

2018 Regular Session

HOUSE BILL NO. 539

BY REPRESENTATIVE LEGER

1 AN ACT

2 To enact R.S. 40:2006.2, relative to licensing of healthcare facilities and providers by the
3 Louisiana Department of Health; to provide for an expedited licensing process; to
4 require submission of a report concerning the expedited licensing process to certain
5 legislative committees; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 40:2006.2 is hereby enacted to read as follows:

8 §2006.2. Expedited licensing process; fees

9 A. The Louisiana Department of Health, referred to hereafter in this Section
10 as the "department", is hereby authorized to establish an expedited licensing process
11 for healthcare facilities and providers that the department licenses.

12 B. The department shall promulgate, in accordance with the Administrative
13 Procedure Act, any such rules as are necessary to provide for the expedited licensing
14 process authorized by this Section.

15 C. The fees for the expedited licensing process shall be assessed in an
16 amount not to exceed seven thousand five hundred dollars and shall be payable to the
17 department at the time an expedited licensing application is submitted to the
18 department by a healthcare facility or provider.

19 D.(1) After the department receives and approves the completed expedited
20 licensing application packet, the department shall notify the applicant to provide a
21 readiness date for the expedited survey. The department shall conduct the expedited
22 licensing survey within ten working days of the readiness date indicated by the
23 facility or provider and in accordance with applicable rules of the department.

1 (2) The department shall refund the expedited licensing fee if the expedited
 2 licensing survey is not conducted within the time period specified in this Section,
 3 unless such failure to conduct the survey is due to the unavailability of the facility
 4 or provider.

5 (3) The department shall not utilize existing employees who conduct regular
 6 licensing surveys to conduct any expedited licensing survey.

7 E. The department shall ensure that no facility or provider seeking approval
 8 to apply for licensure pursuant to a pre-licensing facility need review process
 9 provided for in this Chapter is affected by another provider of the same license type
 10 choosing the expedited licensing process instead of the regular licensing process.

11 Section 2. On or before February 1, 2019, the secretary of the Louisiana Department
 12 of Health shall submit a written report to the House and Senate committees on health and
 13 welfare regarding implementation of the expedited licensing process authorized by R.S.
 14 40:2006.2, as enacted by Section 1 of this Act. At minimum, the report shall include the
 15 number of providers that elected to seek the expedited licensing process in the period
 16 addressed by the report.

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

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____