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HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Broadwater to Engrossed House Bill No. 450 by Representative Ivey

1 AMENDMENT NO. 1

2 On page 1, line 2, delete "R.S. 23:1203.1(J) and (M)" and insert in lieu thereof "R.S.
3 23:1203.1(A), (J), (K), and (M), and to enact R.S. 23:1203.1.1,"

4 AMENDMENT NO. 2

5 On page 1, line 4, after "director;" and before "to" insert "to provide for an associate medical
6 director; to provide with respect to his qualifications; to provide definitions;"

7 AMENDMENT NO. 3

8 On page 1, line 7, after "Section 1." delete the remainder of the line and insert in lieu thereof
9 "R.S. 23:1203.1(A), (J), (K), and (M) are hereby amended and reenacted and R.S.
10 23:1203.1.1 is hereby enacted to read as"

11 AMENDMENT NO. 4

12 On page 1, delete lines 9 through 20, and on page 2, delete lines 1 through 6, insert the
13 following in lieu thereof:

14 " §1203.1. ~~Medical~~ Definitions; medical treatment schedule; medical advisory
15 council

16 A. For use in this Section, the following terms shall have the following
17 meanings, unless clearly indicated otherwise by the context:

18 (1) "Associate medical director" means a physician who is licensed to
19 practice medicine in the state of Louisiana and has been chosen by the director of the
20 office of workers' compensation administration pursuant to Subparagraph (F)(5)(a)
21 of this Section.

22 (2) "Council" means the medical advisory council appointed by the director
23 of the office of workers' compensation administration.

24 (2) (3) "Director" means the director of the office of workers' compensation
25 administration.

26 (4) "Medical director" means a physician who is licensed to practice
27 medicine in the state of Louisiana and has been chosen by the director of the office
28 of workers' compensation administration pursuant to Subparagraph (F)(5)(a) of this
29 Section.

30 (3) (5) "Office" means the office of workers' compensation administration
31 of the Louisiana Workforce Commission.

32 (4) (6) "Schedule" means the medical treatment schedule to be developed by
33 the council and promulgated by the office and the director.

34 * * *

35 J. After a medical provider has submitted to the payor the request for
36 authorization and the information required by the Louisiana Administrative Code,
37 Title 40, Chapter 27, the payor shall notify the medical provider of their action on
38 the request within five business days of receipt of the request. If any dispute arises
39 after January 1, 2011, as to whether the recommended care, services, or treatment is

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1 in accordance with the medical treatment schedule, or whether a variance from the
2 medical treatment schedule is reasonably required as contemplated in Subsection 1
3 of this Section, any aggrieved party shall file, within fifteen calendar days, an appeal
4 with the office of workers' compensation administration medical director or associate
5 medical director on a form promulgated by the director. The medical director or
6 associate medical director shall render a decision as soon as is practicable, but in no
7 event, not more than thirty calendar days from the date of filing.

8 K. After the issuance of the decision by the medical director or associate
9 medical director of the office, any party who disagrees with the ~~medical director's~~
10 decision, may then appeal by filing a "Disputed Claim for Compensation", which is
11 LWC Form 1008. The decision ~~of the medical director~~ may be overturned when it
12 is shown, by clear and convincing evidence, the decision of the medical director or
13 associate medical director was not in accordance with the provisions of this Section.

14 * * *

15 AMENDMENT NO. 5

16 On page 2, after line 17, insert the following:

17 "§1203.1.1. Medical director and associate medical director

18 A. The director shall hire a medical director and an associate medical
19 director to render decisions on disputed cases filed pursuant to R.S. 23:1203.1(J).

20 B. The medical director and associate medical director shall be full-time
21 public employees of the office of workers' compensation administration and shall not
22 engage in the practice of medicine outside the office."