

2024 Regular Session

HOUSE BILL NO. 495

BY REPRESENTATIVE JACKSON

HEALTH CARE/FACILITIES: Provides relative to facility need review for certain healthcare providers

1 AN ACT

2 To amend and reenact R.S. 40:2116(B)(4) and (E) and to enact R.S. 40:2116(F), relative to  
3 facility need review; to provide for exceptions to facility need review for certain  
4 healthcare providers; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 40:2116(B)(4) and (E) are hereby amended and reenacted and R.S.  
7 40:2116(F) is hereby enacted to read as follows:

8 §2116. Facility need review

9 \* \* \*

10 B. The following healthcare providers shall be subject to facility need review  
11 to determine the need for a new or additional facility, provider, program, service, or  
12 bed:

13 \* \* \*

14 (4) Behavioral health services providers that provide psychosocial  
15 rehabilitation or community psychiatric support and treatment services except as  
16 provided for in Subsection E of this Section.

17 \* \* \*

18 E. The department shall not require a facility need review for a mental health  
19 rehabilitation provider if the provider was in operation prior to January 1, 2024, and  
20 seeks to add a service or expand to not more than two locations. Additionally, the

1        mental health rehabilitation provider shall require staff to complete a trust-based  
2        relational intervention training and an adverse childhood experiences training  
3        annually.

4                F. No healthcare provider as provided for in Subsection B of this Section  
5        shall be certified to participate in the Title XIX program without first obtaining  
6        facility need review approval and complying with any and all licensing regulations  
7        promulgated by the department. Any person establishing, managing, or operating  
8        a new facility, service, or bed without the approval required by this Section shall be  
9        prohibited from participating in the Title XIX program.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, 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)]

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HB 495 Original

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Jackson

**Abstract:** Modifies the facility need review process for a mental health rehabilitation provider.

Present law requires the La. Dept. of Health (LDH) to conduct a facility need review for certain healthcare facilities and providers. The department shall determine if there exists a public need for an expansion of an existing facility or the establishment of a new facility. LDH must determine that a need exists before a facility is allowed to expand or be established.

Present law requires a facility need review for behavioral health services which include mental health rehabilitation providers. Proposed law creates an exception to the facility need review requirement for certain mental health rehabilitation providers.

Proposed law provides that LDH shall not require a mental health rehabilitation provider to undergo a facility need review if the provider was in operation prior to Jan. 1, 2024, and seeks to expand to not more than two additional locations. Additionally, the mental health rehabilitation provider shall require staff to annually obtain trust-based relational intervention training and adverse childhood experiences training.

(Amends R.S. 40:2116(B)(4) and (E); Adds R.S. 40:2116(F))