

2020 Regular Session

SENATE BILL NO. 408

BY SENATOR TALBOT

LIABILITY. Provides relative to medical expenses paid in workers' compensation claims.  
(8/1/20)

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17

AN ACT

To enact R.S. 9:2800.25, relative to compensation for medical expenses incurred; to provide for medical expenses recoverable as damages in civil litigation; to provide for limitations in the amount of damages recoverable; to provide for applicability to workers' compensation claims; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 9:2800.25 is hereby enacted to read as follows:

**§2800.25. Recoverable medical expenses; workers' compensation; collateral sources; limitations**

**A.(1) In cases where a plaintiff's medical expenses are paid pursuant to the Workers' Compensation Law as provided in R.S. 23:1020.1 et seq., a plaintiff's recovery of medical expenses is limited to the amount payable under the medical payments reimbursement schedule of the Workers' Compensation Law.**

**(2) If a plaintiff chooses not to submit medical expenses for payment pursuant to the Workers' Compensation Law, and the medical expenses were eligible for payment under the Workers' Compensation Law, then the plaintiff's**

