

Regular Session, 2014

HOUSE BILL NO. 487

BY REPRESENTATIVE ALFRED WILLIAMS

HEALTH CARE: Provides relative to criminal background checks of ambulance personnel

1 AN ACT

2 To amend and reenact R.S. 40:1300.53(A)(1) and to enact R.S. 40:1300.53(A)(3) and (4),
3 relative to ambulance personnel; to prohibit the hiring of licensed ambulance
4 personnel and nonlicensed persons with a conviction of certain crimes; to provide for
5 retroactive application; to provide for an effective date; and to provide for related
6 matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 40:1300.53(A)(1) is hereby amended and reenacted and R.S.
9 40:1300.53(A)(3) and (4) are hereby enacted to read as follows:

10 §1300.53. Refusal to hire or contract; termination of employment; exemption;
11 appeal procedure; waiver

12 A. Except as otherwise provided in R.S. 40:1300.52(C), no employer shall
13 hire any licensed ambulance personnel or nonlicensed person when the results of a
14 criminal history check reveal that the licensed ambulance personnel or nonlicensed
15 person has been convicted of any of the following offenses:

16 (1) R.S. 14:28.1, 30, 30.1, 31, 32.6, 32.7, 32.12, 34, 34.1, 34.7, 35.2, 37,
17 37.1, 37.4, 38.1, 42, 42.1, 43, 43.1, 43.2, 43.3, 43.5, 44, 44.1, 46.2, 51, 60, 62.1, 64,
18 64.1, 64.4, 66, ~~67-21~~, 89, 89.1, 93.3, 93.4, 93.5 or distribution or possession with the
19 intent to distribute controlled dangerous substances as listed in Schedules I through
20 V of the Uniform Controlled Dangerous Substances Act.

21 * * *

1 (3) The felony offense involving theft of assets of an aged person or disabled
2 person in excess of five hundred dollars or in any case in which the offender has
3 been previously convicted of theft of assets of an aged person or disabled person
4 regardless of the value of the instant theft (R.S. 14:67.21).

5 (4) An attempt or conspiracy to commit an offense listed in Paragraph (3) of
6 this Subsection.

7 * * *

8 Section 2. The provisions of this Act shall be given retroactive application.

9 Section 3. This Act shall become effective upon signature by the governor or, if not
10 signed by the governor, upon expiration of the time for bills to become law without signature
11 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
12 vetoed by the governor and subsequently approved by the legislature, this Act shall become
13 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)]

Alfred Williams

HB No. 487

Abstract: Prohibits the hiring of ambulance personnel with a criminal conviction involving the theft of assets of an aged person or disabled person.

Present law prohibits an employer from hiring any licensed ambulance personnel or nonlicensed person when the results of a criminal history check reveal that the licensed ambulance personnel or nonlicensed person has been convicted of the theft of the assets of an aged person or disabled person.

Proposed law amends present law to prohibit an employer from hiring any licensed ambulance personnel or nonlicensed person when the results of a criminal history check reveal that the licensed ambulance personnel or nonlicensed person has been convicted of a felony offense involving theft of assets of an aged person or disabled person in excess of \$500 or in any case in which the offender has been previously convicted of theft of assets of an aged person or disabled person regardless of the value of the instant theft.

Proposed law provides for retroactive application of proposed law.

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

(Amends R.S. 40:1300.53(A)(1); Adds R.S. 40:1300.53(A)(3) and (4))