

Regular Session, 2012

HOUSE BILL NO. 126

BY REPRESENTATIVES DIXON AND BROADWATER

1 AN ACT

2 To enact R.S. 23:1203.1(O) and 1294(C), relative to Workers' Compensation; to provide for
3 immunity from legal proceedings to the Medical Advisory Council; to provide for
4 immunity from legal proceedings to the Workers' Compensation Advisory Council;
5 to provide certain terms, conditions, and requirements; and to provide for related
6 matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 23:1203.1(O) and 1294(C) are hereby enacted to read as follows:

9 §1203.1 Medical treatment schedule

10 * * *

11 O.(1) No member of the Medical Advisory Council acting within the scope
12 of his official functions and duties shall be held individually liable for a policy
13 recommendation or policy action by the council, unless damage or injury is caused
14 by the member's willful or wanton misconduct.

15 (2) A person immune from liability under the provisions of Paragraph (1) of
16 this Subsection shall not be subject to civil or administrative subpoena for his
17 recommendations or exercise of judgment as a member of the council, including a
18 subpoena seeking his oral or written testimony at trial, discovery, or other
19 proceeding, and a subpoena duces tecum seeking documents, inspections, things or
20 information in electronic or any other form.

21 * * *

22 §1294. Workers' Compensation Advisory Council

23 * * *

1 C.(1) No member of the Worker's Compensation Advisory Council acting
 2 within the scope of his official functions and duties shall be held individually liable
 3 for a policy recommendation or policy action by the council, unless damage or injury
 4 is caused by the member's willful or wanton misconduct.

5 (2) A person immune from liability under the provisions of Paragraph (1) of
 6 this Subsection shall not be subject to civil or administrative subpoena for his
 7 recommendations or exercise of judgment as a member of the council, including a
 8 subpoena seeking his oral or written testimony at trial, discovery, or other
 9 proceeding, and a subpoena duces tecum seeking documents, inspections, things or
 10 information in electronic or any other form.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____