
DIGEST

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HB 850 Reengrossed

2022 Regular Session

Frieman

Abstract: Provides for a stay in civil proceedings while there is a pending medical review panel involving the same alleged injuries to a patient.

For purposes of the regulation of medical malpractice claims, present law authorizes the Patient's Compensation Fund Oversight Board to determine the meaning of the term "proof of financial responsibility" with regulations promulgated under the Administrative Procedure Act.

Proposed law maintains present law and provides a cross-reference to the Administrative Procedure Act.

Proposed law provides that upon a showing of good cause, including but not limited to increased litigation expenses, the court shall stay all proceedings in a suit filed in district court while there is a pending medical review panel proceeding involving the same alleged injuries to a patient.

Proposed law shall be given prospective application only.

(Amends R.S. 40:1231.1(A)(17); Adds R.S. 40:1231.8(B)(4))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Civil Law and Procedure to the original bill:

1. Remove provisions amending the definition of "malpractice".
2. Provide an amendment to the definition of "proof of financial responsibility".
3. Provide for a stay in civil proceedings while there is a pending medical review panel involving the same alleged injuries to a patient.

The House Floor Amendments to the engrossed bill:

1. Add a provision for prospective application.