

Regular Session, 2012

SENATE BILL NO. 430

BY SENATOR MURRAY

WORKERS' COMPENSATION. Extends developmental injury prescription exception from two years to up to three years from date of accident. (8/1/12)

1 AN ACT

2 To amend and reenact R.S. 23:1209(A)(3), and to enact R.S. 23:1209(A)(4), relative to
3 workers' compensation; provides for the prescriptive period of developmental
4 injury; to provide for payout of temporary total disability benefits under certain
5 circumstances; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 23:1209(A)(3) is hereby amended and reenacted and R.S.
8 23:1209(A)(4) is hereby enacted to read as follows:

9 §1209. Prescription; timeliness of filing; dismissal for want of prosecution

10 A. * * *

11 (3) When the injury does not result at the time of or develop immediately
12 after the accident, the limitation shall not take effect until expiration of one year from
13 the time the injury develops, but in all such cases the claim for payment shall be
14 forever barred unless the proceedings have been begun within ~~two~~ three years from
15 the date of the accident.

16 **(4) However, in all such cases described in Paragraph (3) above, where**
17 **the proceedings have begun after two years from the date of the work accident**

