HLS 22RS-1364 ENGROSSED

2022 Regular Session

HOUSE BILL NO. 896

BY REPRESENTATIVE MCFARLAND

CIVIL/DAMAGES: Provides for limitations on recoverable past medical expenses

1 AN ACT 2 To amend and reenact R.S. 9:2800.27(G), relative to recoverable past medical expenses; to 3 provide for exemptions; to provide for prospective application; and to provide for 4 related matters. 5 Be it enacted by the Legislature of Louisiana: 6 Section 1. R.S. 9:2800.27(G) is hereby amended and reenacted to read as follows: 7 §2800.27. Recoverable past medical expenses; collateral sources; limitations; 8 evidence 9 10 G. This Section shall not apply in cases brought pursuant to R.S. 40:1231.1 11 et seq.<del>, or</del> R.S. 40:1237.1 et seq.<del>, or R.S. 13:5101 et seq.</del> 12 Section 2. This Act shall have prospective application only, for causes of action 13 arising on or after the effective date of this Act.

## DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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McFarland

**Abstract:** Eliminates the exception from the limitation on the recovery of past medical expenses for claims brought against the state.

<u>Present law</u> provisions regarding recoverable past medical expenses do not apply in medical malpractice claims or in suits against the state, state agencies, or political subdivisions.

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CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

<u>Proposed law</u> repeals <u>present law</u> exception for suits against the state, state agencies, or political subdivisions.

<u>Proposed law</u> shall have prospective application only, for causes of action arising on or after the effective date of <u>proposed law</u>.

(Amends R.S. 9:2800.27(G))

## Summary of Amendments Adopted by House

The Committee Amendments Proposed by <u>House Committee on Civil Law and Procedure</u> to the <u>original</u> bill:

- 1. Remove provisions regarding the recovery of amounts payable by insurance, Medicare, or Medicaid.
- 2. Add a provision for prospective application only.