

SENATE COMMITTEE AMENDMENTS

2021 Regular Session

Amendments proposed by Senate Committee on Judiciary A to Reengrossed House Bill No. 263 by Representative Seabaugh

1 AMENDMENT NO. 1

2 On page 1, line 2 after "13:1875(7)," insert "R.S. 40:1231.8(C)(1)(a) and 1237.2(C)(1)(a),"

3 AMENDMENT NO. 2

4 On page 2, delete lines 6 through 8, and insert the following:

5 "(c) Notwithstanding any other provision of law to the contrary, the judges
6 of the City Court of Shreveport shall not engage in the practice of law, except any
7 judge may serve as the attorney member on a medical review panel pursuant to
8 R.S. 40:1231.8 or 1237.2.

9 * * *

10 Section 3. R.S. 40:1231.8(C)(1)(a) and R.S. 40:1237.2(C)(1)(a) are hereby
11 amended and reenacted to read as follows:

12 §1231.8. Medical Review Panel

13 * * *

14 C.

14 * * *

15 (1)(a) The office of the clerk of the Louisiana Supreme Court, upon
16 receipt of notification from the board, shall draw five names at random from the
17 list of attorneys who reside or maintain an office in the parish which would be
18 proper venue for the action in a court of law. ~~The~~ Except as provided in R.S.
19 13:1875(7), the names of judges, magistrates, district attorneys and assistant
20 district attorneys shall be excluded if drawn and new names drawn in their place.
21 After selection of the attorney names, the office of the clerk of the supreme court
22 shall notify the board of the names so selected. It shall be the duty of the board to
23 notify the parties of the attorney names from which the parties may choose the
24 attorney member of the panel within five days. If no agreement can be reached
25 within five days, the parties shall immediately initiate a procedure of selecting the
26 attorney by each striking two names alternately, with the claimant striking first
27 and so advising the health care provider of the name of the attorney so stricken;
28 thereafter, the health care provider and the claimant shall alternately strike until
29 both sides have stricken two names and the remaining name shall be the attorney
30 member of the panel. If either the plaintiff or defendant fails to strike, the clerk of
31 the Louisiana Supreme Court shall strike for that party within five additional
32 days.

33 §1237.2. Sate Medical Review Panel

34 * * *

35 C.(1)

35 * * *

36 (a) The office of the clerk of the Louisiana Supreme Court, upon receipt of
37 notification from the commissioner, shall draw five names at random from the list
38 of attorneys who reside or maintain an office in the parish which would be proper
39 venue for the action in a court of law. ~~The~~ Except as provided in R.S. 13:1875(7),
40 the names of judges, magistrates, district attorneys, and assistant district attorneys
41 shall be excluded if drawn and new names drawn in their place. After selection of
42 the attorney names, the office of the clerk shall notify the office of the
43 commissioner of the names so selected. It shall be the duty of the office of the
44 commissioner to notify the parties of the attorney names from which the parties
45 may choose the attorney member of the panel within five days. If no agreement
46 can be reached within five days, the parties shall immediately initiate a procedure
47 of selecting the attorney by each striking two names alternately, with the claimant
48 striking first and so advising the state or the person covered by this Part of the
49 name of the attorney so stricken; thereafter, the state or the person covered by this

1 Part and the claimant shall alternately strike until both sides have stricken two
2 names and the remaining name shall be the attorney member of the panel. If
3 either party fails to strike, the clerk shall strike for that party within five
4 additional days."