

Regular Session, 2012

HOUSE BILL NO. 496

BY REPRESENTATIVE JAMES

WORKERS COMPENSATION: Provides for prospective application of new medical treatment guidelines

1 AN ACT

2 To amend and reenact R.S. 23:1203.1(A)(3) and (4) and to enact R.S. 23:1203.1(A)(5) and
3 (O), relative to workers' compensation; to provide with respect to the medical
4 treatment schedule; to provide definitions; to provide for prospective application;
5 and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 23:1203.1(A)(3) and (4) are hereby amended and reenacted and R.S.
8 23:1203.1(A)(5) and (O) are hereby enacted to read as follows:

9 §1203.1. Medical treatment schedule

10 A. For use in this Section, the following terms shall have the following
11 meanings, unless clearly indicated otherwise by the context:

12 * * *

13 (3) "Injury", "personal injuries", "mental injury caused by mental stress", and
14 "mental injury caused by physical injury" are defined as set forth in R.S. 23:1021(8).

15 ~~(3)~~ (4) "Office" means the office of workers' compensation administration
16 of the Louisiana Workforce Commission.

17 ~~(4)~~ (5) "Schedule" means the medical treatment schedule to be developed by
18 the council and promulgated by the office and the director.

19 * * *

20 O. The medical treatment schedule shall not apply to workplace injuries, as
21 defined in R.S. 23:1021(8), which occurred on or before July 13, 2011.

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)]

James

HB No. 496

Abstract: Provides that the medical treatment schedule shall not apply to injuries suffered on or before July 13, 2011.

Present law provides definitions for use in the medical treatment schedule.

Proposed law adds a definition to provide that "injury", "personal injuries", "mental injury caused by mental stress", and "mental injury caused by physical injury" shall be defined as they are in present law (R.S. 23:1021(8)).

Present law provides that the director of the office of workers' compensation administration shall promulgate rules to establish a medical treatment schedule.

Present law is silent on the effective date of the application of the medical treatment schedule or guidelines to workplace injuries.

Proposed law provides that the medical treatment schedule shall not apply to employees injured on or before July 13, 2011, giving it prospective, instead of retroactive, application.

(Amends R.S. 23:1203.1(A)(3) and (4); Adds R.S. 23:1203.1(A)(5) and (O))