

2026 Regular Session

SENATE BILL NO. 190

BY SENATOR MIZELL

NURSING HOMES. Provides relative to nursing home licenses. (8/1/26)

1 AN ACT

2 To enact R.S. 40:2009.10.2, relative to nursing facilities; to provide for the Centers for
3 Medicare and Medicaid Services Special Focus Facility Program; to provide for state
4 requirements for nursing facilities; to provide for the duties and responsibilities of
5 the Louisiana Department of Health; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 40:2009.10.2 is hereby enacted to read as follows:

8 **§2009.10.2. Special Focus Facility Program; state requirements**

9 **A. Any nursing facility licensed by the Louisiana Department of Health**
10 **that is selected for participation in the Centers for Medicare and Medicaid**
11 **Services Special Focus Facility Program shall be subject to enhanced state**
12 **oversight.**

13 **B. Any nursing facility identified in Subsection A of this Section shall:**

14 **(1) Provide notice to both prospective and current residents that the**
15 **facility is in the Special Focus Facility Program due to the scope and severity of**
16 **noncompliance with state and federal requirements.**

17 **(2) Provide current residents the opportunity to transfer to another**

1 available facility if the resident can be transferred safely and there is an
 2 alternative nursing facility with availability that meets the resident's
 3 geographical, physical health, and mental health needs.

4 (3) Comply with the following state requirements in addition to any
 5 requirements imposed by the Centers for Medicare and Medicaid Services:

6 (a) Be subject to state-appointed monitoring.

7 (b) Be subject to a minimum of quarterly in-person unannounced
 8 inspections.

9 (c) Enter into a directed plan of correction with the department.

10 (d) Hold directed, in-service training.

11 (e) Be subject to a root cause analysis to determine the basis for its poor
 12 performance.

13 (f) Be subject to an owner or license holder analysis to identify a pattern
 14 of poor performance under the same owner.

15 (g) Be responsible for staffing increases as directed by the department
 16 to address deficiencies.

17 (h) Engage with a Quality Improvement Organization approved by the
 18 Centers for Medicare and Medicaid Services.

19 C. If a nursing facility is selected for the Special Focus Facility Program
 20 and fails to meet the requirements for graduation from the program and the
 21 additional requirements imposed by the department in accordance with
 22 Subsection B of this Section within eighteen months, the Louisiana Department
 23 of Health shall revoke the facility's license.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Senate Legislative Services. The keyword, summary, 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)]

Proposed law establishes state requirements to correspond with the federal requirements established by the Centers for Medicare and Medicaid Services (CMS) Special Focus Facility (SFF) Program which focuses on nursing homes that have a history of serious

quality issues.

Proposed law requires any nursing facility licensed by the La. Dept. of Health that is selected for participation in the SFF Program to be subject to enhanced state oversight.

Proposed law requires the nursing facilities to notify prospective and current residents of participation in the program and give the residents an opportunity to transfer to another nursing facility.

Proposed law requires the nursing facilities to comply with state requirements in addition to CMS requirements for the program.

Proposed law requires the La. Dept. of Health to revoke the license of any nursing facility that fails to meet the requirements for graduation from the program and additional requirements imposed by the department within 18 months.

Effective August 1, 2026.

(Adds R.S. 40:2009.10.2)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Health and Welfare to the original bill

1. Removes candidates for the Special Focus Facility Program from the requirements of proposed law.
2. Changes requirements for staffing increases required for nursing facilities in the program.
3. Removes prohibition on nursing facilities being allowed to enter the program more than once.
4. Removes provisions relative to nursing facilities that graduate from the program and continue to have performance issues.