

LOUISIANA COURT OF APPEAL, FIRST CIRCUIT

Thomas Williams, individually and on behalf of Hilda Williams v.
Hometown Senior Care, LLC and Stacy D. Jones, M.D.

No. 2026 CW 0195 (La. Ct. App. 2026) (La. Ct. App. 2026) · No. 2026 CW 0195 · Decided April 20, 2026

SUMMARY

The Louisiana Court of Appeal, First Circuit granted supervisory writs and reversed the district court’s denial of defendants’ exception of prescription. The court held that the medical malpractice claims against the non-qualified health care provider and its liability insurer were untimely because the request for review did not suspend prescription beyond the applicable ninety-day period after notice of non-qualification.

CASE DETAILS

COURT	Louisiana Court of Appeal, First Circuit
WRITING FOR THE COURT	Lanier, J.; Wolfe, J.; Hester, J.
JURISDICTION	Louisiana Court of Appeal, First Circuit
DECIDED	April 20, 2026
DOCKET	2026 CW 0195
DISPOSITION	writ_granted
PROCEDURAL POSTURE	Defendants Hometown Senior Care, LLC and Massachusetts Bay Insurance Company applied for a supervisory writ challenging the district court's denial of their exception of prescription in a medical malpractice action.
STANDARD OF REVIEW	The opinion does not expressly state a standard of review.
PRECEDENTIAL VALUE	unknown
PARTIES	Hometown Senior Care, LLC, Massachusetts Bay Insurance Company v. Thomas Williams, individually and on behalf of Hilda Williams

TOPICS

- writ of certiorari
- medical malpractice
- statute of limitations
- appellate procedure
- civil procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether plaintiff's medical malpractice claim against the non-qualified health care provider was prescribed.
2. Whether the timely filing of a request for review against other qualified health care providers suspended prescription as to Hometown Senior Care, LLC, a non-qualified provider and alleged joint tortfeasor, beyond ninety days after notice that it was not covered under the Louisiana Medical Malpractice Act.

HOLDINGS

1. The claim was untimely because the applicable prescriptive period expired before plaintiff filed the petitions against Hometown.

KEY QUOTATIONS

“The prescriptive period for filing a medical malpractice claim is one year from the date of the alleged act, omission, or neglect, or within one year from the date of discovery of the alleged act, omission, or neglect.”

“Here, the timely filing of a claim with the Patients Compensation Fund against other defendants, who were deemed qualified health care providers, and against Hometown Senior Care, LLC, who was a non-qualified provider, did not suspend prescription for the medical malpractice claim against the non-qualified defendant, as joint tortfeasor, beyond ninety days after notice.”

FACTUAL BACKGROUND

Thomas Williams asserted a medical malpractice claim against Hometown Senior Care, LLC and other defendants. Hometown was a non-qualified health care provider under the Louisiana Medical Malpractice Act, and plaintiff received certified notice on April 6, 2022 that Hometown was not covered. Plaintiff filed petitions against Hometown on August 8, 2022 and July 25, 2024, after the court determined that the applicable prescriptive period had expired.

PROCEDURAL HISTORY

The Nineteenth Judicial District Court for East Baton Rouge Parish denied defendants' exception of prescription on December 16, 2025. The Louisiana Court of Appeal, First Circuit, granted supervisory relief, reversed the judgment, granted the exception of prescription, and dismissed plaintiff's claims against Hometown Senior Care, LLC and Massachusetts Bay Insurance Company.

DISPOSITION

writ_granted

CASES CITED

- Maestri v. Pazos, 2015-9 (La. App. 5th Cir. 5/28/15), 171 So. 3d 369

OPINION

PER CURIAM.

STATE OF LOUISIANA COURT OF APPEAL, FIRST CIRCUIT THOMAS WILLIAMS, NO. 2026 CW 0195 INDIVIDUALLY, AND ON BEHALF OF HILDA WILLIAMS VERSUS HOMETOWN SENIOR CARE, LLC APRIL 20, 2026 AND STACY D. JONES, M.D. In Re: Hometown Senior Care, LLC and Massachusetts Bay Insurance Company, applying for supervisory writs, 19th Judicial District Court, Parish of East Baton Rouge, No. 722,057.

BEFORE: LANIER, WOLFE, AND HESTER, Jd. WRIT GRANTED. The district court's December 16, 2025 judgment denying the exception of prescription filed by defendants, Hometown Senior Care, LLC, and its liability insurer, Massachusetts Bay Insurance Company, is reversed. Plaintiff's filing of the medical malpractice claim against defendants was untimely.

The prescriptive period for filing a medical malpractice claim is one year from the date of the alleged act, omission, or neglect, or within one year from the date of discovery of the alleged act, omission, or neglect. La. R.S. 9:5628(A). Further, where a health care provider is not qualified under the Louisiana Medical Malpractice Act, the filing of a request for review suspends prescription until ninety days following notification by certified mail to the claimant or his counsel that the provider is not covered.

La. R.S. 40:1231.8(A) (2) (a). Here, the timely filing of a claim with the Patients Compensation Fund against other defendants, who were deemed qualified health care providers, and against Hometown Senior Care, LLC, who was a non-qualified provider, did not suspend prescription for the medical malpractice claim against the non-qualified defendant, as joint tortfeasor, beyond ninety days after notice.

See *Maestri v. Pazos*, 2015-9 (La. App. Sth Cir. 5/28/15), 171 So.3d 369. Plaintiff was notified by certified letter on April 6, 2022 that Hometown Senior Care, LLC was a non-qualified health care provider. Therefore, the prescriptive period for filing a claim against defendant ended on July 8, 2022, or July 25, 2022 at the latest.

The petitions filed on August 8, 2022 and July 25, 2024 were thus prescribed. Accordingly, the exception of prescription filed by Hometown Senior Care, LLC, and its liability insurer, Massachusetts Bay Insurance Company, is granted, and plaintiff's claims against these defendants are dismissed. WIL EW CHH "CONRT OF APPEAL, FIRST CIRCUIT. # oy ~ i é. J utd aL VY Wiwo PUTY CLERK OF COURT "/ FOR THE COURT