

Regular Session, 2012

SENATE BILL NO. 229

BY SENATOR CROWE

WORKERS' COMPENSATION. Changes the time for filing an appeal relative to care to the medical director from fifteen to thirty days. (gov sig)

1 AN ACT

2 To amend and reenact R.S. 23:1203.1(J), relative to workers' compensation; to provide for  
3 workers' compensation benefits; to provide for appeals relative to care to the medical  
4 director; to provide for the time period to file an appeal; and to provide for related  
5 matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 23:1203.1(J) is hereby amended and reenacted to read as follows:

8 §1203.1. Medical treatment schedule

9 \* \* \*

10 J. After a medical provider has submitted to the payor the request for  
11 authorization and the information required by the Louisiana Administrative Code,  
12 Title 40, Chapter 27, the payor shall notify the medical provider of their action on  
13 the request within five business days of receipt of the request. If any dispute arises  
14 after January 1, 2011, as to whether the recommended care, services, or treatment is  
15 in accordance with the medical treatment schedule, or whether a variance from the  
16 medical treatment schedule is reasonably required as contemplated in Subsection I  
17 of this Section, any aggrieved party shall file, within ~~fifteen~~ **thirty** calendar days, an

1 appeal with the office of workers' compensation administration medical director on  
2 a form promulgated by the director. The medical director shall render a decision as  
3 soon as is practicable, but in no event, not more than thirty calendar days from the  
4 date of filing.

5 \* \* \*

6 Section 2. This Act shall become effective upon signature by the governor or, if not  
7 signed by the governor, upon expiration of the time for bills to become law without signature  
8 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
9 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
10 effective on the day following such approval.

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The original instrument and the following digest, which constitutes no part  
of the legislative instrument, were prepared by Carla S. Roberts.

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#### DIGEST

Present law, relative to workers' compensation benefits, provides for a medical provider to submit a request for authorization for treatment, care, or services to the payor and requires the payor to notify the provider of their action on the request within five business days. Provides that if a dispute arises as to whether the recommended care is in accordance with the medical treatment schedule or whether a variance from the medical treatment schedule is reasonably required, any aggrieved party shall file within 15 calendar days an appeal with the office of workers' compensation administration medical director. Requires the director to render a decision as soon as is practicable, but in no event, not more than 30 calendar days from the date of filing.

Proposed law retains present law but changes the time period to file an appeal from 15 days to 30 days.

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

(Amends R.S. 23:1203.1(J))