

CONFERENCE COMMITTEE REPORT

SB 158

2015 Regular Session

Heitmeier

June 9, 2015

To the Honorable President and Members of the Senate and to the Honorable Speaker and Members of the House of Representatives.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning Senate Bill No. 158 by Senator Heitmeier, recommend the following concerning the Engrossed bill:

- 1. That all House Committee Amendments proposed by the House Committee on Health and Welfare and adopted by the House of Representatives on May 26, 2015 be rejected.
- 2. That the following amendments to the reengrossed bill be adopted:

AMENDMENT NO. 1

On page 1, delete lines 9 through 16, and insert:

"D.(1) The executive director of the Patient's Compensation Fund shall submit a report on an annual basis to the Senate and House committees on health and welfare no later than January thirty-first. The report shall contain every claim against an individual practitioner who has had five or more paid claims for the previous year paid by the Patient's Compensation Fund and shall contain the following information:

(a) All paid claims for the previous year and the year immediately preceding that year, as well as the total number of pending claims filed against that individual practitioner.

(b) The name and address of the individual practitioner and a brief description of the acts of omission or commission which gave rise to the paid claims.

(2) For the purposes of this Subsection, "individual practitioner" means any individual person licensed or certified by this state to provide health care or professional services who is listed in R.S. 40:1299.41(A)(10)."

Respectfully submitted,

Senators:

Representatives:

Senator David Heitmeier

Representative Jeffery "Jeff" J. Arnold

Senator Sherri Smith Buffington

Representative Scott M. Simon

Senator Dan Claitor

Representative Bryan Adams

The legislative instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Christopher D. Adams.

CONFERENCE COMMITTEE REPORT DIGEST

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Keyword and summary of the bill as proposed by the Conference Committee

MALPRACTICE. Provides for annual reporting of certain malpractice claims by the Patient's Compensation Fund to the Senate and House committees on health and welfare.(gov sig)

Report rejects House amendments which would have:

1. Change the date by which the Patient's Compensation Fund's annual report is due to the legislature from Jan. 15 to Jan. 31.
2. Define "individual practitioner" as any individual person licensed or certified by this state to provide health care or professional services as a physician, dentist, registered or licensed practical nurse or certified nurse assistant, certified registered nurse anesthetist, nurse midwife, licensed midwife, nurse practitioner, clinical nurse specialist, pharmacist, optometrist, podiatrist, chiropractor, physical therapist, occupational therapist, psychologist, social worker, licensed professional counselor, licensed perfusionist, licensed respiratory therapist, licensed radiologic technologist, or licensed clinical laboratory scientist.
3. Requires that annual reports on certain claims against health care providers to provide instead that the reports shall address claims against individual practitioners.
4. Requires that annual reports address acts which gave rise to the paid claims.
5. Requires that reports to the legislature include all paid claims for the previous year and the year immediately preceding that year, as well as the total number of pending claims filed against the individual practitioner.

Report amends the bill to:

1. Change the date by which the Patient's Compensation Fund's annual report is due to the legislature from Jan. 15 to Jan. 31.
2. Requires that annual reports on certain claims against health care providers to provide instead that the reports shall address claims against individual practitioners.
3. Requires that annual reports on certain claims against health care providers to provide instead that the reports shall address claims against individual practitioners.
4. Requires that annual reports address acts which gave rise to the paid claims.
5. Defines "individual practitioner" to mean any individual person licensed or certified by this state to provide health care or professional services who is listed in R.S. 40:1299.41(A)(10).

Digest of the bill as proposed by the Conference Committee

Proposed law provides the executive director of the Patient's Compensation Fund must submit a report on an annual basis to the Senate and House committees on health and welfare no later than January thirty-first.

Proposed law provides the report must contain every claim against an individual practitioner who has had five or more paid claims for the previous year paid by the Patient's Compensation Fund and must contain the following information:

(1) All paid claims for the previous year and the year immediately preceding that year, as well as the total number of pending claims filed against that individual practitioner.

(2) The name and address of the individual practitioner and a brief description of the acts of omission or commission which gave rise to the paid claims.

Proposed law defines "individual practitioner" means any individual person licensed or certified by this state to provide health care or professional services who is listed in present law.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 40:1299.48(D))