

2025 Regular Session

HOUSE RESOLUTION NO. 252

BY REPRESENTATIVE BAMBURG

CIVIL/LAW: Directs the La. State Law Institute to study reversionary trusts

1 A RESOLUTION

2 To authorize and direct the Louisiana State Law Institute to study and recommend  
3 legislation for a reversionary medical trust in an award for damages in personal  
4 injury claims and to submit a report of its findings and recommendations to the  
5 legislature no later than February 1, 2026.

6 WHEREAS, reversionary medical trusts are designed to provide payment for  
7 ongoing medical care and related benefits to a claimant and ensure that medical bills are paid  
8 directly to providers as the medical bills are incurred; and

9 WHEREAS, when there is any suit for personal injury against a political subdivision,  
10 a court shall order that a reversionary trust be established for the benefit of a claimant and  
11 that all medical care and related benefits incurred subsequent to judgment be paid pursuant  
12 to the reversionary trust instrument pursuant to R.S. 13:5106; and

13 WHEREAS, any suit for personal injury against the state or a state agency where the  
14 court determines that a claimant is entitled to medical care and related benefits that may be  
15 incurred subsequent to judgment shall be paid from the Future Medical Care Fund as  
16 provided in R.S. 39:1533.2; and

17 WHEREAS, in medical malpractice cases, a claimant's medical care and related  
18 expenses are paid directly by the Patient Compensation Fund pursuant to R.S. 40:1231.4;  
19 and

20 WHEREAS, when a claimant receives an award for medical expenses, it is essential  
21 that funds are applied directly to medical costs and are safeguarded against misuse; and

1           WHEREAS, Louisiana has an interest in providing these protections for a claimant  
2 and to facilitate a process that ensures an award of damages is making a claimant whole.

3           THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby  
4 authorize and direct the Louisiana State Law Institute to study and recommend legislation  
5 for a reversionary medical trust in an award for damages in personal injury claims and to  
6 submit a report of its findings and recommendations to the legislature no later than February  
7 1, 2026.

8           BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the  
9 director of the Louisiana State Law Institute.

10          BE IT FURTHER RESOLVED that the Louisiana State Law Institute shall submit  
11 one printed copy and one electronic copy of any report produced pursuant to this Resolution  
12 to the David R. Poynter Legislative Research Library as required by R.S. 24:772.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, 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)]

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HR 252 Original

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