

2018 Regular Session

HOUSE BILL NO. 810

BY REPRESENTATIVES CHANEY AND ANDERS

ETHICS: Provides relative to the members of the board of commissioners of certain hospital service districts

1 AN ACT

2 To amend and reenact R.S. 42:1123(18)(a), relative to ethics; to allow a physician who
3 serves on the board of a hospital service district in certain parishes to be employed
4 by the hospital over which the board exercises jurisdiction; to require recusal under
5 certain circumstances; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 42:1123(18)(a) is hereby amended and reenacted to read as follows:

8 §1123. Exceptions

9 This Part shall not preclude:

10 * * *

11 (18)(a) A licensed physician who is a member of a board of commissioners
12 for any hospital service district authorized by Chapter 10 of Title 46 of the Louisiana
13 Revised Statutes of 1950 located within a parish which has a population of one
14 hundred twenty-five thousand or less from being employed by or contracting with
15 the hospital over which the board exercises jurisdiction, from subcontracting with
16 another provider who contracts with such hospital, or from owning an interest in an
17 entity that contracts with such hospital. However, such licensed physician shall
18 recuse himself from participating in any transaction before the board relating to his
19 employment with the hospital or to any contracts entered into by him, or by a

1 provider with which he subcontracts, or by any entity in which he owns an interest,
2 and permitted by this Paragraph.

3 * * *

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 810 Original

2018 Regular Session

Chaney

Abstract: Allows a physician who serves on the board of a hospital service district in certain parishes to be employed by the hospital over which the board exercises jurisdiction.

Present law (R.S. 42:1113–Code of Governmental Ethics) prohibits an appointed member of a board or commission, member of his immediate family, or legal entity in which he has a substantial economic interest from bidding on or enter into or being in any way interested in any contract, subcontract, or other transaction which is under the supervision or jurisdiction of the agency of the appointed member.

Present law (R.S. 42:1112) prohibits a public servant from participating in a transaction in which he has a personal substantial economic interest of which he may be reasonably expected to know involving the governmental entity.

Present law (R.S. 42:1123(18)) allows a licensed physician who is a member of a board of commissioners for any hospital service district authorized by present law (Ch. 10 of Title 46) located within a parish which has a population of 125,000 or less to contract with the hospital over which the board exercises jurisdiction, to subcontract with another provider who contracts with such hospital, or to own an interest in an entity that contracts with such hospital. However, requires the licensed physician to recuse himself from participating in any transaction before the board relating to any contracts entered into by him, or by a provider with which he subcontracts, or by any entity in which he owns an interest, and permitted by present law.

Proposed law retains present law. Additionally allows a licensed physician who is a member of a board of commissioners for any hospital service district authorized by present law (Ch. 10 of Title 46) located within a parish which has a population of 125,000 or less to be employed by the hospital over which the board exercises jurisdiction. Requires the licensed physician to recuse himself from participating in any transaction before the board relating to his employment with the hospital.

(Amends R.S. 42:1123(18)(a))