The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Yoursheka Butler.

DIGEST

SB 310 Original 2022 Regular Session Luneau

Present law provides that compensation will be paid to an employee for any injury that produces his or her temporary total or permanent total disability to engage in any self-employment or occupation for wages. Present law provides that compensation for temporary disability will not be awarded if the employee is engaged in any employment or self-employment while working in any pain. Present law requires an employee to prove by clear and convincing evidence, unaided by any presumption of disability, that the employee is physically unable to engage in any employment or self-employment before he or she receives compensation.

Proposed law retains present law.

Proposed law entitles employees with compensable injuries that occur on or after August 1, 2022, for which temporary total or permanent total disability continues, to a cost of living adjustment in their weekly compensation rate effective August 1, 2022.

Proposed law provides the formula to compute the percentage, adjusted weekly wage, and revised weekly wage calculations.

Proposed law defines "Consumer Price Index", "cost-of-living adjustment", and "inflation".

Proposed law requires insurance carriers or self-insured employers to report each compensable injury to the secretary of the La. Workforce Commission if temporary total or permanent total disability benefits are expected to continue for six months after the date of injury.

Effective August 1, 2022.

(Amends R.S. 23:1020.1(B)(2) and (3) and 1021(4)-(13); adds R.S. 23:1020.1(B)(4), 1021(14)-(16), and 1221(1)(e) and (2)(f))