
SENATE COMMITTEE AMENDMENTS

2024 Regular Session

Amendments proposed by Senate Committee on Judiciary A to Reengrossed House Bill No. 423 by Representative Melerine

1 AMENDMENT NO. 1

2 On page 1, line 2, delete "and to repeal R.S. 9:2800.27(G)"

3 AMENDMENT NO. 2

4 On page 1, line 19, after "amount billed." delete the remainder of the line and delete line 20
5 in its entirety and insert the following:

6 "The court shall award to the claimant twenty percent of the difference between the
7 amount billed and the amount actually paid to the contracted medical provider by a health
8 insurance issuer or Medicare in consideration of the claimant's cost of procurement, provided
9 that this amount shall be reduced if the defendant proves that the recovery of the cost of
10 procurement would make the award unreasonable. The determination of this award shall be
11 made only in accordance with the provisions of Subsection F of this Section."

12 AMENDMENT NO. 3

13 On page 2, delete lines 1 through 5 in their entirety

14 AMENDMENT NO. 4

15 On page 2, line 11, change "~~The determination of this award shall be made only in~~
16 ~~accordance~~" to "The determination of this award shall be made only in accordance"

17 AMENDMENT NO. 5

18 On page 2, line 12, change "~~with Subsection F of this Section.~~" to "with Subsection F of this
19 Section."

20 AMENDMENT NO. 6

21 On page 2, delete lines 14 through 20 in their entirety and insert the following:

22 "F. In a jury trial, only after a jury verdict is rendered may the court receive evidence
23 related to the limitations of recoverable past medical expenses provided by Subsection B or
24 D of this Section. The jury shall be informed only of the amount billed by a medical provider
25 for medical treatment. Whether any person, health insurance issuer, or Medicare has paid
26 or has agreed to pay, in whole or in part, any of a claimant's medical expenses, shall not be
27 disclosed to the jury, but shall be discoverable and subject to the rules of discovery. In trial
28 to the court alone, the court may consider such evidence."

29 AMENDMENT NO. 7

30 On page 2, line 21, change "~~G.~~" to "G." and delete "F."

31 AMENDMENT NO. 8

32 On page 2, line 22, delete "benefit"

33 AMENDMENT NO. 9

34 On page 2, delete line 23 in its entirety