

2022 Regular Session

HOUSE BILL NO. 226

BY REPRESENTATIVE TURNER

HEALTH CARE: Enacts the Louisiana Healthcare Workforce Training Law

1 AN ACT

2 To enact R.S. 36:259(B)(9) and Part V of Subchapter C of Chapter 5-D of Title 40 of the  
3 Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1209.1 through  
4 1209.8, relative to education and training of healthcare professionals; to create and  
5 provide for a state medical contract program; to provide for administration of the  
6 contract program by the Louisiana Department of Health; to provide for  
7 prioritization of funding for healthcare workforce education and training by the  
8 Louisiana Department of Health and the higher education governing boards of this  
9 state; to establish the Louisiana Healthcare Workforce Education and Training  
10 Council; to provide for the membership and duties of the council; to provide for  
11 duties of the Louisiana Department of Health with respect to the council; and to  
12 provide for related matters.

13 Be it enacted by the Legislature of Louisiana:

14 Section 1. R.S. 36:259(B)(9) is hereby enacted to read as follows:

15 §259. Transfer of agencies and functions to Louisiana Department of Health

16 \* \* \*

17 B. The following agencies, as defined in R.S. 36:3, are placed within the  
18 Louisiana Department of Health and shall perform and exercise their powers, duties,  
19 functions, and responsibilities as otherwise provided by law:

20 \* \* \*



1 accessible to the citizenry of this state and will, in conjunction with the training of  
2 family physicians, lead to an improved healthcare delivery system in Louisiana.

3 (4) Community hospitals, rural hospitals, and other health systems  
4 developing family medicine residencies in affiliation or association with accredited  
5 medical schools will help in meeting the need for family physicians in recognized  
6 health professional shortage areas and medically underserved communities of this  
7 state.

8 (5) Because Louisiana has a pronounced shortage of nurses, and this  
9 shortage has been exacerbated by the COVID-19 pandemic, fostering a greater  
10 supply of nurses is a vital public health priority of this state. The inclusion of nurses  
11 within the program provided for in this Part is a desirable, necessary, and economical  
12 method of addressing Louisiana's needs for primary care services.

13 B.(1) The purpose of this Part is to provide for a program that will  
14 accomplish all of the following objectives:

15 (a) Increase the number of students and residents receiving quality education  
16 and training in the primary care specialties of family medicine, internal medicine,  
17 obstetrics and gynecology, and pediatrics.

18 (b) Increase the number of primary care physician assistants, primary care  
19 nurse practitioners, and registered nurses practicing in this state.

20 (c) Maximize the delivery of primary care services to specific communities  
21 and geographic areas of Louisiana where recognized unmet needs for health care  
22 exist.

23 (2) The program provided for in this Part is intended to be implemented  
24 through contracts with accredited medical schools; teaching health centers; programs  
25 that train primary care physician assistants, primary care nurse practitioners,  
26 registered nurses, practical nurses, and certified nurse aides; hospitals; and other  
27 health systems based on per-student or per-resident capitation formulas. The  
28 legislature intends that all initiatives supported by this program be professionally and

1 administratively accountable in order to achieve the maximum degree of  
2 cost-effectiveness and greatest positive impact on health outcomes in this state.

3 §1209.3. Definitions

4 As used in this Part, the following terms have the meaning ascribed in this  
5 Section:

6 (1) "Council" means the Louisiana Healthcare Workforce Education and  
7 Training Council.

8 (2) "Family physician" means a primary care physician who, in accordance  
9 with his medical education and training, renders continuing comprehensive and  
10 preventive healthcare services to individuals and families and who has received  
11 specialized training in an approved family medicine residency for at least three years  
12 after graduation from an accredited medical school.

13 (3) "Graduate medical education" means residency programs for education  
14 or training in one or more specialties or subspecialties following graduation from  
15 medical school.

16 (4) "Health professions education and training" means any formal organized  
17 education or training undertaken for the purpose of gaining knowledge and skills  
18 necessary to practice a specific health profession or to provide services in a  
19 healthcare setting. Health professions education and training includes any type of  
20 health professions training program, including shadowing programs, participating  
21 in rotations, affiliation agreements, and accredited or accreditation-eligible programs  
22 at any educational level, including certificate, undergraduate, graduate, professional,  
23 or postgraduate, and in any clinical discipline excluding graduate medical education.

24 (5) "Primary care physician" means a physician who, in accordance with his  
25 medical education and training, renders continuing comprehensive and preventive  
26 healthcare services and has received specialized training in the areas of internal  
27 medicine, obstetrics and gynecology, or pediatrics.

28 (6) "Teaching health center" means a community-based ambulatory patient  
29 care center that operates a primary care residency program. Community-based

1 ambulatory patient care settings include but are not limited to federally qualified  
2 health centers, community mental health centers, rural health clinics, health centers  
3 operated by an Indian tribe or tribal organization, and entities receiving funds under  
4 Title X of the Public Health Service Act (Public Law 91-572).

5 §1209.4. State medical contract program; creation; administration by the Louisiana  
6 Department of Health; rulemaking

7 A. The legislature hereby creates a state medical contract program with  
8 accredited medical schools; teaching health centers; programs that train primary care  
9 physician assistants, primary care nurse practitioners, registered nurses, practical  
10 nurses, and certified nurse aides; hospitals; and other health systems to increase the  
11 number of students and residents receiving quality education and training in nursing  
12 and in the primary care specialties of family medicine, internal medicine, obstetrics  
13 and gynecology, and pediatrics, and to maximize the delivery of primary care and  
14 family physician services to communities and geographic areas of Louisiana where  
15 recognized unmet needs for health care exist.

16 B. The Louisiana Department of Health shall administer the state medical  
17 contract program provided for in this Section. The department shall promulgate in  
18 accordance with the Administrative Procedure Act all such rules as are necessary to  
19 implement the contract program.

20 §1209.5. Louisiana Healthcare Workforce Education and Training Council; creation

21 A. The legislature hereby creates within the Louisiana Department of Health  
22 the Louisiana Healthcare Workforce Education and Training Council, referred to  
23 hereafter in this Part as the "council". The council shall have the duties provided in  
24 R.S. 40:1209.6 and shall be responsible for assisting in efforts to coordinate  
25 healthcare workforce education and training in this state in order to develop a  
26 workforce that meets the healthcare needs of Louisiana citizens.

27 B. The council shall be composed of the following members:

28 (1) Three members appointed by the governor.

29 (2) The secretary of the Louisiana Department of Health or his designee.

1                   (3) Two members appointed by the speaker of the House of Representatives.

2                   (4) Two members appointed by the president of the Senate.

3                   (5) One member appointed by the chairman of the Board of Supervisors of  
4                   Louisiana State University and Agricultural and Mechanical College.

5                   (6) One member appointed by the chairman of the Board of Supervisors of  
6                   Southern University and Agricultural and Mechanical College.

7                   (7) One member appointed by the chairman of the Board of Supervisors for  
8                   the University of Louisiana System or his designee.

9                   (8) One member appointed by the chairman of the Board of Supervisors of  
10                  Community and Technical Colleges or his designee.

11                  C.(1) The initial terms of the council members shall be staggered as follows:

12                  (a) The initial term of the members appointed by the governor shall be one  
13                  year.

14                  (b) The initial term of the members appointed by the speaker of the House  
15                  of Representatives and the president of the Senate shall be two years.

16                  (c) The initial term of the members appointed by the chairmen of higher  
17                  education governing boards shall be three years.

18                  (2) After the expiration of the terms provided in Paragraph (1) of this  
19                  Subsection, each individual appointed to the council shall serve a term of four years.

20                  D. Each member of the council shall be subject to confirmation by the  
21                  Senate.

22                  E. A majority of the members of the council shall constitute a quorum. A  
23                  quorum is required for the council to conduct its business and to exercise the powers  
24                  provided in this Part.

25                  F. The secretary of the Louisiana Department of Health shall convene the  
26                  initial meeting of the council as soon as is practicable after all members of the  
27                  council have been appointed. At its initial meeting, the council shall elect from its  
28                  membership a chairman and such other officers as it deems necessary.

1           G. The council shall establish rules of procedure and policies for the  
2           administration of its affairs. The council may promulgate such rules and policies in  
3           accordance with the Administrative Procedure Act.

4           H. The council may establish subcommittees and appoint persons to those  
5           bodies, including persons who are not council members, as it deems necessary and  
6           appropriate to carry out the duties assigned to it by the provisions of this Part.

7           I. No member of the council shall receive a salary for his service on the  
8           council. However, members of the council shall be reimbursed in accordance with  
9           regulations of the division of administration for actual travel and other expenses  
10          incurred in the performance of their duties with the council.

11          §1209.6. Duties of the council

12           A. The council shall have the following duties:

13           (1) Develop graduate medical education and workforce training and  
14           development priorities for the state.

15           (2) Make recommendations to the Louisiana Department of Health regarding  
16           the use of healthcare education and training funds appropriated by the legislature.

17           (3) Develop standards and guidelines for residency and health professions  
18           education and training programs funded through legislative appropriations.

19           (4) Review outcomes data from health professions education and training  
20           programs and, on an ongoing basis, assess and prioritize the graduate medical  
21           education and health professions education and training needs of Louisiana  
22           communities.

23           (5) Explore options for developing a statewide graduate medical education  
24           and health professions education and training funding strategy.

25           (6) Advocate for additional funding and additional sources of funds to  
26           stimulate expansion of graduate medical education and health professions education  
27           and training in Louisiana.

1           (7) Provide technical assistance and support for establishing new graduate  
2           medical education and health professions education and training programs in  
3           Louisiana.

4           (8) Review and recommend health professions career pathways and ladders.

5           B. In carrying out the duties assigned to it by the provisions of this Section,  
6           the council shall give primary consideration to increasing workforce diversity and  
7           furthering improved access, quality, and equity of health care for underserved  
8           communities, Medicaid-eligible individuals and families, and other medically needy  
9           populations. The council shall carry out its duties with a primary focus on primary  
10          care, behavioral health, oral health, and allied health.

11          §1209.7. Funding of programs; prioritization

12           When funding primary care and family medicine programs or departments,  
13           primary care and family medicine residencies, and programs for the training of  
14           primary care physician assistants, primary care nurse practitioners, or registered  
15           nurses, the Louisiana Department of Health and the higher education governing  
16           boards of this state shall give priority to programs that have demonstrated success  
17           in the following areas:

18           (1) Graduating individuals who practice in medically underserved areas.

19           (2) Enrolling members of underrepresented groups in medical education.

20           (3) Locating training sites in medically underserved areas.

21           (4) Operating a main training site at which the majority of the patients are  
22           Medicaid enrollees or Medicaid-eligible.

23          §1209.8. Duties of the Louisiana Department of Health with respect to the council

24           The Louisiana Department of Health shall have all of the following duties  
25           with respect to the council:

26           (1) Develop application and contract criteria based on healthcare workforce  
27           needs and the priorities of the council.

28           (2) Determine whether primary care and family medicine program proposals,  
29           primary care physician assistant training program proposals, primary care nurse

1 practitioner training program proposals, and registered nurse training program  
2 proposals submitted to the department for participation in the state medical contract  
3 program established by R.S. 40:1209.4 meet the standards established by the council.

4 (3) Select and contract on behalf of the state with accredited medical schools,  
5 teaching health centers, programs that train primary care physician assistants,  
6 programs that train primary care nurse practitioners, hospitals, and other health  
7 systems for the purpose of training undergraduate medical students, residents, and  
8 other healthcare professionals in the specialties of internal medicine, obstetrics and  
9 gynecology, pediatrics, and family medicine. The department shall award contracts  
10 to those institutions that best demonstrate the ability to provide quality education and  
11 training and to retain students and residents in geographic areas of Louisiana where  
12 recognized unmet needs for health care exist.

13 (4) Select and contract on behalf of the state with programs that train  
14 registered nurses. The department shall award contracts to those institutions that best  
15 demonstrate the ability to provide quality education and training and to retain  
16 students and residents in geographic areas of Louisiana where recognized unmet  
17 needs for health care exist.

18 (5) Terminate, upon 30 days' written notice, the contract of any institution  
19 whose program does not meet the standards established by the council or that  
20 otherwise does not maintain proper compliance with this Part.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HB 226 Original

2022 Regular Session

Turner

**Abstract:** Creates the La. Healthcare Workforce Education and Training Council and provides for duties of the council, the La. Department of Health, and higher education governing boards with respect to healthcare workforce development.

Proposed law provides that it shall be known and may be cited as the Louisiana Healthcare Workforce Training Law. Provides legislative findings concerning healthcare workforce matters and for the purpose and intent of proposed law.

Proposed law creates a state medical contract program with accredited medical schools; teaching health centers; programs that train primary care physician assistants, primary care nurse practitioners, registered nurses, practical nurses, and certified nurse aides; hospitals; and other health systems to increase the number of students and residents receiving quality education and training in nursing and in the primary care specialties of family medicine, internal medicine, obstetrics and gynecology, and pediatrics, and to maximize the delivery of primary care and family physician services to communities and geographic areas of La. where recognized unmet needs for health care exist. Proposed law provides that the La. Department of Health, referred to hereafter as the "department", shall administer the contract program.

Proposed law creates the 12-member La. Healthcare Workforce Education and Training Council, referred to hereafter as the "council", and provides that the council shall be responsible for assisting in efforts to coordinate healthcare workforce education and training in this state. Provides that the council shall be composed of the following members:

- (1) Three members appointed by the governor.
- (2) The secretary of the department or his designee.
- (3) Two members appointed by the speaker of the House of Representatives.
- (4) Two members appointed by the president of the Senate.
- (5) One member appointed by the chairman of the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College.
- (6) One member appointed by the chairman of the Board of Supervisors of Southern University and Agricultural and Mechanical College.
- (7) One member appointed by the chairman of the Board of Supervisors for the University of Louisiana System or his designee.
- (8) One member appointed by the chairman of the Board of Supervisors of Community and Technical Colleges or his designee.

Proposed law provides that the council shall have the following duties:

- (1) Develop graduate medical education and workforce training and development priorities for the state.
- (2) Make recommendations to the department regarding the use of healthcare education and training funds appropriated by the legislature.
- (3) Develop standards and guidelines for residency and health professions education and training programs funded through legislative appropriations.
- (4) Review outcomes data from health professions education and training programs and, on an ongoing basis, assess and prioritize the graduate medical education and health professions education and training needs of La. communities.
- (5) Explore options for developing a statewide graduate medical education and health professions education and training funding strategy.
- (6) Advocate for additional funding and additional sources of funds to stimulate expansion of graduate medical education and health professions education and training in La.

- (7) Provide technical assistance and support for establishing new graduate medical education and health professions education and training programs.
- (8) Review and recommend health professions career pathways and ladders.

Proposed law requires that the council, in carrying out its duties, shall give primary consideration to increasing workforce diversity and furthering improved access, quality, and equity of health care for underserved communities, Medicaid-eligible individuals and families, and other medically needy populations.

Proposed law requires that when funding primary care and family medicine programs, primary care and family medicine residencies, and programs for the training of primary care physician assistants, primary care nurse practitioners, or registered nurses, the department and the higher education governing boards of La. shall give priority to programs that have demonstrated success in the following areas:

- (1) Graduating individuals who practice in medically underserved areas.
- (2) Enrolling members of underrepresented groups in medical education.
- (3) Locating training sites in medically underserved areas.
- (4) Operating a main training site at which the majority of the patients are Medicaid enrollees or Medicaid-eligible.

Proposed law provides that the department shall have all of the following duties with respect to the council:

- (1) Develop application and contract criteria based on healthcare workforce needs and the priorities of the council.
- (2) Determine whether primary care and family medicine program proposals, primary care physician assistant training program proposals, primary care nurse practitioner training program proposals, and registered nurse training program proposals submitted for participation in the state medical contract program established by proposed law meet the standards established by the council.
- (3) Select and contract on behalf of the state with accredited medical schools, teaching health centers, programs that train primary care physician assistants, programs that train primary care nurse practitioners, hospitals, and other health systems for the purpose of training undergraduate medical students, residents, and other healthcare professionals in the specialties of internal medicine, obstetrics and gynecology, pediatrics, and family medicine.
- (4) Select and contract on behalf of the state with programs that train registered nurses.
- (5) Terminate, upon 30 days' written notice, the contract of any institution whose program does not meet the standards established by the council or that otherwise does not maintain proper compliance with proposed law.

(Adds R.S. 36:259(B)(9) and R.S. 40:1209.1-1209.8)