

2015 Regular Session

SENATE BILL NO. 61

BY SENATOR BUFFINGTON

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

HEALTH SERVICES. Provides relative to hospital service districts. (gov sig)

1 AN ACT

2 To enact R.S. 46:1069.1, relative to hospital service districts; to provide for leasing and  
3 operating a licensed nursing home; to provide for an effective date; and to provide  
4 for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 46:1069.1 is hereby enacted to read as follows:

7 **§1069.1. Hospital service districts; leasing and operating a licensed nursing**  
8 **home**

9 **A. Except as provided in Subsection D of this Section, nothing in this**  
10 **Chapter shall be construed to prevent or prohibit a hospital service district**  
11 **created pursuant to this Chapter from leasing and operating a licensed nursing**  
12 **home, as defined in R.S. 40:2009.2, that is located within the boundaries of that**  
13 **hospital service district or outside the boundaries of that hospital service district**  
14 **but within the state of Louisiana.**

15 **B.(1) If a hospital service district determines to lease and operate a**  
16 **licensed nursing home within thirty-five miles of a hospital service district**  
17 **hospital in an adjoining hospital service district, then the hospital service**

1 district shall provide sixty days written prior notice to the governing authority  
2 of the parish in which the nursing home is located.

3 (2) If the governing authority of the parish does not provide written  
4 notice of objection to the hospital service district within the required sixty days,  
5 then the hospital service district may lease and operate the licensed nursing  
6 home.

7 (3) If the governing authority of the parish in which the licensed nursing  
8 home is located objects in writing within the required sixty days, and after a  
9 good-faith effort is made to reach an agreement between the governing  
10 authority of the parish and the licensed nursing home, and an agreement is not  
11 reached, then the hospital service district may lease and operate the licensed  
12 nursing home.

13 C. A hospital service district shall not operate a licensed nursing home  
14 in any parish having a population of not less than four hundred thirty thousand  
15 and not more than four hundred thirty-five thousand according to the latest  
16 federal decennial census, in any parish having a population of not less than one  
17 hundred ten thousand and not more than one hundred fifteen thousand  
18 according to the latest federal decennial census, or in any parish having a  
19 population of not less than two hundred nineteen thousand and not more than  
20 two hundred twenty-eight thousand according to the latest federal decennial  
21 census without either being the service district hospital where the licensed  
22 nursing home is located or receiving the approval of the hospital service district  
23 where the nursing home is located.

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

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The original instrument was prepared by Christopher D. Adams. The following digest, which does not constitute a part of the legislative instrument, was prepared by Cathy R. Wells.

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## DIGEST

SB 61 Reengrossed

2015 Regular Session

Buffington

Proposed law provides a hospital service district created pursuant to present law may lease and operate a licensed nursing home as defined in present law that is located within the boundaries of that hospital service district or outside the boundaries of that hospital service district but within the boundaries of the state.

Proposed law provides if a hospital service district determines to lease and operate a licensed nursing home within 35 miles of a hospital service district hospital in an adjoining hospital service district, then the hospital service district shall provide a 60-day written prior notice to the governing authority of the parish in which the licensed nursing home is located.

Proposed law provides if the governing authority of the parish in which the licensed nursing home is located does not provide written notice of objection to the hospital service district within the required 60 days, then the hospital service district may lease and operate the licensed nursing home.

Proposed law provides if the governing authority in which the licensed nursing home is located objects in writing within the 60 days of providing notice as described in proposed law, and after a good-faith effort is made to reach an agreement between the governing authority of the parish and the licensed nursing home, and an agreement is not reached, then the hospital service district may lease and operate a licensed nursing home located outside of the boundaries of its hospital service district.

Proposed law provides a hospital service district shall not operate a licensed nursing home in any parish having a population of not less than 430,000 and not more than 435,000 according to the latest federal decennial census, in any parish having a population of not less than 219,000 and not more than 228,000 according to the latest federal decennial census , or in any parish having a population of not less than 110,000 and not more than 115,000 according to the latest federal decennial census without either being the service district hospital where the licensed nursing home is located or receiving the approval of the hospital service district where the licensed nursing home is located.

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

(Adds R.S. 46:1069.1)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Health and Welfare to the original bill

1. Provides for the process for hospital service district to lease and operate a nursing home.
2. Provides for an exception for two different population categories.

Senate Floor Amendments to engrossed bill

1. Provides that a hospital service district may lease and operate a licensed nursing home that is located within the boundaries of that hospital service district or outside the boundaries of that hospital service district but within the boundaries of the state.
2. Requires that nursing homes must be licensed.
3. Provides for an additional exception for parishes having a population of not less than 219,000 and not more than 228,000 according to the latest federal decennial census.