

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **SB 115** SLS 12RS 168

Bill Text Version: **ORIGINAL**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: March 27, 2012 3:57 PM	Author: MILLS
Dept./Agy.: DHH	Analyst: Shawn Hotstream
Subject: Licensing	

HOSPITALS OR NO IMPACT See Note Page 1 of 1
Provides for immediate suspension of a license for a psychiatric hospital. (gov sig)

Proposed law provides that the secretary may issue an immediate suspension of a license for a psychiatric hospital if an investigation or survey determines that the applicant or licensee is in violation of the rules promulgated by the department, or in violation of any federal or state law or regulation, and the secretary determines that the violation pose an imminent or immediate threat to the health, welfare, or safety of a client. Proposed law provides that the secretary shall give the licensee written notice of the suspension.

Proposed law further provides that the licensee shall have the right to file an appeal to be filed with the Office of the Secretary, and to file for injunctive relief from the immediate suspension of the license to be filed with the district court of the parish of East Baton Rouge.

Proposed law further provides that in the event a license is revoked or renewal of a psychiatric hospital is denied, then any owner or other may be prohibited from owning or managing another psychiatric hospital in the state of Louisiana.

EXPENDITURES	2012-13	2013-14	2014-15	2015-16	2016-17	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

REVENUES	2012-13	2013-14	2014-15	2015-16	2016-17	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

EXPENDITURE EXPLANATION

There is no anticipated direct material effect on DHH expenditures as a result of this measure. The suspension/revocation of a psychiatric hospital license may result in an appeal with the Office of the Secretary within DHH or result in court action on the part of the licensee. Any cost associated with appeals or litigation is anticipated to be defened with existing staff and resources through Department of Health and Hospital in-house legal counsel. In addition, any fiscal impact to the district court of the parish of East Baton Rouge associated with injunctive relief review is anticipated to be negligible.

REVENUE EXPLANATION

There is no anticipated direct material effect on governmental revenues as a result of this measure.

<u>Senate</u>	<u>Dual Referral Rules</u>	<u>House</u>	<i>H. Gordon Monk</i>
<input type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S&H}	<input type="checkbox"/> 6.8(F)1 >= \$500,000 Annual Fiscal Cost {S}		H. Gordon Monk
<input type="checkbox"/> 13.5.2 >= \$500,000 Annual Tax or Fee Change {S&H}	<input type="checkbox"/> 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}		Legislative Fiscal Officer