

RÉSUMÉ DIGEST

ACT 648 (HB 456)

2026 Regular Session

Chenevert

Relative to worker's compensation, prior law provided that a petition required by existing law (R.S. 23:1310.3) shall set forth all of the following:

- (1) The names and addresses of the parties, including but not limited to the employee, the employer, any insurer, any healthcare provider, and any other party.
- (2) A statement of the time, place, nature, and cause of the injury, or any other fairly equivalent information that would put the employer on notice with respect to the identity of the parties.
- (3) The specific compensation benefit that is due but was not paid or provided.

New law instead provides that the petition shall set forth all of the following:

- (1) The names and addresses of the parties, including but not limited to the employee, the employer, any insurer, any healthcare provider, and any other party.
- (2) A statement of the time, place, nature, and cause of the injury, or any other fairly equivalent information that would put the parties on notice with respect to the identity of the parties.
- (3) Sufficient factual statements to fairly put the parties on notice concerning the specific compensation benefit that is alleged to be due pursuant to existing law (R.S. 23:1020.1 et seq.) but which has not been paid or is not being provided or the entitlement to which is disputed.
- (4) A prayer for relief including a concise statement of the specific benefits or other relief sought by the petitioner.

Prior law provided that, notwithstanding any other provision of existing law, the employer or payor shall be permitted to file a disputed claim against an employee, his dependent, or beneficiary only when the employer or payor alleges the employee, his dependent, or beneficiary has committed fraud as provided in existing law (R.S. 23:1208) which caused the employer or payor to pay a benefit which was not due to the employee, his dependent, or beneficiary, or when the employer or payor is an aggrieved party appealing a decision of the medical director pursuant to existing law (R.S. 23:1203.1(K)).

New law instead provides that, notwithstanding any other provision of existing law (R.S. 23:1314), the employer or payor shall be permitted to file a disputed claim against an employee, his dependent, or his beneficiary to controvert benefits or concerning any other dispute arising pursuant to provisions of existing law (R.S. 23:1201 et seq.).

Effective August 1, 2026.

(Amends R.S. 23:1311 and 1314(E)(1))