

SENATE BILL NO. 44

BY SENATOR GATTI

1 AN ACT

2 To amend and reenact R.S. 23:1103(D), relative to workers' compensation; to provide for
3 workers' compensation premiums; to provide for the recoupment of certain workers'
4 compensation benefits from certain third persons; to provide for a dollar-for-dollar
5 credit for certain amounts paid on behalf of the employer; and to provide for related
6 matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 23:1103(D) is hereby amended and reenacted to read as follows:

9 §1103. Damages; apportionment of between employer and employee in suits against
10 third persons; compromise of claims; credit

11 * * *

12 D. An insurer shall grant its insured a dollar-for-dollar credit for any amount
13 on any claim paid pursuant to this Chapter on the employer's behalf and recovered
14 in the current year, less any reasonable expenses incurred in the recovery by the
15 insurer, in an action or compromise pursuant to this Section and R.S. 23:1102. The
16 credit shall be used by the insurer in the calculation, ~~including but not limited to loss~~
17 ~~experience ratios,~~ of the **loss experience modifier promulgated by and in**
18 **accordance with the rules of the National Council on Compensation Insurance,**
19 **to be applied in determining the** annual premium paid by the employer for workers'
20 compensation insurance under this Chapter. **The group self-insurance fund shall**
21 **apply the loss experience modifier authorized by R.S. 23:1196.**

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____