

SENATE BILL NO. 36

BY SENATOR MARTINY

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

AN ACT

To amend and reenact R.S. 46:1056(A) and (B), relative to employment contracts in hospital service districts; to provide for authority to execute certain employment contracts; to provide for definitions; to provide for employment terms; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 46:1056(A) and (B) are hereby amended and reenacted to read as follows:

§1056. Hospital director **and executives**

A. The commission, ~~with the approval of the medical staff,~~ shall enter into a formal written employment agreement with a hospital director, hereafter referred to as "director", who has had experience in the field of hospital administration and is familiar with the principles and methods of hospital and institutional care, **and the hospital may enter into a formal written employment agreement with any hospital executive. For purposes of this Section, "hospital executive" includes but is not limited to any senior member of management such as vice president, assistant administrator or department director. He** ~~The director and any hospital executive~~ shall be a full-time ~~employee~~ **employees** of the district or of the hospital management firm, ~~and~~ **The director** shall receive a salary fixed by the commission.

B. If the director and commission enter into a formal written employment agreement, notwithstanding any law to the contrary, such agreement shall bind both parties to its terms. **If a hospital executive and hospital, upon the authority of the director, enter into a formal written employment agreement, notwithstanding any law to the contrary, such agreement shall bind both parties to its terms.**

1 Such written ~~agreement~~ **agreements** shall provide for a fixed term of employment,
 2 specify the director's **or hospital executive's** duties, and be renewable for an
 3 additional term or terms at the pleasure of the commission **or hospital director,**
 4 **respectively**. In the absence of a formal written employment agreement, the director
 5 shall serve at the pleasure of the commission **and the hospital executive shall serve**
 6 **at the pleasure of the director.**

7 * * *

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____