

SENATE BILL NO. 61

BY SENATOR BUFFINGTON

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

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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 C 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 the boundaries of that hospital service district or outside the boundaries of that hospital service district but within the state of Louisiana.**

**B.(1) If a hospital service district determines to lease and operate a licensed 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 sixty days written prior notice to the governing authority of the parish in which the licensed nursing home is located.**

**(2) If the governing authority of the parish does not provide written notice of objection to the hospital service district within the required sixty days, then the hospital service district may lease and operate the licensed nursing home.**

**(3) If the governing authority of the parish in which the licensed nursing**

1 home is located objects in writing within the required sixty days, and after a  
2 good-faith effort is made to reach an agreement between the governing  
3 authority of the parish and the licensed nursing home, and an agreement is not  
4 reached, then the hospital service district may lease and operate the licensed  
5 nursing home.

6 C.(1) A hospital service district shall not operate a licensed nursing home  
7 in any parish having a population of not less than four hundred thirty thousand  
8 and not more than four hundred thirty-five thousand according to the latest  
9 federal decennial census or in any parish having a population of not less than  
10 one hundred ten thousand and not more than one hundred fifteen thousand  
11 according to the latest federal decennial census without either being the service  
12 district hospital where the licensed nursing home is located or receiving the  
13 approval of the hospital service district where the licensed nursing home is  
14 located.

15 (2) If a hospital service district does not grant approval to another  
16 hospital service district for operation of a licensed nursing home as provided in  
17 Paragraph (1) of this Subsection, then the hospital service district refusing to  
18 grant approval shall be prohibited from operating a licensed nursing home  
19 outside of its district boundaries.

20 (3) If a hospital service district specified in Paragraph (1) of this  
21 Subsection is unable to lease or operate a licensed nursing home, then nothing  
22 in this Chapter shall limit a hospital service district within the state of Louisiana  
23 from operating a licensed nursing home in that parish in accordance with the  
24 provisions of Subsection A of this Section.

25 (4) If a hospital service district located in a parish identified in this  
26 Subsection has not operated a licensed nursing home by August 1, 2020, then  
27 the provisions of this Subsection shall not apply to that hospital service district  
28 and the provisions of Subsection A of this Section shall apply.

29 Section 2. This Act shall become effective upon signature by the governor or, if not  
30 signed by the governor, upon expiration of the time for bills to become law without signature

1 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
2 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
effective on the day following such approval.

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PRESIDENT OF THE SENATE

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_