

SENATE BILL NO. 44

BY SENATOR GATTI

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AN ACT

To amend and reenact R.S. 23:1103(D), relative to workers' compensation; to provide for workers' compensation premiums; to provide for the recoupment of certain workers' compensation benefits from certain third persons; to provide for a dollar-for-dollar credit for certain amounts paid on behalf of the employer; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 23:1103(D) is hereby amended and reenacted to read as follows:

§1103. Damages; apportionment of between employer and employee in suits against third persons; compromise of claims; credit

\* \* \*

D. An insurer shall grant its insured a dollar-for-dollar credit for any amount on any claim paid pursuant to this Chapter on the employer's behalf and recovered in the current year, less any reasonable expenses incurred in the recovery by the insurer, in an action or compromise pursuant to this Section and R.S. 23:1102. The credit shall be used by the insurer in the calculation, ~~including but not limited to loss experience ratios,~~ of the **loss experience modifier promulgated by and in accordance with the rules of the National Council on Compensation Insurance, to be applied in determining the** annual premium paid by the employer for workers' compensation insurance under this Chapter. **The group self-insurance fund shall apply the loss experience modifier authorized by R.S. 23:1196.**

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PRESIDENT OF THE SENATE

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_