides that the abandonment provision pursuant to LAC 40:1.5705(A), shall not apply to a matter that is subject to a stay order pursuant to proposed law during the pendency of the stay.

(Adds R.S. 23:1310.5.1)