

Regular Session, 2012

HOUSE BILL NO. 418

BY REPRESENTATIVE HARRISON

HEALTH: Restructures the Health Education Authority of La.

1 AN ACT

2 To amend and reenact R.S. 17:3051, 3052(introductory paragraph) and (1) through (3), and
3 3053 and to repeal R.S. 17:3052(4) through (9) and 3055(6) through (10), relative
4 to the Health Education Authority of Louisiana; to provide relative to the purposes
5 and functions of the authority; to provide for the membership of the authority and
6 their selection; to provide for the domicile of the authority; to provide for the powers
7 of the authority; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 17:3051, 3052(introductory paragraph) and (1) through (3), and 3053
10 are hereby amended and reenacted as follows:

11 §3051. Statement of purpose and function

12 A. In order to promote the medical and/or health educational activities of
13 various public and private institutions and organizations in the state of Louisiana and
14 to promote health and welfare of its citizens through encouraging and assisting in the
15 provision of medical care and prompt and efficient health and health related services
16 at reasonable cost by public and private institutions and organizations in modern,
17 well-equipped facilities, and to strive to achieve superlative standards of attainment
18 in health care and education that will place Louisiana in the position of regional,
19 national, and international leadership in those fields, it is hereby declared to be in the

1 public interest that the Health Education Authority of Louisiana be created within the
2 Department of Health and Hospitals.

3 B. The purposes and functions of the authority are:

4 (1) ~~To operate, in accordance with a master plan, a cooperative and~~
5 ~~coordinated multi-institutional complex that will serve to attract, encourage and~~
6 ~~assist public and private institutions and organizations that are dedicated to~~
7 ~~exemplary patient care, health science education and biomedical research, as well as~~
8 ~~organizations providing facilities and/or services deemed appropriate by the~~
9 ~~authority, to locate and/or operate in a functional geographic relationship with said~~
10 ~~complex.~~ To create a cooperative and coordinated multi-institutional program that
11 will serve to attract, encourage, and assist public and private institutions and
12 organizations that are dedicated to exemplary patient care, health science education,
13 and biomedical research, as well as organizations providing facilities and services
14 considered appropriate by the authority. The location and operation shall be in a
15 functional geographic relationship by a system of three designated regions of
16 Louisiana as follows:

17 (a) The northern region consisting of Shreveport, Monroe, and Alexandria
18 Health Service Planning Region, as designated by the Louisiana Regional Medical
19 Program in 1969.

20 (b) The central region consisting of the Baton Rouge, Lafayette, and Lake
21 Charles Health Service Planning Regions, as designated by the Louisiana Regional
22 Medical Program in 1969.

23 (c) The southern region consisting of the New Orleans and Bayou-River
24 Health Planning Region, as designated by the Louisiana Regional Medical Program
25 in 1969.

26 (2) ~~To aid in the development of health care and education programs by the~~
27 ~~primary and participating institutions and to assist in the coordination of planning~~
28 ~~and in implementing the attainment of the objectives of such institutions.~~ To provide
29 each region with a university medical center for decentralization and redistribution

1 of health care services and health education facilities in terms of meaningful
2 aggregates of people as follows:

3 (a) To charge the medical school located at the Louisiana State University
4 Health Science Center-Shreveport with responsibility for the northern region. The
5 dean of the medical school and university hospital administrator shall report to the
6 chancellor of Louisiana State University in Shreveport.

7 (b) To charge the medical center to be developed at Louisiana State
8 University in Baton Rouge with responsibility for the central region. The dean of the
9 medical school and university hospital administrator shall report to the chancellor of
10 Louisiana State University in Baton Rouge. The Louisiana State University Board
11 of Supervisors is hereby urged to:

12 (i) Phase out and relocate the medical school located at Louisiana State
13 University Health Science Center-New Orleans for assignment to the central region
14 for the common good of Louisiana citizens and to end duplicate medical education
15 facilities.

16 (ii) Combine the basic medical science resources and faculties of the medical
17 school located at Louisiana State University Health Science Center-New Orleans and
18 Louisiana State University School of Veterinary Medicine in the central region to
19 serve each for the common good and without duplication.

20 (iii) Relocate the Louisiana State University Health Science Center-New
21 Orleans library from New Orleans to the Louisiana State University in Baton Rouge.

22 (c) To provide to the University of Louisiana at Lafayette as a participating
23 educational institution of the central region the following programs:

24 (i) An institute for the gifted and talented child.

25 (ii) An institute for children's behavioral and psychological study.

26 (d) To provide for a children's hospital and medical center at the current site
27 of the University Medical Center in Lafayette. The physician services for the
28 children's hospital shall be provided by the medical school operated by Louisiana

1 State University to be located in Baton Rouge. Nursing and other allied health
2 services shall be provided by the University of Louisiana at Lafayette.

3 (e) To charge the Tulane University Medical Center with responsibility for
4 the southern region by providing plans and mechanisms wherein other greater New
5 Orleans colleges and universities in the southern region can participate in the various
6 health sciences programs.

7 (f) To charge Tulane University with management, by contract, of the
8 Medical Center of Louisiana at New Orleans, the Interim Public Hospital, and its
9 replacement facility, and to operate this facility as an urban community hospital with
10 open medical staff privileges and also as a communicable and tropical diseases
11 institute for the public domain.

12 (g) To urge and direct the Louisiana State University Board of Supervisors
13 to transfer the nursing school and allied health professions located at the Louisiana
14 State University Health Science Center-New Orleans with all its properties to the
15 University of New Orleans. All vacant buildings shall be transferred to the
16 University of New Orleans.

17 (h) To provide for the Louisiana State University School of Dentistry and
18 its facility.

19 (i) To provide, by contract, with the Orleans Parish Medical Society and with
20 Tulane University, for the use of their combined Medical-Health Sciences library,
21 housed in the Tulane University Medical Center, as the Medical-Health Sciences
22 library for all southern region institutions.

23 ~~(3) To acquire or assist in the acquisition of land and the planning,~~
24 ~~acquisition, construction, reconstruction, rehabilitation, improvement and~~
25 ~~development of facilities in the complex and primary service area for the use of the~~
26 ~~primary and participating institutions, and the development, acquisition,~~
27 ~~construction, reconstruction, rehabilitation, improvement and operation of jointly~~
28 ~~usable facilities for such institutions, and~~ To provide for plans and mechanisms in
29 all public and private colleges and universities, and other educational institutions

1 located in a designated region, for such institutions to participate in various allied
2 health educational programs.

3 ~~(4) To assist in or provide for the financing of any of the above and~~
4 ~~foregoing activities or facilities in the manner hereinafter authorized.~~

5 §3052. ~~Definitions~~ Functions

6 ~~The following terms shall have the following meanings, unless the context~~
7 ~~clearly indicates otherwise: The Health Education Authority of Louisiana shall have~~
8 ~~the following functions:~~

9 (1) ~~"Act" shall mean Act 112 of the Regular Session of the Legislature of~~
10 ~~Louisiana for the year 1968, as amended, which Act as so amended now appears as~~
11 ~~La.R.S. 17:3051 to La.R.S. 17:3060, inclusive, and all future acts supplemental~~
12 ~~thereto or amendatory thereof. Aiding in the development of health care and~~
13 ~~education programs by participating institutions and assisting in the coordination of~~
14 ~~planning and implementing the attainment of the objectives of these institutions.~~

15 (2) ~~"Authority" shall mean the Health Education Authority of Louisiana, and~~
16 ~~when used in connection with action authorized to be taken by the authority, shall~~
17 ~~mean the authority acting by and through its board of trustees. Acquiring or assisting~~
18 ~~in the acquisition of land and the planning, acquisition, construction, reconstruction,~~
19 ~~rehabilitation, improvement, and development of facilities in a given region.~~

20 (3) ~~"Board" shall mean the board of trustees of the Health Education~~
21 ~~Authority of Louisiana. Assisting in or providing for the financing of any of the~~
22 ~~activities or facilities specified in this Section in the manner hereinafter authorized.~~

23 §3053. Health Education Authority of Louisiana; creation; domicile; membership;
24 terms; vacancies; quorum; staff

25 A. There is hereby created in the office of management and finance of the
26 Department of Health and Hospitals the Health Education Authority of Louisiana,
27 which is hereby declared to be a body corporate and public, constituting an
28 instrumentality of the state of Louisiana and exercising public and essential

1 governmental functions. The domicile of the authority shall be in the city of ~~New~~
2 ~~Orleans~~ Baton Rouge.

3 B. The power to establish policy to carry out the intent of this Chapter shall
4 be vested in a board of trustees which shall consist of the governor as ex-officio
5 trustee and thirteen persons selected as follows:

6 (1) ~~Two members shall be appointed by the governor from a list of six names~~
7 ~~submitted by the Board of Supervisors of Louisiana State University and~~
8 ~~Agricultural and Mechanical College. One member shall be appointed by the~~
9 ~~governor from the state at large.~~

10 (2) ~~Two members shall be appointed by the governor from a list of six names~~
11 ~~submitted by the Board of Administrators of the Tulane Educational Fund, Tulane~~
12 ~~University of Louisiana. Four members appointed by the governor from the northern~~
13 ~~region, including one physician each from Shreveport, Monroe, and Alexandria.~~

14 (3) ~~Two members shall be appointed by the governor from a list of six names~~
15 ~~submitted by the Board of Administrators of Charity Hospital of Louisiana at New~~
16 ~~Orleans. Four members appointed by the governor from the central region, including~~
17 ~~one physician each from Baton Rouge, Lafayette, and Lake Charles.~~

18 (4) ~~Two members shall be appointed by the governor from a list of six names~~
19 ~~submitted by the Executive Board of the Louisiana State Medical Society. Four~~
20 ~~members appointed by the governor from the southern region, including one~~
21 ~~physician from New Orleans and two from the Bayou-River Health Planning Region,~~
22 ~~as designated by the Louisiana Regional Medical Program in 1969.~~

23 (5) ~~One member shall be appointed by the governor from a list of six names~~
24 ~~submitted by the statewide dental associations.~~

25 (6) ~~One member shall be appointed by the mayor of the city of New Orleans~~
26 ~~with the advice and consent of the Commission Council from a list of five names,~~
27 ~~one each submitted by the Board of Administrators of the Tulane Educational Fund,~~
28 ~~Tulane University of Louisiana; the Board of Administrators of Charity Hospital of~~
29 ~~Louisiana at New Orleans; the Board of Supervisors of Louisiana State University~~

1 ~~and Agricultural and Mechanical College; local dental association memberships~~
2 ~~including Orleans Parish dentists; and the Orleans Parish Medical Society.~~

3 ~~(7) Three members shall be appointed by the governor from the state at~~
4 ~~large.~~

5 C. No person appointed ~~directly~~ by the governor ~~or mayor or nominated by~~
6 ~~any of the nominating groups or individuals~~ shall be associated in any staff or
7 advisory capacity for which he receives payment for services from Louisiana State
8 University ~~and Agricultural and Mechanical College~~ Board of Supervisors and its
9 institutions, colleges, and universities, Tulane University of Louisiana, ~~or Charity~~
10 ~~Hospital of Louisiana at New Orleans~~ Medical Center of Louisiana at New Orleans,
11 any statewide dental association, or the Louisiana State Medical Society.

12 D. ~~Each appointment by the governor shall be submitted to the Senate for~~
13 ~~confirmation.~~

14 E. ~~Members of the board who are appointed by the governor shall serve at~~
15 ~~the pleasure of the governor. The member appointed by the mayor of New Orleans~~
16 ~~shall serve a term of six years.~~

17 F. ~~A vacancy occurring on the board for any reason shall be filled in the~~
18 ~~same manner as the original appointment.~~

19 G. ~~The board shall employ a professionally qualified executive director to~~
20 ~~carry out the policies established by the board. The secretary of the Department of~~
21 ~~Health and Hospitals shall employ such staff as is necessary to carry out the policies~~
22 ~~and directives of the board and to operate and administer the functions of the~~
23 ~~authority. The compensation of the executive director shall be determined by the~~
24 ~~board and he shall be in the unclassified service of the state.~~

25 Section 2. R.S. 17:3052(4) through (9) and 3055(6) through (10) are hereby repealed
26 in their entirety.

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)]

Harrison

HB No. 418

Abstract: Restructures and provides with respect to the powers of the Health Education Authority of La.

Present law provides that the purposes and functions of the Health Education Authority of Louisiana (HEAL) are:

- (1) To operate, in accordance with a master plan, a multi-institutional complex of health care facilities.
- (2) To aid in the development of health care and education programs.
- (3) To acquire or assist in the acquisition of jointly usable facilities.
- (4) To assist or provide financing.

Proposed law provides that HEAL's purposes are:

- (1) To create a multi-institutional health care complex by providing for facilities in three regions.
- (2) To provide each region with a university medical center for decentralization of health care services by charging various existing medical institutions with providing services in three regions: northern, central, and southern; granting certain programs to certain institutions; urging that medical facilities be relocated; providing for plans for universities and colleges to participate in allied health services education programs.

Proposed law provides that HEAL's functions are to aid in the development of health care and education programs; to acquire or assist in the acquisition of land; to assist in financing.

Present law provides for a 13-member board to serve for staggered terms, with nine of the members being appointed by the governor from lists submitted by various medical institutions or societies, three members being appointed by the governor at large, and one member being appointed by the mayor of New Orleans.

Proposed law provides that 13 members be appointed by the governor, four from each of the three regions as provided for in proposed law, and one from the state at large, all to serve at the pleasure of the governor.

Proposed law changes the domicile of the authority from New Orleans to Baton Rouge.

Proposed law repeals the authority of HEAL to acquire immovable property, to manage real property, to borrow money, to formulate a master plan, or to construct or manage hospitals.

(Amends R.S. 17:3051, 3052(intro. para.) and (1)-(3), and 3053; Repeals R.S. 17:3052(4)-(9) and 3055(6)-(10))