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## DIGEST

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HB 502 Original

2022 Regular Session

Gaines

**Abstract:** Provides relative to a payor who fails to authorize an approved medical treatment or test by a medical director.

Present law provides that after the medical director or associate medical director issues a decision, any party who disagrees with that decision may appeal by filing a "Disputed Claim for Compensation", which is a LWC Form 1008, within 45 days from the date the decision was issued.

Present law further provides that the decision may be overturned when it is shown, by clear and convincing evidence, that the medical director's or associate medical director's decision was not in accordance with present law.

Proposed law retains present law.

Proposed law provides that if, after the medical director has approved a treatment or test and no appeal has been filed, a payor fails to authorize the approved treatment or test, the payor shall be subject to a penalty of \$50 for each calendar day the payor remains in violation, including reasonable attorney fees.

Proposed law further provides the payor shall be subject to the penalty provided for in proposed law beginning 60 days after the medical director's approval.

(Amends R.S. 23:1203.1(K))