
The original instrument was prepared by Angela Lockett De Jean. The following digest, which does not constitute a part of the legislative instrument, was prepared by Mary Dozier O'Brien.

DIGEST

LaFleur (SB 382)

Present law provides that a health care provider, hospital, or ambulance service that furnishes services or supplies to any injured person shall have a privilege for the reasonable charges or fees of such health care provider, hospital, or ambulance service on the net amount payable to the injured person, his heirs, or legal representatives, out of the total amount of any recovery or sum had, collected, or to be collected, whether by judgment or by settlement or compromise, from another person on account of such injuries, and on the net amount payable by any insurance company under any contract providing for indemnity or compensation to the injured person.

Proposed law retains present law but would exclude amounts payable in uninsured or underinsured motorist provisions of the insurance policy from the amount payable. Provides that for the privilege of an attorney shall have precedence over the privilege created under present law. Further would provide that the "reasonable charges" in present law shall not exceed the median rate negotiated with health care providers.

Proposed law adds that the health care provider's privilege shall attach to the net amount payable, to the injured person out of the total amount of any recovery or sum had, collected, or to be collected from another person and on the net amount payable by any insurance company. The privilege, when timely filed, shall interrupt prescription and shall remain effective until released or paid in accordance with proposed law.

Effective August 1, 2014.

(Amends R.S. 9:4752)

Summary of Amendments Adopted by Senate

Senate Floor Amendments to engrossed bill

1. Provides that the privilege for reasonable charges or fees shall not exceed the median rate negotiated with health care providers.
2. Provides that the privilege shall not extend to amounts payable under either the uninsured motorists or the underinsured medical payments in the insurance policy.