The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Hanna Gettys.

DIGEST

SB 18 Original

2024 Regular Session

Seabaugh

<u>Present law</u> (R.S. 9:2800.27) provides that cases where a claimant's medical expenses have been paid, in whole or in part, by a health insurance issuer or Medicare to a contracted medical provider, the claimant's recovery of medical expenses is limited to the amount actually paid to the contracted medical provider by the health insurance issuer or Medicare, and any applicable cost sharing amounts paid or owed by the claimant, and not the amount billed. The determination of this award shall be made only in accordance with present law. Proposed law deletes this provision of present law.

<u>Present law</u> provides that the recovery of past medical expenses other than those provided for in <u>present law</u> shall be limited to amounts paid to a medical provider by or on behalf of the claimant, and amounts remaining owed to a medical provider, including medical expenses secured by a contractual or statutory privilege, lien, or guarantee. The determination of this award shall be made only in accordance with <u>present law</u>. <u>Proposed law</u> deletes this provision of <u>present law</u>.

<u>Present law</u> provides that in a jury trial, only after a jury verdict is rendered may the court receive evidence related to the limitations of recoverable past medical expenses provided by <u>present law</u>. The jury shall be informed only of the amount billed by a medical provider for medical treatment. Whether any person, health insurance issuer, or Medicare has paid or has agreed to pay, in whole or in part, any of a claimant's medical expenses, shall not be disclosed to the jury. In trial to the court alone, the court may consider such evidence.

<u>Proposed law</u> provides that during trial, all evidence related to the limitations of recoverable past medical expenses provided for in <u>proposed law</u> shall be admissible and considered by the jury.

Effective August 1, 2024.

(Amends R.S. 9:2800.27; repeals R.S. 9:2800.27(G))