

2024 Regular Session

SENATE BILL NO. 380

BY SENATOR FESI

NURSING HOMES. Provides for certain nursing facilities within the South Lafourche Levee District. (8/1/24)

1 AN ACT

2 To amend and reenact R.S. 40:2116.1(A)(3) and to enact R.S. 40:2116.1(A)(4) and

3 (B)(2)(e), relative to nursing facilities within the South Lafourche Levee District; to

4 create an exception to the moratorium on additional nursing facilities; to allow for

5 an additional nursing facility within the district; and to provide for related matters.

6 Notice of intention to introduce this Act has been published.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 40:2116.1(A)(3) is hereby amended and reenacted and R.S.

9 40:2116.1(A)(4) and (B)(2)(e) are hereby enacted to read as follows:

10 §2116.1. Nursing facilities; facility need review; moratorium; exceptions

11 A. * * *

12 * * *

13 (3) **Except as provided for in Paragraph (4) of this Subsection,** ~~No~~ no new

14 facility, service, or bed shall be licensed and certified to participate in the Title XIX

15 program without the approval of the department based upon a determination of a

16 need therefor in accordance with the provisions of this Section. Any person

17 establishing, managing, or operating a new facility, service, or bed without the

1 approval required by this Section shall be prohibited from participating in the Title
2 XIX program.

3 **(4) The department shall not apply facility need review to one additional**
4 **nursing facility located within the South Lafourche Levee District.**

5 B. * * *

6 * * *

7 (2) The moratorium provided for in Paragraph (1) of this Subsection shall not
8 apply to the following:

9 * * *

10 **(e) One additional nursing facility located within the South Lafourche**
11 **Levee District.**

12 * * *

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Amanda Trapp.

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Present law prohibits the Louisiana Department of Health from licensing any new nursing facilities or expanding the capacity of any existing nursing facilities except in certain circumstances.

Proposed law retains present law and adds an exception to both the nursing home moratorium and facility need review for one additional nursing facility located within the South Lafourche Levee District.

Effective August 1, 2024.

(Amends R.S. 40:2116.1(A)(3); adds R.S. 40:2116.1(A)(4) and (B)(2)(e))