

2015 Regular Session

SENATE BILL NO. 68

BY SENATOR BUFFINGTON

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

NURSING HOMES. Extends moratorium on additional beds for nursing facilities. (gov sig)

1 AN ACT

2 To amend and reenact R.S. 40:2116(D)(2), relative to facility need review; to provide for an
3 extension to the moratorium on additional beds for nursing facilities; and to provide
4 for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 40:2116(D)(2) is hereby amended and reenacted to read as follows:

7 §2116. Facility need review

8 * * *

9 D.(1) * * *

10 (2) The Department of Health and Hospitals shall implement a moratorium
11 on additional beds for nursing facilities. The Department of Health and Hospitals
12 shall not approve any additional nursing facilities or additional beds in nursing
13 facilities through facility need review. This prohibition shall apply only to
14 applications for new beds not approved prior to July 1, 1996. ~~Such~~ The prohibition
15 shall become enforceable on July 1, 1996, and shall remain in effect until July 1,
16 ~~2016~~ 2022. This prohibition shall not apply to the replacement of existing facilities,
17 provided that there is no increase in existing nursing home beds at the replacement

1 facility.

2 * * *

3 Section 2. This Act shall become effective upon signature by the governor or, if not
4 signed by the governor, upon expiration of the time for bills to become law without signature
5 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
6 vetoed by the governor and subsequently approved by the legislature, this Act shall become
7 effective on the day following such approval.

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Christopher D. Adams.

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Present law prohibits DHH from approving any additional nursing facilities or additional beds in nursing facilities through facility need review.

Present law applies the prohibition only to applications for new beds not approved prior to July 1, 1996, and the prohibition remains in effect until July 1, 2016.

Proposed law changes the deadline date for enforcement from July 1, 2016 to July 1, 2022.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 40:2116(D)(2))