

2017 Regular Session

SENATE BILL NO. 36

BY SENATOR MARTINY

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

HOSPITALS. Provides relative to the use of employment contracts in hospital service districts. (8/1/17)

1 AN ACT

2 To amend and reenact R.S. 46:1056(A) and (B), relative to employment contracts in hospital

3 service districts; to provide for authority to execute certain employment contracts;

4 to provide for definitions; to provide for employment terms; and to provide for

5 related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 46:1056(A) and (B) are hereby amended and reenacted to read as

8 follows:

9 §1056. Hospital director and executives

10 A. The commission, with the approval of the medical staff, shall enter into

11 a formal written employment agreement with a hospital director, hereafter referred

12 to as "director", who has had experience in the field of hospital administration and

13 is familiar with the principles and methods of hospital and institutional care, and

14 may enter into a formal written employment agreement with any hospital

15 executive. For purposes of this Section, hospital executive includes but is not

16 limited to any senior member of management such as vice president, assistant

17 administrator or department director. He The director and any hospital

1 executive shall be a full-time ~~employee~~ employees of the district or of the hospital
2 management firm, ~~and~~ The director shall receive a salary fixed by the commission.

3 B. If the director and commission enter into a formal written employment
4 agreement, notwithstanding any law to the contrary, such agreement shall bind both
5 parties to its terms. **If a hospital executive and hospital, upon the authority of the**
6 **director, enter into a formal written employment agreement, notwithstanding**
7 **any law to the contrary, such agreement shall bind both parties to its terms.**

8 Such written ~~agreement~~ agreements shall provide for a fixed term of employment,
9 specify the director's or hospital executive's duties, and be renewable for an
10 additional term or terms at the pleasure of the commission or hospital director,
11 respectively. In the absence of a formal written employment agreement, the director
12 shall serve at the pleasure of the commission and the hospital executive shall serve
13 at the pleasure of the director.

14 * * *

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Christine Arbo Peck.

DIGEST

SB 36 Original 2017 Regular Session Martiny

Present law provides for a hospital service district commission contracting for a director.
Proposed law adds the option of the commission contracting with hospital executives,
including but not limited to the vice president, assistant administrator, and department
director.

Effective August 1, 2017.

(Amends R.S. 46:1056(A) and (B))