
DIGEST

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HB 243 Engrossed

2022 Regular Session

Bagley

Abstract: Authorizes city court judges to serve as the attorney member on a medical review panel.

Present law provides for the review of medical malpractice claims by a medical review panel comprised of three health care providers and one attorney. Further provides for the appointment of the attorney member by the parties or, if the parties fail to appoint the attorney member, the selection by the clerk of the La. Supreme Court.

Proposed law retains present law.

Present law prohibits judges of the City Court of Shreveport, City Court of Monroe, City Court of Alexandria, City Court of Houma, the First and Second City Courts of the city of New Orleans, and the Municipal and Traffic Court of New Orleans from engaging in the practice of law.

Proposed law authorizes those judges to practice law for the limited purpose of serving as the attorney member on a medical review panel.

To facilitate selection of the attorney member of a medical review panel, present law authorizes the office of the clerk of the La. Supreme Court to draw five names at random from the list of eligible attorneys and requires that the names of judges, magistrates, district attorneys, and assistant district attorneys be excluded if drawn and new names drawn in their place.

Proposed law removes city court judges from the list of attorneys whose names shall be excluded if drawn.

(Amends R.S. 13:1875(7), (10)(c), 12(e), and (14), 2152(C), and 2492(A)(7) and (E), and R.S. 40:1231.8(C)(1)(a) and 1237.2(C)(1)(a))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Judiciary to the original bill:

1. Authorize city court judges, as opposed to all judges, to serve on a medical review panel.
2. Remove provisions relative to the practice of law by supreme court, court of appeal, district court, family court, parish court, and juvenile court judges.

3. Remove the special effective date.