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## DIGEST

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HB 200 Original

2024 Regular Session

Melerine

**Abstract:** Prohibits an insurer from recovering past payments of workers' compensation premiums from an insured.

Proposed law prohibits an insurer from collecting past payments of workers' compensation premiums from an insured for a claim that arises out of the misclassification of an employee, unless, the insurer provides written notice to the insured by certified mail or by any other reasonable commercial courier within 90 days of discovery of the misclassification.

Proposed law prohibits an insurer from recovering past payments on premiums, if the insurer conducts an audit and fails to notify the insured by the aforementioned notification requirements. Proposed law clarifies that an audit by the insurer shall serve as notice to the insured.

Proposed law prohibits an insurer from collecting past payments on premiums that occurred three years prior to the insured being notified of the misclassification, unless it is determined by a court of competent jurisdiction that the misclassification was a result of fraud by the insured.

(Adds R.S. 23:1172.3)