

RÉSUMÉ DIGEST

ACT 446 (SB 61)

2015 Regular Session

Buffington

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

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

New law also provides a hospital service district shall not operate a licensed 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 licensed nursing home is located or receiving the approval of the hospital service district where the licensed nursing home is located. Provides that if a hospital service district does not grant approval to another hospital service district for operation of a licensed nursing home as provided in new law, then the hospital service district refusing to grant approval shall be prohibited from operating a licensed nursing home outside of its district boundaries. Provides that if a certain hospital service district is unable to lease or operate a licensed nursing home, then nothing in new law will limit a hospital service district from operating a licensed nursing home in that parish in accordance with new law. However, provides that if a hospital service district located in a parish identified in this paragraph of new law has not operated a licensed nursing home by August 1, 2020, then the district may lease and operate a licensed nursing home as defined in prior law that is located within the boundaries of that hospital service district or outside the boundaries of that hospital service district but within the boundaries of the state.

Effective upon signature of the governor (July 1, 2015).

(Adds R.S. 46:1069.1)