

Regular Session, 2012

HOUSE BILL NO. 126

BY REPRESENTATIVES DIXON AND BROADWATER

LIABILITY: Limits civil liability of the members of the Workers' Compensation Advisory Council

1 AN ACT

2 To enact R.S. 23:1203.1(O) and 1294(C), relative to the Workers' Compensation; to provide
3 for immunity from legal proceedings to the Medical Advisory Council; to provide
4 for immunity from legal proceedings to the Workers' Compensation Advisory
5 Council; to provide with respect to subpoenas; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 23:1203.1(O) and 1294(C) are hereby enacted to read as follows:

8 §1203.1 Medical treatment schedule

9 * * *

10 O. No member of the council shall be liable in any civil action or subject to
11 subpoena for the purpose of testifying in any legal proceeding as a result of the
12 execution of his duties pursuant to this Section. This prohibition shall extend to
13 discovery, both written and oral.

14 * * *

15 §1294. Workers' Compensation Advisory Council

16 * * *

17 C. No member of the council shall be liable in any civil action or subject to
18 subpoena for the purpose of testifying in any legal proceeding as a result of the
19 execution of his duties pursuant to this Section. This prohibition shall extend to
20 discovery, both written and oral.

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)]

Dixon

HB No. 126

Abstract: Provides for civil immunity for members of the Medical Advisory Council and the Workers' Compensation Advisory Council.

Present law creates the Medical Advisory Council and provides for its membership and duties.

Present law creates the Workers' Compensation Advisory Council and provides for its membership and duties.

Proposed law provides that no member of the Medical Advisory Council or the Workers' Compensation Advisory Council shall be liable for any action performed as a result of his duties as a member.

Proposed law provides that no member of the Medical Advisory Council or the Workers' Compensation Advisory Council shall be subject to a subpoena for the purpose of testifying in any legal proceeding in his capacity as a council member. Extends this prohibition to discovery, both written and oral.

(Adds R.S. 23:1203.1(O) and 1294(C))

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Civil Law and Procedure to the original bill.

1. Broadened subpoena prohibition from depositions and interrogatories to all discovery mechanisms.

House Floor Amendments to the engrossed bill.

1. Extended civil immunity to members of the Medical Advisory Council.