

Existing law provides that an injured employee has no right to workers' compensation benefits during a period of incarceration.

Existing law provides that if the incarcerated injured worker has a dependent who relies on the compensation for support, a workers' compensation judge may order that the compensation is paid to the dependent's guardian.

Existing law provides that the injured employee is eligible to resume collection of compensation benefits upon his release from incarceration.

Existing law provides that if the injured employee is later found to be not guilty of the felony charges, that the prescriptive period for filing a claim will be extended for the number of days in which he was incarcerated.

New law provides that existing law shall not apply to medical expenses incurred when an employee has been assigned to work release or a transitional work program and is injured during his participation in such program.

New law further provides that existing law shall not be construed to limit the obligation of an employer to pay medical expenses that would otherwise be compensable under the Workers' Compensation Act.

Effective August 1, 2012.

(Amends R.S. 23:1201.4)