
SENATE COMMITTEE AMENDMENTS

2022 Regular Session

Amendments proposed by Senate Committee on Health and Welfare to Reengrossed House Bill No. 850 by Representative Frieman

1 AMENDMENT NO. 1

2 On page 1, delete lines 20 and 21, and on page 2, delete lines 1 through 3 and insert the
3 following:

4 "(4) Except as otherwise provided in this Subsection, upon a motion
5 by any defendant, after a showing of good cause, including but not limited
6 to increased litigation expenses, the court shall stay proceedings in a suit
7 filed against a licensed healthcare facility, management company, or their
8 insurer in district court while there is a pending medical review panel
9 proceeding pursuant to this Section involving the same alleged injuries to a
10 patient. Upon motion of a defendant who is a health care provider covered
11 under the provisions of this Part, a stay shall be lifted as to that defendant to
12 raise peremptory exceptions of no right of action pursuant to Code of Civil
13 Procedure Article 927(6), a dilatory exception of prematurity pursuant to
14 Code of Civil Procedure Article 926(A)(1), or any exception or defenses
15 available pursuant to R.S. 9:5628. If the exception is overruled, then the trial
16 court shall reinstate the stay order as to this defendant."