

**ACT No. 257**

2019 Regular Session

HOUSE BILL NO. 619 (Substitute for House Bill No. 475 by Representative Jim Morris)

BY REPRESENTATIVES JIM MORRIS AND ABRAMSON

1 AN ACT

2 To amend and reenact R.S. 40:16.3(A), (B), (C)(introductory paragraph) and (4), and (D)  
3 and to repeal R.S. 40:16.3(C)(5) and (7), relative to the John J. Hainkel, Jr., Home  
4 and Rehabilitation Center; to transfer management of the leasing of the facility from  
5 the Louisiana Department of Health to the LSU Health Sciences Center at New  
6 Orleans; to provide for leasing of the facility to LCMC Health; and to provide for  
7 related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 40:16.3(A), (B), (C)(introductory paragraph) and (4), and (D) are  
10 hereby amended and reenacted to read as follows:

11 §16.3. John J. Hainkel, Jr., Home and Rehabilitation Center; lease

12 A. The ~~secretary of the Louisiana Department of Health and the~~  
13 ~~commissioner of administration are~~ chancellor of the Louisiana State University  
14 Health Sciences Center at New Orleans, referred to hereafter in this Section as the  
15 "chancellor", is hereby authorized to execute a negotiated lease to ~~the New Orleans~~  
16 ~~Home for Incurables~~ LCMC Health for the John J. Hainkel, Jr., Home and  
17 Rehabilitation Center, including the lease of the property, buildings, equipment,  
18 movable assets, and all other appurtenances of the facility, which is described as  
19 follows:

20 That portion of ground, together with all the buildings and improvements  
21 thereon and all the rights, ways, privileges, servitudes, appurtenances, and

1 advantages thereunto belonging, or in anywise appertaining, situated in the Sixth  
 2 District of the city of New Orleans, State of Louisiana, Burtheville, being all of  
 3 Square 22, composed of Lots 1 through 24, bounded by Patton, Constance, Calhoun,  
 4 and Henry Clay, and said square measures 317 feet 8 inches 5 lines (317 feet 6  
 5 inches 7 1/2 lines title) front on Patton, 311 feet 3 inches 0 lines (311 feet 6 1/2 lines  
 6 title) front on Constance, 289 feet 7 inches 4 lines (289 feet 3 inches 7 lines 7 inches  
 7 title) front on Henry Clay, containing 91,063.10 square feet; all in accordance with  
 8 survey of Joseph F. Varisco, Jr., dated November 14, 1975, resurveyed January 23,  
 9 1976. And, according to a survey of Joseph F. Varisco, Jr., dated September 14,  
 10 1977, revised November 27, 1979, said property has the same actual dimensions,  
 11 encompasses all of Square 22 and contains improvements known as 612 Henry Clay  
 12 Avenue.

13 B. The lease of property by the ~~secretary and the commissioner~~ chancellor  
 14 shall be expressly exempted from the provisions of R.S. 41:1211 et seq., relative to  
 15 the lease of public land.

16 C. The ~~secretary and the commissioner of administration~~ chancellor shall be  
 17 authorized and empowered to execute the appropriate instrument or instruments, and  
 18 any corrections thereof, to effectuate the lease of the property described in  
 19 Subsection A of this Section. Additionally, the ~~secretary and the commissioner of~~  
 20 ~~administration shall~~ chancellor is hereby be authorized and empowered to negotiate  
 21 such terms and conditions in the lease document as may be necessary to ensure:

22 \* \* \*

23 (4) That the facility shall be operated by the ~~New Orleans Home for the~~  
 24 ~~Incurables~~ LCMC Health; however, the ~~New Orleans Home for the Incurables~~  
 25 LCMC Health shall have the option to enter into a sublease or a cooperative  
 26 endeavor agreement to operate the facility consistent with the terms and conditions  
 27 of the lease, which shall include but not be limited to requiring the lessee to maintain  
 28 the facility in the same manner in which it was maintained prior to the execution of  
 29 the lease and to seek to maintain the facility as a five star quality rated facility,

1 subject to approval by the Louisiana Department of Health and the Senate and House  
2 committees on health and welfare, meeting jointly or separately.

3 \* \* \*

4 D. Nothing in this Section shall preclude the ~~Louisiana Department of Health~~  
5 chancellor from negotiating readiness assessment criteria with ~~the New Orleans~~  
6 ~~Home for Incurables~~ LCMC Health prior to the commencement of the lease.

7 Section 2. R.S. 40:16.3(C)(5) and (7) are hereby repealed in their entirety.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
PRESIDENT OF THE SENATE

\_\_\_\_\_  
GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_