

**HOUSE COMMITTEE AMENDMENTS**

2024 Regular Session

Amendments proposed by House Committee on Labor and Industrial Relations to Original House Bill No. 618 by Representative Beaulieu

1 AMENDMENT NO. 1

2 On page 1, delete line 2 in its entirety and insert the following:

3 "To amend and reenact R.S. 23:1127, 1201.1(A)(introductory paragraph),  
4 1301, and 1306 and to enact R.S. 23:1201.1(8)(a)(x), relative to workers'  
5 compensation; to

6 AMENDMENT NO. 2

7 On page 1, delete line 8 in its entirety and insert the following:

8 "Section 1. R.S. 23:1127, 1201.1(A)(introductory paragraph), 1301, and 1306  
9 are hereby amended and reenacted and R.S. 23:1201.1(8)(a)(x) is enacted to read as  
10 follows:"

11 AMENDMENT NO. 3

12 On page 1, delete lines 17 and 18 in their entirety and insert in lieu thereof the following:

13 "the contrary, the employer or the employer's representative may request that  
14 the employee sign and return a medical record release authorization on a form to be  
15 promulgated, in accordance with the Administrative Procedure Act, by the office of  
16 workers' compensation.

17 (1) The employer or the employer's representative shall mail the request to  
18 the employee's last known mailing address.

19 (2) Within ten business days of mailing the request, the employee shall sign  
20 the medical records release authorization as requested and return it to the employer  
21 or the employer's representative as directed in the request.

22 (3) If the employee fails to sign and return the medical records release  
23 authorization as required by this Subsection, the employer may suspend payment of  
24 any benefits due pursuant to this Chapter. In the event benefits are suspended in  
25 accordance with this Subsection, the employer or the employer's representative shall  
26 prepare a "Notice of Modification, Suspension, Termination, or Controversion Form  
27 1002" as provided for in R.S. 23:1201.1.

28 (4) Any suspension of benefits provided for in this Subsection shall be lifted  
29 upon the employee's compliance, at which time any accrued benefits due pursuant  
30 to this Chapter shall be paid retroactive to the date of suspension, without interest,  
31 costs, or fees."

32 AMENDMENT NO. 4

33 On page 2, delete lines 1 through 13 in their entirety

34 AMENDMENT NO. 5

35 On page 4, between lines 21 and 22, insert the following:

36 §1201.1. Controversion of compensation and medical benefits  
37 A. Upon the first payment of compensation or upon any modification,  
38 suspension, termination, or controversion of compensation or medical benefits for  
39 any reason, including but not limited to issues of medical causation, compensability  
40 of the claim, or issues arising out of R.S. 23:1121, 1127, 1124, 1208, and 1226, the  
41 employer or payor who has been notified of the claim, shall do all of the following:  
42 \* \* \*

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1 K.  
2 \* \* \*

3 (8)(a) Upon motion of either party, whether or not the employer or payor is  
4 entitled to a preliminary determination, the workers' compensation judge's ruling in  
5 a hearing shall be conducted as an expedited summary proceeding and shall be  
6 considered an order of the court and not requiring a further trial on the merits, if it  
7 concerns any of the following matters:

8 \* \* \*  
9 (x) The employee seeks to have a suspension of benefits for failure to  
10 comply with R.S. 23:1127 lifted.

11 \* \* \*

12 AMENDMENT NO. 6

13 On page 4, delete lines 28 and 29 in their entirety and insert in lieu thereof the following:  
14 "B. If notice is provided to the employer more than thirty days after the work  
15 accident, it shall do both of the following:

16 AMENDMENT NO. 7

17 On page 5, delete lines 5 through 9 in their entirety and insert in lieu thereof the following:  
18 "C. Notwithstanding Subsection B of this Section, the notice provided for  
19 in Subsection A of this Section shall not be required when the employee or his  
20 dependent proves by clear and convincing evidence either of the following:  
21 (1) The employer had actual knowledge of the alleged work accident within  
22 thirty days after the date of the injury or death.  
23 (2) The employee or dependent was unable to provide the required notice  
24 due to circumstances outside of his control."

25 AMENDMENT NO. 8

26 On page 5, line 26, after "In" and before "absence" insert "the"

27 AMENDMENT NO. 9

28 On page 5, line 29, change "officer" to "office"

29 AMENDMENT NO. 10

30 On page 6, line 19, after "occurrence" and before "or" insert the following:  
31 "of the alleged work accident"

32 AMENDMENT NO. 11

33 On page 6, after line 20, insert the following:  
34 "Section 2. The medical record release authorization form required as enacted  
35 by Section 1 of this Act shall be promulgated, in accordance with the Administrative  
36 Procedure Act, no later than January 1, 2025.