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 DIGEST

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SB 36 Reengrossed

2019 Regular Session

Mills

Proposed law provides legislative intent regarding the need to regulate emergency departments, to protect the public health and welfare, and to preserve rural hospitals.

Proposed law provides definitions.

Proposed law requires that emergency departments be licensed by the La. Department of Health (LDH) as part of the main campuses of hospitals or as separate off-site campuses of existing licensed hospitals.

Proposed law prohibits licensing of freestanding emergency departments in this state.

Proposed law prohibits licensing of hospital off-site campus emergency departments within the primary service areas of rural hospitals or rural referral centers as defined by present law. Provides, however, that the prohibition shall not apply to a nonprofit hospital licensed by LDH which obtained a building or construction permit for a new off-site campus prior to April 1, 2019.

Effective August 1, 2019.

(Adds R.S. 40:2115.31 through 2115.33)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Health and Welfare to the original bill

1. Removes legislative intent declaring that the public health and welfare is not promoted by freestanding emergency departments which are not part of a licensed hospital and do not have inpatient hospital services.
2. Makes technical corrections.

Senate Floor Amendments to engrossed bill

1. Specifies that such prohibition shall not apply to a nonprofit hospital licensed by the Department of Health and that has obtained a building or construction permit for a new off-site campus prior to April 1, 2019.

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Health and Welfare to the reengrossed bill:

1. Define "rural referral center" to mean an entity classified as a rural referral center pursuant to the provisions of federal law, 42 U.S.C. 1395ww(d)(5)(C).
2. Prohibit the La. Department of Health from issuing a license to any off-site campus emergency department within the primary service area of a rural referral center.
3. Make technical changes.