

(2)(a) For injuries occurring before July 1, 2004, and on or after July 1, ~~2009~~ **2011**, if an employer becomes liable for the payment of death benefits under the provisions of this Chapter, said employer or, if insured, his insurer shall be entitled to reimbursement from the workers' compensation Second Injury Fund for all death benefit payments payable after the first one hundred seventy-five weeks of payments, provided that death benefits are actually paid by said employer or his insurer under the provisions of this Chapter, and provided that the deceased employee of the employer died as a result of a combination of a preexisting permanent partial disability and a subsequent compensable injury or the employee's death would not have occurred but for the preexisting permanent partial disability. Such payments shall be reimbursed provided they are submitted to the board within one year of the approval for reimbursement or within one year of the payment of such death benefits, whichever occurs later.

(b) For injuries occurring on or after July 1, 2004, and before July 1, ~~2009~~ **2011**, if an employer becomes liable for the payment of death benefits under the provisions of this Chapter, said employer or, if insured, his insurer shall be entitled to reimbursement from the workers' compensation Second Injury Fund for all death benefit payments payable after the first one hundred thirty weeks of payments, provided that death benefits are actually paid by the employer or his insurer under the provisions of this Chapter, and provided that the deceased employee of the employer died as a result of a combination of a preexisting permanent partial disability and a subsequent compensable injury or the employee's death would not have occurred but for the preexisting permanent partial disability. Such payments shall be reimbursed provided they are submitted to the board within one year of the approval for reimbursement or within one year of the payment of such death benefits, whichever occurs later.

(3)(a) For injuries occurring before July 1, 2004, and on or after July 1, ~~2009~~ **2011**, if an employee who has a permanent partial disability incurs a subsequent injury arising out of and in the course of his employment resulting in liability for disability due to the merger of the subsequent injury with the preexisting permanent partial disability, the employer or, if insured, the insurer shall be reimbursed from the Second Injury Fund for medical expenses actually paid and payable in accordance with R.S. 23:1203 as follows:

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(b) For injuries occurring on or after July 1, 2004, and before July 1, ~~2009~~ **2011**, if an employee who has a permanent partial disability incurs a subsequent injury arising out of and in the course of his employment resulting in liability for disability due to the merger of the subsequent injury with the preexisting permanent partial disability, the employer or, if insured, the insurer shall be reimbursed from the Second Injury Fund for medical expenses actually paid and payable in accordance with R.S. 23:1203 as follows:

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(7) Upon the board's approval of a claim for reimbursement, and on an annual basis thereafter, the insurer shall report to the board an estimate of the future medical and indemnity liability to the injured employee on a form promulgated by the director. The report shall be submitted to the board each year at the same time the annual report required by R.S. 23:1291.1 is submitted to the office of workers' compensation administration.

(a) For injuries occurring before July 1, 2004, and on or after July 1, ~~2009~~ **2011**, upon the board's approval of a claim for reimbursement, the insurer shall immediately certify to the board that the medical reserve has been reduced to no more than seven thousand five hundred dollars, and the weekly disability benefits (indemnity) reserve does not exceed one hundred four weeks of indemnity. In the event of a death claim, the weekly benefits reserve will be no more than one hundred seventy-five weeks. No reimbursement will be made to the insurer unless such insurer complies with the provisions of this Paragraph. The Louisiana Insurance Guaranty Association shall be entitled to reimbursement, but only to the extent of the proportion of the Second Injury Fund assessment paid by insurance companies.

(b) For injuries occurring on or after July 1, 2004, and before July 1, ~~2009~~ **2011**, upon the board's approval of a claim for reimbursement, the insurer shall immediately certify to the board that the medical reserve has been reduced to no

1 more than twenty-five thousand dollars, and the weekly disability benefits
2 (indemnity) reserve does not exceed one hundred thirty weeks of indemnity. In the
3 event of a death claim, the weekly benefits reserve will be no more than one hundred
4 thirty weeks. No reimbursement will be made to the insurer unless such insurer
5 complies with the provisions of this Paragraph. The Louisiana Insurance Guaranty
6 Association shall be entitled to reimbursement, but only to the extent of the
7 proportion of the Second Injury Fund assessment paid by insurance companies.
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