

2026 Regular Session

SENATE BILL NO. 145

BY SENATOR WOMACK

HEALTH SERVICES. Provides relative to adult residential care providers. (gov sig)

1 AN ACT

2 To enact R.S. 40:2166.11, relative to adult residential care providers; to provide for  
3 generators or alternative electrical power sources; to provide for requirements; to  
4 provide for duties of the Louisiana Department of Health; provide for waivers; to  
5 provide for rulemaking; to provide for duties of the office of the state fire marshal;  
6 to provide for an effective date; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 40:2166.11 is hereby enacted to read as follows:

9 A. All licensed adult residential care providers shall have a generator or  
10 other Louisiana Department of Health approved alternative electrical power  
11 source in the event of the loss of primary electrical power in accordance with  
12 this Section.

13 B. The generator or alternative electrical power source shall have a  
14 simultaneous capability of providing sufficient electrical power for all of the  
15 following:

16 (1) Life safety systems.

17 (2) Lighting in patient care areas.

1                   **(3) Medical equipment in patient care areas.**

2                   **(4) Electrical components of the approved potable water system.**

3                   **(5) Electrical components of the approved sewer system.**

4                   **(6) Operation of the adult residential care provider's medication**  
5 **dispensing and medication refrigerator systems.**

6                   **(7) Operation of the adult residential care provider's dietary services and**  
7 **related refrigeration.**

8                   **(8) Operation of the adult residential care provider's laundry services.**

9                   **(9)(a) For adult residential care providers built or whose construction**  
10 **plans have been approved by the department prior to August 1, 2026, HVAC**  
11 **systems or portions of systems required to maintain a safe indoor temperature**  
12 **to be powered at a minimum fifty percent of the air conditioning systems and**  
13 **fifty percent of the heating systems in the facility.**

14                   **(b) For adult residential care providers approved for construction or**  
15 **built on or after August 1, 2026, HVAC systems or portions of system required**  
16 **to maintain a safe indoor temperature to be powered at a minimum ninety**  
17 **percent of the air conditioning system and ninety percent of the heating systems**  
18 **in the facility.**

19                   **C.(1) The generator or alternative electrical power source shall be**  
20 **permanently installed onsite at the adult residential care provider facility and**  
21 **shall have fuel stored onsite at the adult residential care provider facility or**  
22 **delivered prior to the emergency event, in an amount sufficient to operate the**  
23 **generator or alternative electrical power source under full load for seventy-two**  
24 **hours.**

25                   **(2) Natural gas is an allowable fuel source and meets the onsite fuel**  
26 **requirement if there is an onsite propane tank sufficient in size to meet the fuel**  
27 **requirements provided for this in this Section.**

28                   **D. Each adult residential care provider shall have fuel delivery**  
29 **agreements in place that will extend the uninterrupted operation of the**

1 generator or alternative electrical power source under full load to a total period  
2 of one hundred sixty eight hours for a single emergency event. Adult residential  
3 care providers may interrupt operation of the generator or alternative electrical  
4 power source to conduct routine maintenance as recommended by the  
5 manufacturer's specifications.

6 E.(1) For adult residential care provider facilities built or whose  
7 construction plans have been approved by the department prior to August 1,  
8 2026, the Louisiana Department of Health may provide a waiver for the  
9 permanently installed generator or alternative electrical power source required  
10 by this Section if it is determined that there is not sufficient physical space  
11 available or a governmental ordinance exists that makes it impossible to place  
12 a generator or alternative electrical power source and the fuel required by this  
13 Section on the premises of the adult residential care provider facility.

14 (2) Each adult residential care provider facility that receives a waiver  
15 pursuant to this Subsection shall annually submit to its parish office of  
16 emergency preparedness for review and approval, a plan to provide for the  
17 health and safety of the facility's residents in the event of a power loss. This  
18 annual plan may incorporate but is not limited to, mobile generators, chillers,  
19 or evacuation. A copy of the approved plan shall be sent to the department's  
20 licensing section annually with the provider's license renewal application and  
21 upon request.

22 F. Adult residential care providers shall meet the requirements of this  
23 Section no later than December 1, 2027. The department may grant a one-time  
24 extension, not to exceed twelve months, upon written application by an adult  
25 residential care provider that compliance with this Section has been delayed due  
26 to extraordinary and unforeseen circumstances. No extension shall be granted  
27 if the adult residential care provider fails to provide sufficient evidence of  
28 substantial compliance or good faith efforts to comply with the requirement  
29 deadline provided for in this Subsection.



in place that will extend the uninterrupted operation of the generator or alternative electrical power source under full load to a total period of 168 hours for a single emergency event.

Proposed law authorizes the La. Dept. of Health to grant a waiver to an adult residential care provider facility built or whose construction plans have been approved by the department prior to Aug. 1, 2026, and requires any facility with a waiver to annually submit to its parish office of emergency preparedness for review and approval, a plan to provide for the health and safety of the facility's residents in the event of a power loss.

Proposed law requires adult residential care providers to meet the requirements of proposed law no later than Dec. 1, 2027, and authorizes the department to grant providers a one-time extension, not to exceed 12 months.

Proposed law authorizes the La. Dept. of Health to utilize emergency rulemaking to implement the provisions of proposed law.

Proposed law requires the office of the state fire marshal to determine the adult residential care provider's compliance with the generator or alternative power source capability, installation, and fuel requirements as provided in proposed law and report noncompliance to the department.

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

(Adds R.S. 40:2166.11)