

2025 Regular Session

SENATE CONCURRENT RESOLUTION NO. 36

BY SENATOR FOIL

ADMINISTRATIVE PROCEDURE. Requests the division of administration, the Patient's Compensation Fund, and the Patient's Compensation Fund Oversight Board to consider implementation of an e-filing system for medical review panel requests and an e-payment system for filing fees.

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A CONCURRENT RESOLUTION

To urge and request the division of administration, the Patient's Compensation Fund, and the Patient's Compensation Fund Oversight Board to study the feasibility and potential costs of implementing an e-filing system for medical review panel requests and an e-payment system for filing fees.

WHEREAS, R.S. 40:1231.8 requires that all malpractice claims against health care providers covered by statute, other than claims validly agreed upon for submission to a lawfully binding arbitration procedure, shall be reviewed by a medical review panel; and

WHEREAS, R.S. 40:1237.2 requires that all malpractice claims against the state, its agencies, or other persons covered by statute, shall be reviewed by a state medical review panel, administered by the commissioner of administration; and

WHEREAS, requests for review of a malpractice claim must be submitted to the division of administration; and

WHEREAS, the procedures for both private and state malpractice claims provide that requests for review are deemed filed if sent by authorized electronic means; and

WHEREAS, within forty-five days of receipt of confirmation of filing a claim, a claimant must pay a filing fee in the amount of one hundred dollars per named defendant health care provider; and

1 WHEREAS, claim requests must currently be filed via postal mail, in person, or via
2 facsimile and filing fees must be paid via postal mail, in person, or via bank wire transfer;
3 and

4 WHEREAS, implementation of an e-filing and e-payment solution for the process
5 would create a safe, secure, and reliable means of filing time-sensitive requests and ensuring
6 filing fees are paid as required; and

7 WHEREAS, any costs associated with accepting e-filings and processing e-payments
8 can potentially be added as a convenience fee to applicable filing fees; and

9 WHEREAS, electronic transmittal of requests for review of malpractice claims,
10 along with filing fees, will allow for more efficient and expeditious processing; and

11 WHEREAS, consideration of technology solutions to optimize the process will
12 benefit claimants, defendant health care providers, employers, insurers, attorneys, the
13 division of administration, the Patient's Compensation Fund, and the Patient's Compensation
14 Fund Oversight Board; and

15 WHEREAS, the study should include a determination of the ability to implement
16 these improvements under current legislative authority and the costs, if any, of implementing
17 recommended improvements.

18 THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby
19 urge and request the division of administration, the Patient's Compensation Fund, and the
20 Patient's Compensation Fund Oversight Board to study the feasibility of implementing an
21 e-filing system for medical review panel requests and an e-payment system for filing fees.

22 BE IT FURTHER RESOLVED that the division of administration shall submit a
23 written report of the findings, conclusions, and recommendations to the legislature no later
24 than December 31, 2025.

25 BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the
26 commissioner of administration, the executive director of the Patient's Compensation Fund,
27 and the chairman of the Patient's Compensation Fund Oversight Board.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Senate Legislative Services. The keyword, summary, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

SCR 36 Original

DIGEST
2025 Regular Session

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Requests the division of administration, the Patient's Compensation Fund, and the Patient's Compensation Fund Oversight Board to study the feasibility and potential costs of implementation of an e-filing system for medical review panel requests and an e-payment system for filing fees, and submit a written report to the legislature no later than December 31, 2025.