

Regular Session, 2014

HOUSE BILL NO. 1253

BY REPRESENTATIVE NANCY LANDRY

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AN ACT

To amend and reenact R.S. 17:500.2(E)(2)(a), (b), and (c), 1202(E)(2)(a), (b), and (c), and 1206.2(E)(2)(a), (b), and (c), relative to powers of local public school boards and local superintendents of schools; to provide relative to requirements for extension of sick leave for school bus drivers, teachers, and school employees; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:500.2(E)(2)(a), (b), and (c), 1202(E)(2)(a), (b), and (c), and 1206.2(E)(2)(a), (b), and (c) are hereby amended and reenacted to read as follows:

§500.2. School bus operators; extended sick leave

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E.

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(2)(a) If the board or superintendent, upon review of the application, questions the validity or accuracy of the certification, the ~~employer~~ board or superintendent, as the case may be, referred to in this Paragraph as the "challenging party", may require the school bus operator or the immediate family member, as a condition for continued extended leave, to be examined by a licensed physician selected by the ~~employer~~ challenging party. In such a case, the employer shall pay all costs of the examination and any tests determined to be necessary. If the physician selected by the ~~employer~~ challenging party finds medical necessity, the leave shall be granted.

1 (b) If the physician selected by the ~~public school employer~~ challenging party
 2 disagrees with the certification of the physician selected by the school bus operator,
 3 then the ~~employer~~ challenging party may require the school bus operator or the
 4 immediate family member, as a condition for continued extension of sick leave, to
 5 be examined by a third licensed appropriate physician whose name appears next in
 6 the rotation of physicians on a list established by the local medical society for such
 7 purpose and maintained by the ~~board~~ challenging party. All costs of an examination
 8 and any required tests by a third doctor shall be paid by the employer. The opinion
 9 of the third physician shall be determinative of the issue.

10 (c) The opinion of all physicians consulted as provided in this Paragraph
 11 shall be submitted to the ~~board~~ challenging party in the form of a sworn statement
 12 which shall be subject to the provisions of R.S. 14:125.

13 * * *

14 §1202. Teachers; extended sick leave

15 * * *

16 E.

17 * * *

18 (2)(a) If the board or superintendent, upon review of the application,
 19 questions the validity or accuracy of the certification, the ~~employer board or~~
 20 superintendent, as the case may be, referred to in this Paragraph as the "challenging
 21 party", may require the teacher or the immediate family member, as a condition for
 22 continued extended leave, to be examined by a licensed physician selected by the
 23 ~~employer~~ challenging party. In such a case, the employer shall pay all costs of the
 24 examination and any tests determined to be necessary. If the physician selected by
 25 the ~~employer~~ challenging party finds medical necessity, the leave shall be granted.

26 (b) If the physician selected by the ~~public school employer~~ challenging party
 27 disagrees with the certification of the physician selected by the teacher or the
 28 immediate family member, then the ~~employer~~ challenging party may require the
 29 teacher or the immediate family member, as a condition for continued extension of
 30 sick leave, to be examined by a third licensed appropriate physician whose name

1 appears next in the rotation of physicians on a list established by the local medical
2 society for such purpose and maintained by the ~~board~~ challenging party. All costs
3 of an examination and any required tests by a third doctor shall be paid by the
4 employer. The opinion of the third physician shall be determinative of the issue.

5 (c) The opinion of all physicians consulted as provided in this Paragraph
6 shall be submitted to the ~~board~~ challenging party in the form of a sworn statement
7 which shall be subject to the provisions of R.S. 14:125.

8 * * *

9 §1206.2. Employees; extended sick leave

10 * * *

11 E.

12 * * *

13 (2)(a) If the board or superintendent, upon review of the application,
14 questions the validity or accuracy of the certification, the ~~employer~~ board or
15 superintendent, as the case may be, referred to in this Paragraph as the "challenging
16 party", may require the employee or the immediate family member, as a condition
17 for continued extended leave, to be examined by a licensed physician selected by the
18 ~~employer~~ challenging party. In such a case, the employer shall pay all costs of the
19 examination and any tests determined to be necessary. If the physician selected by
20 the ~~employer~~ challenging party finds medical necessity, the leave shall be granted.

21 (b) If the physician selected by the ~~public school employer~~ challenging party
22 disagrees with the certification of the physician selected by the employee or the
23 immediate family member, then the ~~employer~~ challenging party may require the
24 employee or the immediate family member, as a condition for continued extension
25 of sick leave, to be examined by a third licensed appropriate physician whose name
26 appears next in the rotation of physicians on a list established by the local medical
27 society for such purpose and maintained by the ~~board~~ challenging party. All costs
28 of an examination and any required tests by a third doctor shall be paid by the
29 employer. The opinion of the third physician shall be determinative of the issue.

