

2026 Regular Session

HOUSE BILL NO. 1002

BY REPRESENTATIVES CARLSON, BOYER, CHENEVERT, AND MELERINE

CIVIL/PROCEDURE: Provides relative to recoverable medical expenses

1 AN ACT

2 To enact R.S. 9:2800.27(I) through (K), relative to collateral source; to provide relative to  
3 treatment under a letter of protection; to provide relative to reasonable expenses; to  
4 provide relative to admissible evidence; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 9:2800.27 (I) through (K) are hereby enacted to read as follows:

7 §2800.27. Recoverable past medical expenses; collateral sources; limitations;  
8 evidence

9 \* \* \*

10 I.(1) If a claimant obtains medical treatment under a letter of protection or  
11 does not submit charges to a health insurance issuer for medical treatment, the  
12 evidence shall be limited to the amount the claimant's health insurance issuer would  
13 have paid the healthcare provider to satisfy the past unpaid medical charges, plus the  
14 claimant's share of medical expenses, had the claimant obtained medical treatment  
15 under the claimant's health insurance coverage.

16 (2) If the claimant obtains medical treatment or services under a letter of  
17 protection and the healthcare provider subsequently transfers the right to receive  
18 payment under the letter of protection to a third party, the claimant's recovery shall  
19 be limited to the amount the third party agreed to pay and evidence shall be limited  
20 to the amount paid.

21 J.(1) A claimant shall make reasonable efforts to mitigate damages and the  
22 recovery of medical expenses shall be limited to the reasonable expenses related to

1        the claim. At trial, any party may introduce expert testimony to establish or refute  
2        the reasonableness of medical expenses sought to be recovered by the claimant.

3                (2) All charges for the claimant's medical and healthcare expenses shall be  
4        itemized and coded according to generally accepted medical billing practices to the  
5        extent applicable.

6                K. Nothing in this Section limits the right of a claimant or defendant to  
7        present evidence or testimony challenging the reasonableness of medical and  
8        healthcare expenses, whether incurred or projected future expenses, or the medical  
9        necessity of any treatment.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 1002 Original

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Carlson

**Abstract:** Provides relative to recoverable medical expenses and admissibility of evidence.

Proposed law (R.S. 9:2800.27(I)(1)) limits evidence when a claimant obtains medical treatment under a letter of protection or does not submit charges to a health insurance issuer. Requires that evidence be limited to the amount the claimant's health insurance issuer would have paid to satisfy the past unpaid medical charges, plus the claimant's share of medical expenses, had the claimant obtained medical treatment under his health insurance coverage.

Proposed law (R.S. 9:2800.27(I)(2)) provides that if the claimant obtains medical treatment under a letter of protection and the healthcare provider transfers the right to payment to a third party, the claimant's recovery is limited to the amount the third party agreed to pay. Further requires that evidence be limited to the amount paid.

Proposed law (R.S. 9:2800.27(J)(1)) requires a claimant to make reasonable efforts to mitigate damages and further provides that the recovery of medical expenses is limited to the reasonable expenses related to the claim.

Proposed law authorizes any party to introduce expert testimony at trial to establish or refute the reasonableness of medical expenses sought to be recovered by the claimant.

Proposed law (R.S. 9:2800.27(J)(2)) requires all charges for the claimant's medical and healthcare expenses to be itemized and coded according to generally accepted medical billing practices to the extent possible.

Proposed law does not limit the right of a claimant or defendant to present evidence or testimony challenging the reasonableness of medical and healthcare expenses, whether incurred or projected future expenses, or the medical necessity of any treatment.

(Adds R.S. 9:2800.27(I)-(K))