
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

AMENDMENT NO. 1

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

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

AMENDMENT NO. 2

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

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

AMENDMENT NO. 3

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

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

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

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

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

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

AMENDMENT NO. 4

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

AMENDMENT NO. 5

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

"§1201.1. Controversion of compensation and medical benefits

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

* * *

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."