

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 healthcare workforce contract program; to provide for
6 administration of the contract program by the Louisiana Department of Health; to
7 provide for prioritization of funding for healthcare workforce education and training
8 by the Louisiana Department of Health and the higher education governing boards
9 of this 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 B.(1) The purpose of this Part is to provide for a program that will
2 accomplish all of the following objectives:

3 (a) Increase the number of primary care physician assistants, primary care
4 nurse practitioners, and registered nurses practicing in this state.

5 (b) Maximize the delivery of primary care services to specific communities
6 and geographic areas of Louisiana where recognized unmet needs for health care
7 exist.

8 (2) The program provided for in this Part is intended to be implemented
9 through contracts with accredited institutions of higher education; teaching health
10 centers; programs that train primary care physician assistants, primary care nurse
11 practitioners, registered nurses, practical nurses, and certified nurse aides; hospitals;
12 and other health systems based on per-student capitation formulas. The legislature
13 intends that all initiatives supported by this program be professionally and
14 administratively accountable in order to achieve the maximum degree of
15 cost-effectiveness and greatest positive impact on health outcomes in this state.

16 §1209.3. Definitions

17 As used in this Part, the following terms have the meaning ascribed in this
18 Section:

19 (1) "Council" means the Louisiana Healthcare Workforce Education and
20 Training Council.

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

1 (3) "Teaching health center" means a community-based ambulatory patient
2 care center that operates a primary care residency program. Community-based
3 ambulatory patient care settings include but are not limited to federally qualified
4 health centers, community mental health centers, rural health clinics, health centers
5 operated by an Indian tribe or tribal organization, and entities receiving funds under
6 Title X of the Public Health Service Act (Public Law 91-572).

7 §1209.4. State healthcare workforce contract program; creation; administration by
8 the Louisiana Department of Health; rulemaking

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

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

21 §1209.5. Louisiana Healthcare Workforce Education and Training Council; creation

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

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

29 (1) Three members appointed by the governor.

- 1 (2) The secretary of the Louisiana Department of Health or his designee.
- 2 (3) Two members appointed by the speaker of the House of Representatives.
- 3 (4) Two members appointed by the president of the Senate.
- 4 (5) One member appointed by the chairman of the Board of Supervisors of
5 Louisiana State University and Agricultural and Mechanical College.
- 6 (6) One member appointed by the chairman of the Board of Supervisors of
7 Southern University and Agricultural and Mechanical College.
- 8 (7) One member appointed by the chairman of the Board of Supervisors for
9 the University of Louisiana System or his designee.
- 10 (8) One member appointed by the chairman of the Board of Supervisors of
11 Community and Technical Colleges or his designee.
- 12 C.(1) The initial terms of the council members shall be staggered as follows:
- 13 (a) The initial term of the members appointed by the governor shall be one
14 year.
- 15 (b) The initial term of the members appointed by the speaker of the House
16 of Representatives and the president of the Senate shall be two years.
- 17 (c) The initial term of the members appointed by the chairmen of higher
18 education governing boards shall be three years.
- 19 (2) After the expiration of the terms provided in Paragraph (1) of this
20 Subsection, each individual appointed to the council shall serve a term of four years.
- 21 D. Each member of the council shall be subject to confirmation by the
22 Senate.
- 23 E. A majority of the members of the council shall constitute a quorum. A
24 quorum is required for the council to conduct its business and to exercise the powers
25 provided in this Part.
- 26 F. The secretary of the Louisiana Department of Health shall convene the
27 initial meeting of the council as soon as is practicable after all members of the
28 council have been appointed. At its initial meeting, the council shall elect from its
29 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 healthcare workforce training and development priorities for the
14 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 health professions education and
18 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 health professions
21 education and training needs of Louisiana communities.

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

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

26 (7) Provide technical assistance and support for establishing new health
27 professions education and training programs in Louisiana.

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

1 (9) Study the effects of the COVID-19 pandemic and make
2 recommendations to help the state in meeting its healthcare workforce needs
3 including through induction of new workers into the healthcare workforce and
4 retention of its existing healthcare workforce.

5 (10) Study on an ongoing basis and make recommendations concerning
6 building of the strongest possible healthcare workforce in Louisiana. In particular,
7 the council shall study the matter of which entities have responsibility for oversight
8 of educational programs that produce healthcare professionals and shall make
9 recommendations regarding the extent to which healthcare professional licensing
10 boards should have influence on the structure and operation of such educational
11 programs.

12 (11) Study and make recommendations concerning elimination of
13 inefficiencies in healthcare professional licensure and credentialing and elimination
14 of impediments to increasing the number of healthcare workers produced.

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

21 §1209.7. Funding of programs; prioritization

22 When funding primary care programs or departments and programs for the
23 training of primary care physician assistants, primary care nurse practitioners, or
24 registered nurses, the Louisiana Department of Health and the higher education
25 governing boards of this state shall give priority to programs that have demonstrated
26 success in the following areas:

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

28 (2) Enrolling members of underrepresented groups in health professions
29 education and training.

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

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

4 §1209.8. Duties of the Louisiana Department of Health with respect to the council

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

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

9 (2) Determine whether primary care program proposals, primary care
10 physician assistant training program proposals, primary care nurse practitioner
11 training program proposals, and registered nurse training program proposals
12 submitted to the department for participation in the state healthcare workforce
13 contract program established by R.S. 40:1209.4 meet the standards established by the
14 council.

15 (3) Select and contract on behalf of the state with accredited institutions of
16 higher education, teaching health centers, programs that train primary care physician
17 assistants, programs that train primary care nurse practitioners, hospitals, and other
18 health systems for the purpose of training healthcare professionals. The department
19 shall award contracts to those institutions that best demonstrate the ability to provide
20 quality education and training and to retain students and residents in geographic
21 areas of Louisiana where recognized unmet needs for health care exist.

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

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

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)]

HB 226 Engrossed

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 healthcare workforce contract program with accredited institutions of higher education; 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 receiving quality education and training in nursing and in primary care specialties to maximize the delivery of primary care 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.
- (9) Study the effects of the COVID-19 pandemic and make recommendations to help the state in meeting its healthcare workforce needs including through induction of new workers into the healthcare workforce and retention of its existing healthcare workforce.
- (10) Study on an ongoing basis and make recommendations concerning building of the strongest possible healthcare workforce; study particularly the matter of which entities have responsibility for oversight of educational programs that produce healthcare professionals, and make recommendations regarding the extent to which healthcare professional licensing boards should have influence on the structure and operation of such programs.
- (11) Study and make recommendations concerning elimination of inefficiencies in healthcare professional licensure and credentialing and elimination of impediments to increasing the number of healthcare workers produced.

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 programs 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 health professions education and training.
- (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 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 healthcare workforce contract program established by proposed law meet the standards established by the council.
- (3) Select and contract on behalf of the state with accredited institutions of higher education, 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 healthcare professionals.
- (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)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Health and Welfare to the original bill:

1. Delete from proposed law all references to physician training, graduate medical education, and residencies.
2. Change the designation of the contract program created and provided for in proposed law from a medical contract program to a healthcare workforce contract program.
3. Add the following as duties of the La. Healthcare Workforce Education and Training Council established by proposed law:
 - a. Study the effects of the COVID-19 pandemic and make recommendations to help the state in meeting its healthcare workforce needs including through induction of new workers into the healthcare workforce and retention of its existing healthcare workforce.
 - b. Study on an ongoing basis and make recommendations concerning building of the strongest possible healthcare workforce
 - c. Study the matter of which entities have responsibility for oversight of educational programs that produce healthcare professionals and make recommendations regarding the extent to which healthcare professional licensing boards should have influence on the structure and operation of such programs.
 - d. Study and make recommendations concerning elimination of inefficiencies in healthcare professional licensure and credentialing and elimination of impediments to increasing the number of healthcare workers produced.

4. Revise legislative findings.
5. Make technical changes.