



1 have been affected by an executive order or proclamation of emergency or disaster  
2 who seek the protection of the provisions of this Section, shall meet the following  
3 criteria:

4 (a) The health care provider shall notify in writing the health standards  
5 section of the Louisiana Department of Health that the provider has experienced an  
6 interruption in the provision of services as a result of events that are the subject of  
7 such executive order or proclamation of emergency or disaster issued in accordance  
8 with R.S. 29:724. Such notice shall be received no later than ~~December 31, 2005~~  
9 **December 31, 2020**.

10 \* \* \*

11 (c) The provider shall resume operating as a health care facility no later than  
12 ~~January 1, 2008~~ **January 1, 2024**. Extensions may be granted by the Louisiana  
13 Department of Health for good cause, including, but not limited to delays in  
14 construction beyond the provider's control.

15 \* \* \*

16 D.(1) The Louisiana Department of Health shall license, as of the date  
17 services commence, any outpatient off-campus facility of a licensed hospital, if the  
18 need for the off-campus facility was occasioned by an event which is the subject of  
19 an executive order or proclamation of emergency or disaster, issued in accordance  
20 with R.S. 29:724. In order to qualify for licensure of such an off-campus facility, the  
21 licensed hospital shall, no later than ~~December 31, 2005~~ **December 31, 2020**,  
22 comply with the following:

23 \* \* \*

24 Section 2. R.S. 40:2007.1(A)(3) is hereby repealed.

25 Section 3. This Act shall become effective upon signature by the governor or, if not  
26 signed by the governor, upon expiration of the time for bills to become law without signature  
27 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
28 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
29 effective on the day following such approval.

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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Brandi Cannon.

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## DIGEST

SB 58 Original

2020 Second Extraordinary Session

Johns

Present law provides for the licensing of health care facilities by the La. Department of Health (LDH).

Present law provides an exception for the continuation of licensure for certain licensed facilities operating in an area affected by an executive order or proclamation of emergency or disaster, if a facility does all of the following:

- (1) Notify health standards section of LDH, in writing, no later than Dec. 31, 2005, of an interruption of service due to the events which are the subject of the declaration.
- (2) Notify LDH, in writing, of an intention to resume the provision of services.
- (3) Resume provision of services by Jan. 1, 2008. Extensions may be granted for good cause by LDH.

Proposed law retains present law but extends the deadline to notify LDH of an interruption of services to Dec. 31, 2020. Further extends the deadline to resume provision of services to Jan. 1, 2024.

Present law provides that LDH shall license outpatient off-campus facilities established by licensed hospitals located in areas affected by the event which is the subject of a proclamation of emergency or disaster, provided the licensed hospital complies with the following no later than Dec 31, 2005:

- (1) Notifies LDH of commencement of the provision of services at such off-campus facility.
- (2) Submits an attestation that to the best of the hospital's knowledge, the off-campus facility is in compliance with regulations, including life and safety rules and public health requirements.

Proposed law retains present law but extends the deadline to comply to Dec. 31, 2020.

Present law provides for nursing homes in parishes with a population between 65,000 and 70,000 whose facilities were destroyed during hurricanes Katrina or Rita to obtain reinstatement of their pre-storm licenses and reinstatement of their pre-storm facility need review approval, both for the sole purpose of rebuilding or replacing the facilities, if all of the following conditions are met:

- (1) The reinstatement request must be submitted to LDH by Dec. 31, 2008, and must state an intent to rebuild the nursing home and resume providing nursing home services in that parish.
- (2) Operations must be resumed no later than January 1, 2010. In the case of a license reinstatement, LDH may grant a reinstatement for good cause.
- (3) All fees, costs, and cost reports due must be submitted.

Proposed law repeals present law.

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

(Amends R.S. 40:2007.1(A)(2)(a) and (c) and (D) (intro para); repeals R.S. 40:2007.1(A)(3))