

2015 Regular Session

SENATE BILL NO. 61

BY SENATOR BUFFINGTON

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

HEALTH SERVICES. Provides relative to hospital service districts. (gov sig)

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AN ACT

To enact R.S. 46:1069.1, relative to hospital service districts; to provide for leasing and operating a licensed nursing home; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 46:1069.1 is hereby enacted to read as follows:

§1069.1. Hospital service districts; leasing and operating a licensed nursing home

A. Except as provided in Subsection D of this Section, nothing in this Chapter shall be construed to prevent or prohibit a hospital service district created pursuant to this Chapter from leasing and operating a licensed nursing home, as defined in R.S. 40:2009.2, that is located within or outside the boundaries of the hospital service district but within the boundaries of the state of Louisiana.

B.(1) If a hospital service district determines to lease and operate a nursing home within thirty-five miles of a hospital service district hospital in an adjoining hospital service district, then the hospital service district shall provide

1 sixty days written notice to the governing authority of the parish in which the
2 nursing home is located.

3 (2) If the governing authority of the parish does not provide written
4 notice of objection to the hospital service district within the required sixty days,
5 then the hospital service district may lease and operate a licensed nursing home
6 outside the geographic boundaries described in Subsection A of this Section.

7 C. If the governing authority in which the nursing home is located
8 objects in writing within the sixty days of providing notice as described in
9 Subsection B of this Section, and after a good faith effort is made to reach an
10 agreement between the governing authority of the parish and the nursing home,
11 and an agreement is not reached, then the hospital service district may lease and
12 operate a nursing home located outside of the boundaries of its hospital service
13 district.

14 D. A hospital service district shall not operate a nursing home in any
15 parish having a population of not less than four hundred thirty thousand and
16 not more than four hundred thirty-five thousand according to the latest federal
17 decennial census or in any parish having a population of not less than one
18 hundred ten thousand and not more than one hundred fifteen thousand
19 according to the latest federal decennial census without either being the service
20 district hospital where the nursing home is located or receiving the approval of
21 the hospital service district where the nursing home is located.

22 Section 2. This Act shall become effective upon signature by the governor or, if not
23 signed by the governor, upon expiration of the time for bills to become law without signature
24 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
25 vetoed by the governor and subsequently approved by the legislature, this Act shall become
26 effective on the day following such approval.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Christopher D. Adams.

DIGEST

SB 61 Engrossed

2015 Regular Session

Buffington

Proposed law provides a hospital service district created pursuant to present law may lease and operate a licensed nursing home as defined in present law that is located within or outside the boundaries of the hospital service district but within the boundaries of the state of Louisiana.

Proposed law provides if a hospital service district determines to lease and operate a nursing home within 35 miles of a hospital service district hospital in an adjoining hospital service district, then the hospital service district shall provide a 60-day written notice to the governing authority of the parish in which the nursing home is located.

Proposed law provides if the governing authority of parish does not provide written notice of objection to the hospital service district within the required 60 days, then the hospital service district may lease and operate a licensed nursing home outside the geographic boundaries described in proposed law.

Proposed law provides if the governing authority in which the nursing home is located objects in writing within the 60 days of providing notice as described in proposed law, and after a good faith effort is made to reach an agreement between the governing authority of the parish and the nursing home, and an agreement is not reached, then the hospital service district may lease and operate a nursing home located outside of the boundaries of its hospital service district.

Proposed law provides a hospital service district shall not operate a nursing home in any parish having a population of not less than 430,000 and not more than 435,000 according to the latest federal decennial census or in any parish having a population of not less than 110,000 and not more than 115,000 according to the latest federal decennial census without either being the service district hospital where the nursing home is located or receiving the approval of the hospital service district where the nursing home is located.

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

(Adds R.S. 46:1069.1)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Health and Welfare to the original bill

1. Provides for the process for hospital service district to lease and operate a nursing home.
2. Provides for an exception for two different population categories.