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**HOUSE FLOOR AMENDMENTS**

2024 Regular Session

Amendments proposed by Representative Wright to Engrossed House Bill No. 315 by Representative Mike Johnson

1 AMENDMENT NO. 1

2 On page 1, line 2, after "3493.12" and before the comma "," insert "and Code of Civil  
3 Procedure Article 1424.1"

4 AMENDMENT NO. 2

5 On page 1, at the end of line 3, delete "and" and insert "to provide relative to discovery in  
6 personal injury actions; and"

7 AMENDMENT NO. 3

8 On page 1, at the beginning of line 9, insert "A."

9 AMENDMENT NO. 4

10 On page 1, between lines 13 and 14, insert the following:

11 "B. Prescription for delictual actions related to personal injury is subject to  
12 the provisions of Code of Civil Procedure Article 1424.1."

13 AMENDMENT NO. 5

14 On page 1, between lines 18 and 19, insert the following:

15 "Section 2. Code of Civil Procedure Article 1424.1 is hereby enacted  
16 to read as follows:

17 Art. 1424.1. Personal injury; discovery; medical treatment; limitation  
18 on recovery

19 Any action for personal injury is subject to the following conditions and  
20 restrictions relative to production and disclosure:

21 (1) A plaintiff who intends to pursue a personal injury action shall advise the  
22 alleged tortfeasor and his insurer, if known, in writing within ninety days of  
23 receiving accident-related medical treatment.

24 (2) If the medical treatment is not disclosed to the alleged tortfeasor and his  
25 insurer within one hundred eighty days of receipt of the treatment, recovery for the  
26 plaintiff's medical treatment shall be no greater than one hundred twenty percent of  
27 the Medicare reimbursement rate in effect on the date of the claimant's incurred  
28 medical treatment or services, or, if there is no applicable Medicare rate for a service,  
29 one hundred seventy percent of the applicable state Medicaid rate.

30 (3) The insurer, the alleged tortfeasor, and any other known defendants in  
31 a personal injury action may conduct discovery prior to suit being filed. Discovery  
32 includes written discovery, examination under oath of the plaintiff, any potential  
33 witnesses, and the plaintiff's treating physicians and other experts."

- 1 AMENDMENT NO. 6
- 2 On page 1 at the beginning of line 19, change "Section 2." to "Section 3."