

2026 Regular Session

HOUSE BILL NO. 456

BY REPRESENTATIVE CHENEVERT

WORKERS COMPENSATION: Provides relative to claims for benefits under workers' compensation

1 AN ACT

2 To amend and reenact R.S. 23:1311 and 1314(E)(1), relative to workers' compensation; to
3 provide for a claim for benefits under workers' compensation; to provide for a
4 petition for a workers' compensation claim; to provide for the contents of the
5 petition; to allow the employer or payor to file a disputed claim under certain
6 circumstances; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 23:1311 and 1314(E)(1) are hereby amended and reenacted to read
9 as follows:

10 §1311. Contents of petition

11 The petition required ~~under Section 1310.3~~ by R.S. 23:1310.3 shall set forth
12 all of the following:

- 13 (1) The names and addresses of the parties.
- 14 (2) A statement of the time, place, nature, and cause of the injury, or ~~such~~
15 any other fairly equivalent information ~~as will~~ that would put the ~~employer parties~~
16 on notice with respect to the identity of the parties.

- 17 (3) Sufficient factual statements to fairly put the parties on notice concerning
18 the ~~The~~ specific compensation benefit ~~which is~~ alleged to be due pursuant to this
19 Chapter, but which has not been paid or is not being provided, or the entitlement to
20 which is disputed.

- (2) A statement of the time, place, nature, and cause of the injury, or any other fairly equivalent information that would put the parties on notice with respect to the identity of the parties.
- (3) Sufficient factual statements to fairly put the parties on notice concerning the specific compensation benefit that is alleged to be due pursuant to present law but which has not been paid or is not being provided or the entitlement to which is disputed.
- (4) A prayer for relief including a concise statement of the specific benefits or other relief sought by the petitioner.

Present law provides that, notwithstanding any other provision of present law, the employer or payor shall be permitted to file a disputed claim against an employee, his dependent, or beneficiary only when the employer or payor alleges the employee, his dependent, or beneficiary has committed fraud as provided in present law (R.S. 23:1208) which caused the employer or payor to pay a benefit which was not due to the employee, his dependent, or beneficiary, or when the employer or payor is an aggrieved party appealing a decision of the medical director pursuant to present law (R.S. 23:1203.1(K)).

Proposed law instead provides that, notwithstanding any other provision of present law, the employer or payor shall be permitted to file a disputed claim against an employee, his dependent, or his beneficiary to controvert benefits or concerning any other dispute arising pursuant to provisions of present law.

(Amends R.S. 23:1311 and 1314(E)(1))