

SENATE COMMITTEE AMENDMENTS

2026 Regular Session

Amendments proposed by Senate Committee on Labor and Industrial Relations to Original Senate Bill No. 408 by Senator Myers

1 AMENDMENT NO. 1

2 On page 1, line 2, after "1203(B)," insert "1203.1(J)"

3 AMENDMENT NO. 2

4 On page 1, line 3, after "23:1021(14)" delete ", 1142(F)" and insert "and (15)"

5 AMENDMENT NO. 3

6 On page 1, line 13, after "1203(B)" insert ", and 1203.1(J)"

7 AMENDMENT NO. 4

8 On page 1, line 14, after "23:1021(14)" delete "and 1142(F)" and insert "and (15)"

9 AMENDMENT NO. 5

10 On page 2, between lines 5 and 6, insert:

11 **"(15) "Payor" means the entity responsible by law or contract for**
12 **payment of the medical expenses incurred by or on behalf of an employee as a**
13 **result of a work injury or occupational disease compensable under this**
14 **Chapter."**

15 AMENDMENT NO. 6

16 On page 2, between lines 27 and 28, insert:

17 **"(3) For any drugs, supplies, hospital care and services, medical and**
18 **surgical treatment, and any nonmedical treatment recognized by the laws of this**
19 **state as legal and due under this Chapter for which reimbursement is not**
20 **provided pursuant to Paragraphs B(1) and B(2) of this Section, reimbursement**
21 **shall be the mean of the usual and customary payment for such. Reimbursement**
22 **under this Subsection may be established by the assistant secretary based on the**
23 **mean of the usual and customary reimbursement and pursuant to the**
24 **Administrative Procedures Act."**

25 AMENDMENT NO. 7

26 On page 2, at the beginning of line 28, change "(3)" to "(4)"

27 AMENDMENT NO. 8

28 On page 3, at the beginning of line 24, change "(4)" to "(5)"

29 AMENDMENT NO. 9

30 On page 3, between lines 25 and 26, insert:

31 **"(6) Pending approval by the House and Senate Labor Committees of the**
32 **fee schedule adopted under this Section, reimbursement for drugs, supplies,**
33 **hospital care and services, medical and surgical treatment, and any nonmedical**
34 **treatment recognized by the laws of this state as legal and due under this**
35 **Chapter shall be governed by the law in effect prior to the effective date of this**
36 **Section."**

1 AMENDMENT NO. 10

2 On page 7, between lines 6 and 7, insert:

3 **"(6) The assistant secretary shall promulgate rules and forms pursuant**
4 **to the Administrative Procedures Act necessary to implement the dispute**
5 **resolution process provided for under this Subsection no later than January 1,**
6 **2028."**

7 AMENDMENT NO. 11

8 On page 7, delete lines 8 through 29

9 AMENDMENT NO. 12

10 On page 8, line 10, change "employer" to "**employer payor**"

11 AMENDMENT NO. 13

12 On page 8, line 11, after "as" change "defined by rules promulgated" to "~~defined by rules~~
13 ~~promulgated~~ **required by administrative rules promulgated**"

14 AMENDMENT NO. 14

15 On page 9, line 4, change "annually" to "~~annually~~"

16 AMENDMENT NO. 15

17 On page 9, between lines 8 and 9, insert:

18 "§1203.1. Definitions; medical treatment schedule; medical advisory council

19 * * *

20 J.(1) After a medical provider has submitted to the payor the request for
21 authorization and the information required by the Louisiana Administrative Code,
22 Title 40, Chapter 27, the payor shall notify the medical provider of ~~their its~~ action
23 ~~on the request~~ within five business days of receipt of the request. ~~If any dispute arises~~
24 ~~after January 1, 2011, Any request for authorization of office visits, diagnostic~~
25 ~~testing, chiropractic therapy of twelve or less or physical therapy of twelve days~~
26 ~~or less is considered authorized and approved by the payor if it has not been~~
27 ~~specifically denied within five business days. Upon expiration of five business~~
28 ~~days of submission of a request for authorization of non-surgical treatment, the~~
29 ~~healthcare provider that made the request may notify the director of the office~~
30 ~~of workers' compensation that no denial of authorization has occurred on a~~
31 ~~form promulgated by the office of workers' compensation, and within five~~
32 ~~business days of receipt of such notice the director of the office of workers'~~
33 ~~compensation shall issue an order directing that the requested treatment,~~
34 ~~procedure or testing is authorized, if it is found that the medical provider~~
35 ~~properly submitted to the payor the request for authorization along with the~~
36 ~~information required by Chapter 27 of Title 40 of the Louisiana Administrative~~
37 ~~Code. If the payor has timely denied authorization and a dispute arises~~ as to
38 whether the recommended care, services, or treatment is in accordance with the
39 medical treatment schedule, or whether a variance from the medical treatment
40 schedule is reasonably required as contemplated in Subsection I of this Section, any
41 aggrieved party shall file, ~~within fifteen calendar days,~~ an appeal with the office of
42 workers' compensation administration medical director or associate medical director
43 on a form promulgated by the assistant secretary. The medical director or associate
44 medical director shall render a decision as soon as is practicable, but in no event, not
45 more than thirty calendar days from the date of filing.

46 * * *

1 AMENDMENT NO. 16

2 On page 11, delete lines 28 and 29, and insert "**and security laws.**"

3 AMENDMENT NO. 17

4 On page 13, line 21, change "**October 1, 2026**" to "**July 1, 2027**"