

Regular Session, 2009

HOUSE BILL NO. 658

BY REPRESENTATIVE ROY

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

WORKERS COMPENSATION: Provides relative to the prescriptive period for claiming workers' compensation benefits

1 AN ACT

2 To amend and reenact R.S. 23:1209(A)(2) and (3), relative to the prescriptive period for
3 claiming workers' compensation benefits; to provide for an interruption of
4 prescription for indemnity or medical payments; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 23:1209(A)(2) and (3) are hereby amended and reenacted to read as
7 follows:

8 §1209. Prescription; timeliness of filing; dismissal for want of prosecution

9 A.

10 * * *

11 (2) Where ~~such~~ indemnity or medical payments have been made in any case,
12 the limitation shall not take effect until the expiration of one year from the time of
13 making the last indemnity or medical payment, except that in cases of benefits
14 payable pursuant to R.S. 23:1221(3), this limitation shall not take effect until three
15 years from the time of making the last payment of benefits pursuant to R.S.
16 23:1221(1), (2), (3), or (4).

17 (3) When the injury does not result at the time of or develop immediately
18 after the accident, or when an employee continues to work but obtains medical
19 treatment for the work injury and payment is made by the employer or insurer for
20 such medical treatment, the limitation shall not take effect until expiration of one

