

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 **§2166.11. Generator; alternative electrical power source**

10 **A. All licensed adult residential care providers shall have a generator or**
11 **other alternative electrical power source in the event of the loss of primary**
12 **electrical power in accordance with this Section. "Alternative electrical power**
13 **source" shall include mobile generators, shared campus systems, contracted**
14 **generators, or other engineered emergency power solution.**

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

1 (1) Life safety systems.

2 (2) Lighting in patient care areas.

3 (3) Medical equipment in patient care areas.

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

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

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

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

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

11 (9) Systems necessary to maintain a clinically safe indoor temperature
12 sufficient to protect residents from heat- or cold-related harm.

13 C.(1) The generator or alternative electrical power source shall either be
14 installed permanently onsite at the adult residential care provider facility or
15 provided through an alternative method, including mobile, shared, or
16 temporary systems. The adult residential care provider shall have an adequate
17 supply of fuel to operate the generator or alternative electrical power source
18 under full load for a minimum of seventy-two hours. The fuel shall be stored
19 onsite at the adult residential care provider facility, delivered to the provider
20 prior to the emergency event through contracted fuel delivery agreements or
21 shared fuel resources, or any combination thereof.

22 (2) Natural gas is an allowable fuel source and meets the onsite fuel
23 requirement if there is a direct municipal gas line or an onsite propane tank
24 sufficient in size to meet the fuel requirements provided for this in this Section.

25 D. Each adult residential care provider shall have fuel delivery
26 agreements in place that will extend the uninterrupted operation of the
27 generator or alternative electrical power source under full load for the duration
28 of a single emergency event. Adult residential care providers may interrupt
29 operation of the generator or alternative electrical power source to conduct

1 routine maintenance as recommended by the manufacturer's specifications.

2 E. Each adult residential care provider that does not have a permanently
3 installed onsite generator or alternative electrical power source, shall:

4 (1) Have a rapid connect system for any contracted or mobile generators
5 and electrical power.

6 (2) Annually update its emergency operations plan to include provisions
7 for the health and safety of the provider's residents in the event of a power loss.
8 The plan shall include information on the mobile generators, shared campus
9 systems, contracted generators, other engineered power solutions, rapid connect
10 systems, and fuel arrangements and agreements. The provider's emergency
11 operations plan, or specific information contained in the plan, shall be
12 submitted to the Louisiana Department of Health upon request.

13 F. Adult residential care providers shall meet the requirements of this
14 Section no later than July 1, 2027. The department may grant a one-time
15 extension, not to exceed twelve months, upon written application by an adult
16 residential care provider that compliance with this Section has been delayed due
17 to extraordinary and unforeseen circumstances. No extension shall be granted
18 if the adult residential care provider fails to provide sufficient evidence of
19 substantial compliance or good faith efforts to comply with the requirement
20 deadline provided for in this Subsection.

21 G. The department, after consultation with the office of the state fire
22 marshal, may promulgate rules and regulations in accordance with the
23 Administrative Procedure Act, to implement the provisions of this Section. The
24 department is authorized to utilize the emergency rulemaking process provided
25 in R.S. 49:962 for adoption of the rules and regulations to implement the
26 provisions of this Section.

27 H. The office of the state fire marshal shall determine the adult
28 residential care provider's compliance with the provisions of Subsections B
29 through D of this Section. The office of the state fire marshal may require the

1 **adult residential care provider to submit plan review applications with required**
 2 **documentation, may conduct on-site inspections, and may determine that an**
 3 **alternative electric power source is not compliant or not able to safely operate**
 4 **to meet the requirements of this Section. Any noncompliance shall be referred**
 5 **to the department.**

6 Section 2. The Louisiana Department of Health shall convene a stakeholder advisory
 7 workgroup, including representatives of the Louisiana Assisted Living Association and
 8 LeadingAge Southeast, to discuss implementation, compliance progress, potential barriers,
 9 and rulemaking of the provisions provided for in this Act. The stakeholder advisory
 10 workgroup shall be convened for its first meeting no later than October 1, 2026, by the
 11 department and shall terminate no later than July 1, 2028.

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

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)]

DIGEST

SB 145 Engrossed

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Womack

Present law requires all adult residential care providers to be licensed by the La. Dept. of Health.

Proposed law requires all licensed adult residential care providers to have a generator or other electrical power source.

Proposed law provides capability requirements for the generator or alternative electrical power source.

Proposed law requires the generator or alternative electrical power source to be permanently onsite at the facility or provided through an alternative method such as mobile, shared, or temporary systems.

Proposed law requires each provider that does not have a permanently installed onsite generator or alternative power source to have a rapid connect system for any contracted or mobile generators and electrical power and to update its emergency operations plan annually to include provisions for the health and safety of the provider'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 July 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.

Proposed law requires the La. Dept. of Health to convene a stakeholder workgroup to discuss implementation, compliance progress, potential barriers, and rulemaking.

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

(Adds R.S. 40:2166.11)

Summary of Amendments Adopted by Senate

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

1. Changes the generator or alternative electric power source requirements.
2. Changes the date for providers to be in compliance with the requirements.
3. Establishes a stakeholder advisory group.