

July 6, 2009

Mr. Alfred W. Speer  
Clerk of the House of Representatives  
State Capitol  
Baton Rouge, LA 70802

Re: House Bill No. 658 by Representative Roy  
WORKERS COMPENSATION: Provides relative to the prescriptive period for claiming  
workers' compensation benefits

Dear Mr. Speer:

House Bill No. 658 by Representative Roy will allow employees to wait up to three years to claim disability and seek indemnity benefits when no immediate disability occurs at the time of the accident. I have received a request to veto this legislation from the Louisiana Workers' Compensation Corporation, the Louisiana Association of Self-Insured Employers, the Property Casualty Insurers Association of America, the Louisiana Restaurant Association Self Insurer's Fund, and LUBA Workers' Compensation.

The Office of Risk Management projects the fiscal impact of House Bill No. 658 on the state workers' compensation system at approximately \$200,000, approximately 1% of the state's total claim costs. Applying that same percentage to the private system, which paid total benefits of \$790 million in 2008, the industry-wide impact of House Bill No. 658 could be in the range of \$7.9 million annually. I understand that the Workers' Compensation Claims Counsel worked with the author of the bill to address hardship caused to a small class of developmental disability claims involving workers who return to work after an accident and continue to receive care, but do not require surgery until more than two years later. The final version of the bill, however, is not narrowly tailored to achieve this specific objective. By applying to *all* delayed-injury claims, this provision would have an unacceptable impact on the setting of reserves and the costs of premiums and litigation for employers and insurers.

For these reasons, I have vetoed House Bill No. 658 and hereby return it to the House of Representatives.

Sincerely yours,

Bobby Jindal  
Governor

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