

Regular Session, 2012

HOUSE BILL NO. 1083

BY REPRESENTATIVE PYLANT

1 AN ACT

2 To amend and reenact R.S. 23:1201.4, relative to workers' compensation; to provide for the
3 forfeiture of certain benefits while incarcerated; to provide with respect to work
4 release; to provide with respect to a transitional work program; to provide with
5 respect to medical benefits; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 23:1201.4 is hereby amended and reenacted to read as follows:

8 §1201.4. Forfeiture of benefits while incarcerated; exclusions; medical expenses

9 A. The Except as provided in Subsection B of this Section, the employee's
10 right to compensation benefits, including medical expenses, is forfeited during any
11 period of incarceration, unless a workers' compensation judge finds that an employee
12 has dependents who rely on a compensation award for their support, in which case
13 said compensation shall be made payable and transmitted to the legal guardian of the
14 minor dependent or other person designated by the workers' compensation judge and
15 such payments shall be considered as having been made to the employee. After
16 release from incarceration, the employee's right to claim compensation benefits shall
17 resume. An employee who is incarcerated but is later found to be not guilty of
18 felony criminal charges or against whom all felony charges have been dismissed by
19 the prosecutor shall have the prescriptive period for filing a claim for benefits under
20 this Chapter extended by the number of days he was incarcerated.

1 B. When an employee has been assigned to a work release or transitional
2 work program and has been injured as a result of such assignment, the provisions of
3 this Section shall not be construed to limit the obligation of the employer to pay
4 medical expenses to a health care provider when such medical expenses would be
5 otherwise compensable under the Workers' Compensation Act.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____