

2016 Regular Session

HOUSE BILL NO. 314

BY REPRESENTATIVE GAROFALO

NURSING HOMES: Provides for a limited exception to the statutory moratorium on additional nursing facilities

1 AN ACT

2 To enact R.S. 40:2116(D)(7), relative to a moratorium on additional nursing facilities; to
3 provide for a limited exception to the moratorium; and to provide for related matters.

4 Be it enacted by the Legislature of Louisiana:

5 Section 1. R.S. 40:2116(D)(7) is hereby enacted to read as follows:

6 §2116. Facility need review

7 * * *

8 D.

9 * * *

10 (7) Notwithstanding any other provision of law to the contrary, the
11 legislature hereby authorizes a limited exception to the moratorium on additional
12 nursing facilities provided in Paragraph (2) of this Subsection, to be applied by the
13 Department of Health and Hospitals in accordance with the following conditions and
14 limitations:

15 (a) The exception shall apply in any parish with a population of more than
16 thirty-five thousand seven hundred and less than thirty-nine thousand according to
17 the latest federal decennial census.

18 (b) In any parish described in Subparagraph (a) of this Paragraph, the
19 Department of Health and Hospitals shall make available a maximum of one

1 additional nursing facility license in excess of the number of nursing facility licenses

2 in effect in the parish on January 1, 2016.

3 * * *

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)]

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Abstract: Provides for an exception to the statutory moratorium on additional nursing facility licenses to allow for one additional license in certain parishes.

Present law provides for a moratorium on licenses for additional nursing facilities, and for certain limited exceptions to the moratorium.

Proposed law retains present law and provides an additional limited exception to the moratorium. Provides that the Dept. of Health and Hospitals (DHH) shall apply the exception in accordance with the following conditions and limitations:

- (1) The exception shall apply in any parish with a population of more than 35,700 and less than 39,000 according to the latest federal decennial census.
- (2) In any parish described in proposed law, DHH shall make available a maximum of one additional nursing facility license in excess of the number of nursing facility licenses in effect in the parish on Jan. 1, 2016.

(Adds R.S. 40:2116(D)(7))