
DIGEST

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HB 605 Original

2026 Regular Session

Beaullieu

Abstract: Provides relative to experience modifiers and subrogation in workers' compensation cases.

Proposed law provides that if an insurer is due reimbursement from a third party for compensation and medical benefits paid as a result of an accident and the insurer has acted, as provided for in present law (R.S. 23:1101 et seq.), to recover the reimbursement from the third party, the insurer shall not factor the accident into the calculation of the employer's experience modifier until the parties reach an agreement or a final judgment is rendered.

Proposed law provides that after an agreement is met or final judgment is rendered, the insurer may recalculate the employer's experience modifier based on the allocation of fault and the reimbursement finally obtained, retroactive to the date of the accident.

Proposed law requires any additional premium owed as a result of the adjusted experience modifier to be amortized over a period of two calendar years, unless otherwise agreed by the parties.

(Adds R.S. 23:1105)