

CONFERENCE COMMITTEE REPORT

SB 261

2018 Regular Session

Erdey

May 15, 2018

To the Honorable President and Members of the Senate and to the Honorable Speaker and Members of the House of Representatives.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning Senate Bill No. 261 by Senator Erdey, recommend the following concerning the Engrossed bill:

1. That Legislative Bureau Amendment No. 1 proposed by the Legislative Bureau and adopted by the House of Representatives on April 10, 2018 be adopted.
2. That the following amendments to the engrossed bill be adopted:

AMENDMENT NO. 1

On page 1, line 2, change "(1)(a) and (b)" to "and (F)"

AMENDMENT NO. 2

On page 1, line 7, change "(1)(a) and (b)" to "and (F)"

AMENDMENT NO. 3

On page 1, line 15, change "manager out of the Self-Insurance Fund" to "**director pursuant to R.S. 39:1533(A)(2)**"

AMENDMENT NO. 4

On page 2, line 12, between "Copayments" and "and" and insert "**, coinsurance,**"

AMENDMENT NO. 5

On page 2, between lines 14 and 15, insert the following:

"(2) The premiums, deductibles, **coinsurance,** and copayments paid pursuant to this Section shall be in addition to any other benefit or income available and paid to the injured officer for the disability due to the catastrophic injury.

\* \* \*

F. If the board determines the officer qualifies for the benefit payable under this Section, the board shall notify the state risk ~~manager~~ **director.**"

Respectfully submitted,

Senators:

Representatives:

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Senator Dale M. Erdey

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Representative John "Johnny" Berthelot

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Senator Barrow Peacock

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Representative Frank A. Howard

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Senator Gary L. Smith, Jr.

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Representative J. Rogers Pope

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The legislative instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Jerry J. Guillot.

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**CONFERENCE COMMITTEE REPORT DIGEST**

**SB 261**

**2018 Regular Session**

**Erdey**

**Keyword and summary of the bill as proposed by the Conference Committee**

**PUBLIC EMPLOYEES.** Provides for certain insurance benefits for firemen and law enforcement officers who suffer a catastrophic injury resulting in permanent and total disability caused by an individual with the specific intent to kill an officer while the fireman or officer is engaged in the performance of his official duties. (gov sig)

**Report adopts House amendments to:**

1. Make technical change.

**Report amends the bill to:**

1. Include coinsurance payments.
2. Change reference from state risk manager to state risk director.

**Digest of the bill as proposed by the Conference Committee**

Present law provides that in any case in which a fireman or law enforcement officer is determined by the Law Enforcement Officers and Firemen's Survivor Benefit Review Board or a court of competent jurisdiction to be permanently and totally disabled as the direct and proximate result of a catastrophic injury arising out of and in the course of the performance of the fireman's or officer's official duties, the following shall be paid by the state risk manager out of the Self-Insurance Fund, pursuant to a specific appropriation, on behalf of the officer from the date of the catastrophic injury as long as the officer is permanently and totally disabled:

(1) Premiums due from the fireman or officer for the amount and type of life, health, accident, accidental death and dismemberment, hospital, surgical, and medical expense insurance covering the officer and maintained by the fireman or officer through his employer at the time of the catastrophic injury. Proposed law retains present law.

Proposed law provides that if the injured officer no longer qualifies under (1) above, then premiums shall be paid for insurance that provides for life, health, accident, accidental death, and dismemberment, hospitals, surgical, and medical expense insurance similar to that maintained by the officer through his employer at the time of the catastrophic injury.

Present law provides that present law not apply to any premium due for insurance covering any other individual. Proposed law retains present law.

(2) Copayments and deductibles applicable to any insurance policy for which premiums are paid for healthcare benefits received by the fireman or officer.

Proposed law adds coinsurance to copayments and deductibles applicable to such policies. Otherwise retains present law.

Present law provides that the premiums, deductibles, and copayments paid pursuant to present law are in addition to any other benefit or income available and paid to the injured officer for the disability due to the catastrophic injury. Proposed law adds coinsurance to premiums, deductibles, and copayments paid; otherwise retains present law.

Present law provides that no benefit is payable pursuant to present law if the fireman or officer qualifies for federal or state life, health, accident, accidental death and dismemberment, hospital, surgical, or medical expense programs. Proposed law repeals this provision.

Present law provides that payment pursuant to present law shall be paid by the state risk manager. Proposed law changes reference of state risk manager to state risk director.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 40:1668(C) and (F); repeals R.S. 40:1668(G)(4))`