

2026 Regular Session

SENATE BILL NO. 273

BY SENATOR ABRAHAM

HEALTH SERVICES. Provides relative to inpatient licensed facilities. (8/1/26)

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AN ACT

To enact R.S. 40:2009.26, relative to inpatient licensed facilities; to provide for hospice care; to provide for legislative intent; to provide for definitions; to provide for patient care plans; to provide for facility requirements; to provide for Louisiana Department of Health oversight; to provide for violations; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 40:2009.26 is hereby enacted to read as follows:

§2009.26. Hospice care in non-hospice inpatient licensed facilities

A. The Legislature finds and declares that:

(1) Patients receiving hospice care are among the most medically vulnerable residents of the state.

(2) If hospice services are provided to a patient in a licensed facility other than an inpatient hospice facility, there may be multiple providers sharing responsibility for the patient which can create potential confusion regarding accountability, communication, and care coordination.

(3) Families play an essential role in safeguarding patient dignity and ensuring proper communication between providers.

1 **(4) When patients in non-hospice licensed facilities are receiving hospice**
2 **care, there must be additional patient protections implemented to protect the**
3 **hospice patient from neglect, miscommunication, or loss of continuity of care,**
4 **particularly when patients are transferred between one or more licensed**
5 **facilities.**

6 **B. For purposes of this Section:**

7 **(1) "Hospice provider" means any licensed hospice agency operating**
8 **within the state in accordance with R.S. 40:2181 et seq.**

9 **(2) "Facility" means any non-hospice inpatient licensed facility including**
10 **a nursing facility, assisted living facility, or licensed residential care setting**
11 **providing inpatient care.**

12 **C. Patients receiving hospice care in a facility shall have the right to:**

13 **(1) Comfort-focused care consistent with medical judgment.**

14 **(2) Respectful communication among providers and families.**

15 **(3) Clear explanation of care decisions affecting hydration, nutrition, or**
16 **visitation.**

17 **D.(1) When a patient in a facility is enrolled in hospice care, a patient**
18 **specific written care plan shall be completed and maintained in the patient**
19 **record identifying, at a minimum:**

20 **(a) The patient's hospice provider.**

21 **(b) The provider that controls medical orders.**

22 **(c) The provider responsible for daily hydration, nutrition, and routine**
23 **care.**

24 **(d) The designated point of contact for the patient's family or patient's**
25 **authorized representative.**

26 **(2) The care plan shall be made available to the patient and the patient's**
27 **family or patient's authorized representative upon request.**

28 **E.(1) If a hospice patient is transferred or relocated from one facility to**
29 **another, the transferring facility shall immediately notify the patient's hospice**

1 **provider and the patient's family or patient's authorized representative.**

2 **(2) The notification shall include the patient's current care plan and a**
3 **notice that a new care plan shall be developed within six hours of the patient**
4 **being transferred to the receiving facility.**

5 **(3) Failure to execute the notice provisions of Paragraph (1) of this**
6 **Subsection shall constitute a reportable deficiency for the transferring facility.**

7 **(4) Failure to execute the new care plan provisions of Paragraph (1) of**
8 **this Subsection shall constitute a reportable deficiency for the receiving facility.**

9 **F.(1) Every facility with a patient receiving hospice care shall maintain**
10 **a detailed patient log of the following:**

11 **(a) Offers of food and fluid.**

12 **(b) Patient acceptance or refusal of the offer of food and fluid.**

13 **(c) The provider issuing a directive or order and his clinical justification**
14 **for hydration or nutrition being withheld from a hospice patient.**

15 **(2) The patient log required by Paragraph (1) of this Subsection shall be**
16 **made available to the patient's hospice provider and to the patient's family or**
17 **patient's authorized representative, upon request.**

18 **G.(1) A facility shall not retaliate against or restrict access to a patient's**
19 **family or patient's authorized representative because concerns were raised**
20 **regarding patient care.**

21 **(2) Any facility restriction on visitation or access to a hospice patient**
22 **shall be ordered by a provider who is identified, clinically justified, documented**
23 **in writing, and communicated to the patient's family or patient's authorized**
24 **representative prior to the restriction being implemented.**

25 **H. If the Louisiana Department of Health receives a complaint alleging**
26 **a violation of this Section, the department shall conduct a complaint survey,**
27 **which shall include review of the facility's care plans. The department shall**
28 **issue corrective action plans or assess administrative penalties as determined by**
29 **the department.**

