

**LOUISIANA STATE UNIVERSITY
HEALTH CARE SERVICES DIVISION
BATON ROUGE, LOUISIANA**

POLICY NUMBER: 7001-25

CATEGORY: Legal

CONTENT: HCSD Policy And Procedure On Disposition Of Medical Bills In The Settlement Of A Medical Malpractice Claim Or Suit

APPLICABILITY: This policy is applicable to all workforce members of the LSU Health Care Services Division (LSU HCSD) facilities, including employees, physician/practitioner practices, vendors, agencies, business associates, and affiliates. Any reference herein to LSU HCSD also applies and pertains to Lallie Kemp Medical Center.

EFFECTIVE DATE:

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INQUIRIES TO: HCSD, Legal
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Note: Approval signatures/titles of policy owner/creator are on the last page

**LSU HCSD POLICY AND PROCEDURE ON DISPOSITION OF
MEDICAL BILLS IN THE SETTLEMENT OF A
MEDICAL MALPRACTICE CLAIM OR SUIT**

I. POLICY STATEMENT

Upon the request and advice of the Attorney General of Louisiana, attorneys acting on the Attorney General's behalf, or attorneys assigned to defend medical malpractice claims against LSU Health Care Services Division (HCSD), its hospitals, or personnel, the Chief Executive Officer (CEO) or his designee may waive the medical bills owed by a patient, who is claiming medical malpractice, in exchange for amicably settling the claim.

The request shall be in written form and signed by the requesting attorney. The HCSD CEO or a designee may seek the advice of in-house counsel, hospital administrator, and employees involved in the matter. However, the CEO or designee is not required to consult these parties prior to waiving bills to settle a medical malpractice claim.

Either the CEO or the designee may authorize the waiver and one is not preferential to the other. When neither the CEO nor the designee is available, and there is an emergency, another person may be designated to act on their behalf and shall have authority to authorize a waiver during the absence.

Note: Any reference herein to the Health Care Services Division (HCSD) also applies and pertains to the Health Care Services Division (HSCSD).

II IMPLEMENTATION

This policy and subsequent revisions to the policy shall become effective upon approval and signature of the Board of Directors.

III. PROCEDURE

- A. Requests for a waiver of medical bills to settle a medical malpractice claim should be made in writing by the Attorney General of Louisiana, attorneys acting on the Attorney General's behalf, or attorneys assigned to defend medical malpractice claims against HCSD, its hospitals, and personnel.
- B. The request should briefly indicate the facts of the case.
- C. The request should be referred to HCSD's Legal Counsel for evaluation and possible consultations with the requesting attorney who is defending HCSD, its hospitals, or personnel, and HCSD employees.

- D. The Legal Section should forward a brief written evaluation and suggestion, with the written request for a waiver, to the CEO or designee for review and approval or denial.
- E. The approval or denial should be written on the evaluation and suggestion document s
- F. Once approved or denied, the Legal Section should inform the requesting attorney of the decision. If the request has been granted (agreement to waive the medical bills to settle the medical malpractice claim) and the medical malpractice claimant accepts the settlement, the attorney who requested the waiver will be required to advise the CEO and Chief Financial Officer (where the medical bill is to be waived) in writing that the medical bills are to be waived.

II. EXCEPTION

The HCSD CEO or designee may waive, suspend, change, or otherwise deviate from any provision of this policy they deem necessary to meet the needs of the agency as long as it does not violate the intent of this policy, state and/or federal laws, Civil Service Rules and Regulations, LSU Policies/Memoranda, or any other governing body regulations.

Waiver of Medical Charges in a
Medical Malpractice Claim

HEALTH CARE SERVICES DIVISION
HCSD LEGAL COUNSEL

DATE: (DATE)

TO: (NAME)
Chief Executive Officer or Designee

FROM: (NAME)
General Counsel

RE: Waiver of Medical Bills for (PATIENT'S NAME)
Claiming Medical Malpractice

(FACTS – MAY SIMPLY REFER TO LETTER AND MATERIALS FROM
AG's LAWYER)

(REASONING – MAY SIMPLY REFER TO LETTER AND MATERIALS
FROM AG's LAWYER)

(SUGGESTION)

(NAME)
General Counsel

I concur / I do not concur (circle one)

(NAME)
Chief Executive Officer or Designee

Comments:

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05/05/2025

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05/05/2025