
DIGEST

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HB 217 Engrossed

2020 Regular Session

Frieman

Abstract: Prohibits an employer or insurer from authorizing or paying for an initial evaluation in regards to the employee's choice of physician.

Present law provides that, with regard to workers' compensation, the employee has the right to select one treating physician in any field or specialty. Also, present law provides that the workers' compensation judge shall set the hearing date for the matter within the requisite time period, and that the judge shall provide notice of the hearing date to both the employer and insurer.

Present law provides that the workers' compensation judge shall order the employer or payor to authorize the claimant's choice of physician, unless the employer or payor can show good cause for his refusal.

Present law provides that after his initial choice, the employee must obtain prior consent from the employer or the workers' compensation carrier in order to change his treating physician within that same field or specialty. However, present law provides that the employee is not required to obtain approval in regards to a treating physician in another field or specialty.

Proposed law retains present law and further requires that when the compensability of the claim has been denied, neither the employer nor insurer is obligated to authorize or pay for an initial evaluation in regard to the employee's choice of physician, until the trial court considers and rules on the issue of compensability.

Proposed law further requires that when the compensability of a specific body part or condition has been denied, neither the employer nor insured is obligated to authorize or pay for an initial evaluation in regard to the employee's choice of physician for the denied body part or condition, until the trial court considers and rules on the issue of compensability.

(Amends R.S. 23:1121(B)(1))