

**LEGISLATIVE FISCAL OFFICE**  
**Fiscal Note**



Fiscal Note On: **HB 728** HLS 13RS 2894

Bill Text Version: **REENGROSSED**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

<b>Date:</b> May 30, 2013 7:58 AM	<b>Author:</b> CROMER
<b>Dept./Agy.:</b> Workforce Commission	<b>Analyst:</b> Patrice Thomas
<b>Subject:</b> Disputes of Workers Compensation Claims Between Parties	

WORKERS COMPENSATION

RE NO IMPACT FF EX See Note

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Provides with respect to workers' compensation

Proposed law defines "payor" as the entity responsible for payment of benefits by a claimant as a result of a work related injury and requires the employer or payor to prepare a "Notice of Modification, Suspension, Termination, or Controversion of Compensation and/or Medical Benefits". Proposed law requires the employer/payor to send a copy of the first payment of compensation to the Louisiana Workforce Commission (LWC)/Office of Worker's Compensation within 10 days of the date of the original notice was sent to the injured employee. Proposed law provides that if an injured employee disagrees with any information on the notice form, he shall notify the employer/payor by returning the form, or by letter of amicable demand, and provide any amounts of compensation he believes appropriate. Proposed law provides that if the employer/payor provides the benefits that the employee claims he is due within 7 days of the demand, the employer/payor shall not be subject to any penalties or attorney fees. Proposed law provides that if the employer/payor does not provide the benefits that the employee claims is due then the employee may file a disputed claim for benefits.

<b>EXPENDITURES</b>	<b>2013-14</b>	<b>2014-15</b>	<b>2015-16</b>	<b>2016-17</b>	<b>2017-18</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Ded./Other	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
<b>Annual Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>REVENUES</b>	<b>2013-14</b>	<b>2014-15</b>	<b>2015-16</b>	<b>2016-17</b>	<b>2017-18</b>	<b>5 -YEAR TOTAL</b>
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Local Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
<b>Annual Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**EXPENDITURE EXPLANATION**

There is no anticipated direct material effect on governmental expenditures as a result of this measure. The proposed legislation modifies hearing procedures and standards for disputed workers compensation claims between the employer/payor and the injured employee or his representative. This bill includes a safe harbor provision, which provides that if the employer/payor follows the procedures established by this legislation, the employer/payor will not be subject to any claim for penalties or attorney fees. This proposed legislation does not have an impact on the Louisiana Workforce Commission (LWC)/Office of Worker's Compensation Administration (OWCA).

**REVENUE EXPLANATION**

There is no anticipated direct material effect on governmental revenues as a result of this measure.

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|---|--|--------------|
| <u>Senate</u>   | <u>Dual Referral Rules</u>   | <u>House</u> |
| <input type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S&H}       | <input type="checkbox"/> 6.8(F) >= \$500,000 Annual Fiscal Cost {S}                        |              |
| <input type="checkbox"/> 13.5.2 >= \$500,000 Annual Tax or Fee Change {S&H} | <input type="checkbox"/> 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S} |              |

*Evan Brasseaux*

**Evan Brasseaux**  
**Staff Director**