
DIGEST

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HB 556 Original

2024 Regular Session

Glorioso

Abstract: Provides relative to injuries producing the permanent total disability of an employee and provides for the determination and calculation of the average weekly wage owed to injured employees.

Present law provides that present law shall be cited as the "Louisiana Workers' Compensation Law" and provides the intent of the legislature. Proposed law retains present law.

Proposed law adds that it is the intent of the legislature to counteract inflation by providing a cost-of-living adjustment for permanent total disability benefits to all injured workers, who suffer an injury or disease arising out of and in the course and scope of their employment.

Present law defines accident, brother and sister, child or children, dependent, health care provider, independent contractor, injury and personal injuries, office, owner operation, part-time employee, payor, and wages.

Proposed law retains present law and adds definitions for Consumer Price Index (CPI) and cost-of-living adjustment (COLA).

Proposed law provides the formula for determining an injured worker's average weekly wage.

Proposed law provides that an injured worker shall be entitled to an adjustment in the weekly compensation rate at one-year intervals beginning Aug. 1st of each year with the initial review occurring on or after the third anniversary of the injury.

Proposed law requires every insurance carrier or self-insured employer to report each compensable injury case to the secretary of the La. Workforce Commission, if permanent total disability payments continue or are expected to continue for six months from the date of injury.

Proposed law provides that adjustments in weekly benefit rates shall only apply to those injuries that resulted in temporary total or permanent total disability for the injured employee. Proposed law further provides that the adjustments shall not be retroactive from the anniversary date, unless an employee entitled to the adjustment did not receive the amount due because of a mistake, misfortune, or lack of knowledge.

(Adds R.S. 23:1020.1(B)(4), 1021(14) and (15), and 1221(2)(f)-(i))