



LEGISLATIVE FISCAL OFFICE
Fiscal Note

Fiscal Note On: **SB 68** SRS 99- 3

Bill Text Version: **ORIGINAL**

Opp Chamb Action:

Sub Bill For:

Proposed Amd:

Date: March 23, 1999 12:10 PM	Author: COX
Dept/Agy: OFFICE OF RISK MANAGEMENT	
Subject: MEDICAL MALPRACTICE	Analyst: Julie A. Samson

MALPRACTICE

Increases fees payable to the attorney chairman of a medical malpractice review panel.

This legislation increases the per diem rate of the attorney chairman for services on a medical malpractice review panel from \$100 to \$250 and the maximum allowable compensation for all work performed from \$2,000 to \$5,000. The Patients' Compensation Fund Oversight Board (Board) is mandated to oversee the medical malpractice review panel process in which each claim is reviewed by three (3) licensed Louisiana physicians- one appointed by the plaintiff, one appointed by the defendant, and one appointed by mutual agreement of both parties. The attorney chairman of the medical malpractice review panel is selected from a list kept by the Louisiana Supreme Court.

Another statute, R.S. 40:1299.39.1 I. (2) states that the attorney chairman of the state medical review panel shall be paid at the

ESTIMATED FISCAL IMPACT:

EXPENDITURES	1999-00	2000-01	2001-02	2002-03	2003-04	5 YEAR TOTAL
State General Fd.	\$390,000	\$390,000	\$390,000	\$390,000	\$390,000	\$1,950,000
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Stat. Deds./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total	\$390,000	\$390,000	\$390,000	\$390,000	\$390,000	\$1,950,000

REVENUES	1999-00	2000-01	2001-02	2002-03	2003-04	5 YEAR TOTAL
State General Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Stat. Deds./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

EXPLANATION OF ESTIMATES:

EXPENDITURES:

There could be an increase in expenditures as a result of this legislation. Due to the noted statute above R.S. 40:1299.39.1 I.(2) this legislation would increase the amount that the Office of Risk Management would be responsible for paying the attorney chairman of state medical malpractice review panel proceedings. Each year there are approximately 130 state medical malpractice review panel proceedings that the Office of Risk Management is responsible for the payment to the attorney chairman. Due to most proceedings lasting for several years the responsible party is usually billed at the cap, which would be changed from \$2,000 to 5,000. Therefore this legislation could result in an increase of approximately \$390,000 (130 cases X \$3,000) per year.

These increased payments would be paid from increased premiums to state funded health care facilities or from the reserves of Risk Management. The table above assumes that this additional cost would ultimately be financed by additional state general fund appropriations to these state health care facilities.

REVENUES:

There is no anticipated direct effect on revenues as a result of this measure.

Dual Referral Rules

- Senate
- 13.5.1 >= \$500,000 Fiscal Cost
 - 13.5.2 >= \$500,000 Tax or Fee Change

- House
- 6.8(F) >= \$500,000 Fiscal Cost
 - 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease

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