

2016 Regular Session

HOUSE BILL NO. 345

BY REPRESENTATIVE BROADWATER

WORKERS COMPENSATION: Provides relative to confidentiality with respect to workers' compensation

1 AN ACT

2 To amend and reenact R.S. 23:1293(A)(5), relative to workers' compensation; to provide for
3 the confidentiality of records; to provide for exceptions; and to provide for related
4 matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 23:1293(A)(5) is hereby amended and reenacted to read as follows:

7 §1293. Confidentiality of records; exceptions; penalties for violation

8 A.

9 * * *

10 (5) Nothing in this Section shall prohibit the communication of the name of
11 an employer and the name of his insurer or membership in a group self-insurance
12 fund as of a specific date. The office of workers' compensation administration shall
13 not provide information which shall allow a requesting party to obtain the identity
14 of all members or insured employers of a particular carrier or group self-insurance
15 fund, either through individual requests or multiple requests. The office of workers'
16 compensation administration shall not provide the effective dates of coverage for a
17 specific employer, or groups of employers, either through individual requests or
18 multiple requests, except to third party entities providing insurance support
19 organization services for workers' compensation compliance, monitoring, reporting,
20 enforcement, and fraud identification.

21 * * *

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)]

HB 345 Original

2016 Regular Session

Broadwater

Abstract: Allows the disclosure of workers' compensation information to certain third party entities who provide insurance support organization services.

Present law requires that all of an employee's medical records, records of payment of compensation, and rehabilitation be kept confidential.

Present law does not prohibit the communication of documents to the employee, his representatives, a prosecuting attorney, state police, public safety, Dept. of Public Safety and Corrections, insurance fraud investigation, or to the attorney general of this state.

Present law does not allow the disclosure of the identity of all members or insured employers part of a particular carrier or group fund, or the disclosure of dates for coverage for a specific employer or group of employers. Proposed law provides an exception to present law to allow disclosures to third party entities who provide insurance support organization services for workers' compensation compliance, monitoring, reporting, enforcement, and fraud identification.

(Amends R.S. 23:1293(A)(5))