

GREEN SHEET REDIGEST

HB 414

2026 Regular Session

Chenevert

HEALTH: Provides for prohibitions on hiring individuals with certain criminal convictions.

DIGEST

Present law prohibits healthcare providers from hiring unlicensed healthcare workers and licensed ambulance personnel convicted of certain criminal offenses provided for in present law.

Present law further prohibits healthcare providers from hiring unlicensed healthcare workers and licensed ambulance personnel convicted of certain criminal offenses if the healthcare provider provides care or services to any person under the age of 21.

Proposed law combines present law prohibiting a healthcare provider from hiring an unlicensed healthcare worker if he is convicted of an offense listed in present law.

Proposed law removes licensed ambulance personnel the hiring prohibitions of present law.

Proposed law extends the hiring prohibitions of present law to an unlicensed healthcare worker convicted of a federal offense or an offense in another state that would satisfy the elements of an offense listed in present law.

Present law provides for a list of offenses for which a conviction prohibits an employer from hiring a nonlicensed healthcare professional, or requires the employer to terminate such person if already employed.

Proposed law reorganizes present law.

Proposed law provides that the existence of a pending arrest record, unresolved record match, or certain misdemeanor offenses shall not prohibit temporary or conditional employment of a nonlicensed healthcare worker pending completion of the criminal history review.

Proposed law further authorizes an employer to permit nonlicensed persons to begin conditional employment if certain conditions are met.

Present law provides that a healthcare entity hiring a nonlicensed person must obtain a criminal history and security check through the office of state police.

Proposed law creates an exception to present law for hospitals providing that a hospital may obtain a criminal history and security check through a third-party consumer reporting agency.

Present law requires an employer to maintain confidentiality and retain documentation of a criminal history and security check.

Proposed law retains present law.

Present law requires the La. Dept. of Health to conduct background checks on certain persons who own, operate, or manage therapeutic group homes.

Proposed law changes the applicability of the individuals requiring a background check pursuant to present law.

Effective upon signature of the governor or lapse of time for gubernatorial action; certain provisions effective on Oct. 1, 2026.

(Amends R.S. 15:587.1.2(A)(2)(a)(i), R.S. 40:1203.1(6), 1203.2(A), (B), (C)(1), and (E)(1), 1203.3(A)(1), (C), and (D)(1), and 2008.10(A)(1)(a)(i); Adds R.S. 40:1203.2(H) and (I) and 1203.3(A)(5); Repeals R.S. 40:1203.1(4)(g) and (5) and 1203(B))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Health and Welfare to the original bill:

1. Add certain federal criminal offenses that would qualify as an offense that would prohibit hiring or require the termination of a nonlicensed healthcare professional.
2. Modify the definition of nonlicensed person.
3. Provide for maintaining confidentiality of criminal history and security checks.
4. Remove licensed ambulance personnel from the requirements of proposed law.
5. Make technical corrections.

Summary of Amendments Adopted by Senate

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

1. Adds provisions relative to background checks for individuals who own, operate, or manage therapeutic group homes.
2. Adds provisions relative to temporary or conditional employment while an employer awaits final disposition and clarification of a criminal history check.
3. Makes certain provisions of proposed law effective upon signature of the governor.