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

DIGEST

SB 107 Reengrossed 2015 Regular Session Peacock

Present law encourages employers to retain and hire employees with a pre-existing permanent partial disability by providing for reimbursement from the Second Injury Fund to the employer or its insurer, for workers' compensation benefits beyond a scheduled threshold, where both of the following occur:

(1) The employer had prior knowledge of the pre-existing disability.

(2) Is liable for benefits as the result of a subsequent compensable accident causing a second injury that merges with the pre-existing injury to cause greater liability and harm to the employee than would have existed otherwise.

Present law provides a reimbursement schedule which, for second injuries occurring between July 1, 2010, and July 1, 2015, excludes the first 104 weeks of indemnity benefits and the first $25,000 of medical benefits from reimbursement.

Proposed law retains present law but eliminates the end date contained in the reimbursement schedule.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 23:1378(A)(intro para))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Labor and Industrial Relations to the original bill

1. Eliminates the benefit deadline date in the Workers' Compensation Second Injury Fund.

Senate Floor Amendments to the engrossed bill

1. Makes technical changes.