The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Yoursheka D. Butler.

DIGEST

SB 324 Original

2024 Regular Session

Reese

<u>Present law</u> provides that a health care provider must release an employee's medical records to the employee or his agent, the rehabilitation counselor, another health care provider, the employer or his agent, or the workers' compensation insurer for the purpose of coordinated care for the employee.

Proposed law retains present law.

<u>Proposed law</u> requires the employee to sign and return an authorization form to release medical records within 10 business days to the employer. <u>Proposed law</u> further provides that an employee who fails to timely sign and return the authorization form will have his benefits suspended until he is in compliance.

Present law provides that notice of the injury must be given to the employer within 30 days.

<u>Proposed law</u> retains <u>present law</u> and provides that there is a rebuttable presumption that the injury or death did not arise out of or occur in the course of the employment if notice of the death or injury is not provided within 30 days.

<u>Present law</u> requires that within 10 days of an injury resulting in death or lost time in excess of one week, the employer must send a report to the insurer with the name, address, and business of the employer, the name, social security number, street, mailing address, telephone number, and occupation of the employee, the cause and nature of the injury or death, the date, time, and where the injury or death occurred, and the wages the worker was earning at the time of the injury.

<u>Proposed law</u> deletes <u>present law</u> requiring an employer who receives notice or has actual knowledge of injury resulting in death or in lost time in excess of one week after the injury to send a report to the insurer.

Proposed law otherwise retains present law.

<u>Proposed law</u> provides that in absence of good cause shown, employers must pay \$500 to the office of workers' compensation administration if they fail to timely submit the report.

<u>Proposed law</u> provides that submission of the information required under <u>present law</u> and <u>proposed</u> <u>law</u> will not be deemed an admission of the occurrence or compensability of the alleged injury or death.

Effective August 1, 2024.

(Amends R.S. 23:1127, 1301, and 1306)