

Regular Session, 2012

SENATE BILL NO. 293

BY SENATOR MURRAY

WORKERS' COMPENSATION. Vests the office of workers' compensation administration with exclusive jurisdiction over all claims for workers' compensation discrimination. (8/1/12)

1 AN ACT
2 To amend and reenact R.S. 23:1310.3(F), relative to the office of workers' compensation
3 administration; to provide relative to exclusive jurisdiction over all claims for
4 workers' compensation discrimination; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 23:1310.3(F) is hereby amended and reenacted to read as follows:

7 §1310.3. Initiation of claims; mediation; procedure

8 * * *

9 F. Except as otherwise provided by R.S. 23:1101(B), 1361, and 1378(E), the
10 workers' compensation judge shall be vested with original, exclusive jurisdiction
11 over all claims or disputes arising out of this Chapter, including but not limited to
12 workers' compensation insurance coverage disputes, **disputes arising under R.S.**
13 **23:1361**, group self-insurance indemnity contract disputes, employer demands for
14 recovery for overpayment of benefits, the determination and recognition of employer
15 credits as provided for in this Chapter, and cross-claims between employers or
16 workers' compensation insurers or self-insurance group funds for indemnification or
17 contribution.

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

DIGEST

Present law provides that the office of workers' compensation shall have original jurisdiction over employee death and injury cases.

Proposed law grants exclusive jurisdiction to the office of workers' compensation administration in all matters involving claims of discrimination because the employee has asserted a claim for workers' compensation.

Effective August 1, 2012.

(Amends R.S. 23:1310.3(F))