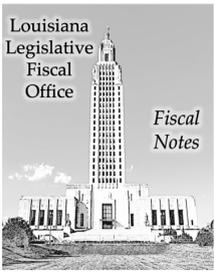


**LEGISLATIVE FISCAL OFFICE**  
**Fiscal Note**



Fiscal Note On: **HB 765** HLS 24RS 1107

Bill Text Version: **ORIGINAL**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

<b>Date:</b> April 17, 2024	1:08 PM	<b>Author:</b> TAYLOR
<b>Dept./Agy.:</b> Office of Risk Management & LA Workforce Commission		<b>Analyst:</b> Noah O'Dell
<b>Subject:</b> Presumption of Compensability under Workers' Comp.		

WORKERS COMPENSATION OR SEE FISC NOTE SG EX Page 1 of 1  
Provides relative to a presumption of compensability under workers' compensation

Current law entitles an employee to workers' compensation benefits when an injury occurs by accident arising out of or in the course of his employment, under certain circumstances. Current law specifies an employer or insurance carrier may furnish medical services or provide payments without constituting an admission of liability for compensation.

Proposed law retains current law and creates a rebuttable presumption of compensability on a workers' compensation claim 90 days following the date of an accident.

Effective August 1, 2024.

EXPENDITURES	2024-25	2025-26	2026-27	2027-28	2028-29	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	<b>SEE BELOW</b>					
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	\$0	\$0	\$0	\$0	\$0	\$0
<b>Annual Total</b>						
REVENUES	2024-25	2025-26	2026-27	2027-28	2028-29	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	\$0	\$0	\$0	\$0	\$0	\$0
<b>Annual Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**EXPENDITURE EXPLANATION**

The Office of Risk Management (ORM) reports the proposed law could potentially result in additional costs under the prescribed scenario provided by the bill. A dispute would have to be filed with the Office Of Workers' Compensation to resolve a termination of benefits that could result in penalties, attorney fees, and the continued payment of the claim. However, a very limited occurrence of the exact situation impacted by the bill (less than 1% of claims) informs the expectation that the proposed measure is likely to have a minimal fiscal impact in future years, probably less than \$100,000 annually should existing claim patterns prevail. The LA Workforce Commission is capable of complying with the proposed law utilizing existing resources.

The bill works to create a presumption of compensability, albeit disputable, if an employer has been making voluntary medical or indemnity payments made to an injured worker 90 days or more after the date of an injury.

**REVENUE EXPLANATION**

There is no anticipated direct material effect on governmental revenues as a result of this measure.

Senate Dual Referral Rules  
 13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}  
 13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}

House  
 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}  
 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

**Deborah Vivien**  
**Chief Economist**