

2021 Regular Session

HOUSE BILL NO. 187

BY REPRESENTATIVE BAGLEY

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

HEALTH/HOME CARE: Amends laws relative to home health care

1 AN ACT

2 To amend and reenact R.S. 40:2116.31(B) and 2116.34(A)(1), (7), and (10)(c) through (f),
3 relative to home health services; to define authorized healthcare provider; to
4 authorize nurse practitioners, clinical nurse specialists, and physician assistants to
5 order home health services; to provide rules and regulations for nurse practitioners,
6 clinical nurse specialists, and physician assistants; to provide for administrators of
7 home health agencies; to provide for an effective date; and to provide for related
8 matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 40:2116.31(B) and 2116.34(A)(1), (7), and (10)(c) through (f) are
11 hereby amended and reenacted to read as follows:

12 §2116.31. Scope, purpose; definitions

13 * * *

14 B. For the purpose of this Part unless the context clearly otherwise requires:

15 (1) "Authorized healthcare provider" means a physician, nurse practitioner,
16 clinical nurse specialist, or physician assistant licensed, certified, registered, or
17 otherwise authorized to order home health care services consistent with state law.

18 ~~(1)~~ (2) "Clinical record" means those documents maintained on all patients
19 accepted for care by a home health agency. The records will be retained in
20 accordance with existing state law.

- 1 vetoed by the governor and subsequently approved by the legislature, this Act shall become
2 effective on the day following such approval.

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 187 Original

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Bagley

Abstract: Authorizes nurse practitioners, clinical nurse specialists, and physician assistants to order home health services.

Present law provides that a home health agency shall provide home health care to the public under the order of a physician.

Proposed law deletes present law and states that a home health agency shall provide home health care to the public under the order of an authorized healthcare provider.

Proposed law defines "authorized healthcare provider".

Present law provides that home health agencies shall admit patients for skilled care only on the order of a physician.

Proposed law retains present law and clarifies who may submit an order to admit patients for skilled care from physician to authorized healthcare provider.

Present law provides that an administrator of a home health agency shall have three years management experience in health care delivery service and meets one of the following conditions:

- (1) Is a college graduate with a bachelor's degree.
- (2) Has had three additional years of documented experience in a health care delivery service.
- (3) Has an associate degree.
- (4) Has had six additional years of documented administrative and managerial experience in a governmental or corporate setting other than in a health care delivery service, having supervised at least 20 employees, and handled administration of the daily operations of the organization, including the budget process. Such person shall have held no more than three positions in said six-year time period.

Proposed law deletes present law and adds that an administrator of a home health agency shall have three years management experience in health care delivery service and meets of the following conditions:

- (1) Is employed as an administrator on or after January 13, 2018, and is a college graduate with a bachelor's degree.
- (2) Is employed as an administrator prior to January 13, 2018, and has had three additional years of documented experience in a health care delivery service.

- (3) Is an administrator who has experience in health service administration with at least one year of supervisory or administrative experience related to home health care or home healthcare programs.
- (4) Has met the minimum continuing education requirements established by the secretary.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 40:2116.31(B) and 2116.34(A)(1), (7), and (10)(c) through (f))