

2022 Regular Session

HOUSE BILL NO. 480

BY REPRESENTATIVE GAINES

WORKERS COMPENSATION: Provides relative to a presumption of compensability under workers' compensation

1 AN ACT

2 To amend and reenact R.S. 23:1204, relative to workers' compensation; to provide for
3 liability; to provide for a presumption of compensability; and to provide for related
4 matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 23:1204 is hereby amended and reenacted to read as follows:

7 §1204. Furnishing of medical services or advancing voluntary payments not
8 admission of liability

9 A. Neither the furnishing of medical services nor payments by the employer
10 or his insurance carrier shall constitute an admission of liability for compensation
11 under this Chapter.

12 B. Notwithstanding the provisions of Subsection A of this Section, ninety
13 days following the date of an accident, there shall be a rebuttable presumption of
14 compensability, as set forth in R.S. 23:1031(A).

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)]

HB 480 Original

2022 Regular Session

Gaines

Abstract: Provides for a rebuttable presumption of compensability in workers' compensation cases.

Present law provides that neither the furnishing of medical services nor payments by the employer or his insurance carrier shall constitute an admission of liability for compensation.

Proposed law retains present law.

Proposed law provides that despite the provisions of present law, there is a rebuttable presumption of compensability 90 days following the date of an accident.

(Amends R.S. 23:1204)