

2026 Regular Session

SENATE BILL NO. 45

BY SENATOR WHEAT

HEALTH SERVICES. Provides relative to hospice care. (gov sig)

1 AN ACT

2 To enact R.S. 40:2183.1, relative to hospice care; to exempt certain organizations from
3 hospice licensure; to provide for criteria for exempted organizations; to provide for
4 services performed at an exempted organization; to provide for an effective date; and
5 to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 40:2183.1 is hereby enacted to read as follows:

§2183.1. Exemption from licensure; gratuitous care

A. The licensure requirements provided for in this Part and R.S.

10 40:2120.1 et seq., relative to licensure of home- and community-based service
11 providers, shall not apply to a nonprofit organization that provides gratuitous
12 end-of-life care to terminally ill patients in a home-like setting if the
13 organization:

1 (3) Provides individual private bedrooms for no more than three patients
2 at a time.

3 B. Any organization that satisfies the criteria provided in Subsection A
4 of this Section shall be treated as the patient's place of residence for purposes
5 of home hospice care.

6 C. Any medication prescribed for the patient in accordance with the
7 patient's plan of care shall be delivered, stored, and administered in the same
8 manner as if the patient was in a home setting.

9 D. The patient's licensed hospice provider shall prepare and manage the
10 patient's plan of care.

11 E. An individual designated by the organization as the patient's caregiver
12 may perform any delegated tasks in the same manner as a family member
13 serving as a caregiver in a home setting. An individual's licensing credentials
14 shall not prevent the individual from performing tasks in a caregiver capacity.
15 A licensed healthcare professional may delegate tasks to an individual serving
16 as a caregiver in accordance with the patient's plan of care. A licensed
17 healthcare professional who delegates caregiver tasks in accordance with the
18 provisions of this Section and who is acting in good faith and with reasonable
19 care shall be immune from disciplinary or adverse administrative actions from
20 the individual's respective licensing board.

21 Section 2. This Act shall become effective upon signature by the governor or, if not
22 signed by the governor, upon expiration of the time for bills to become law without signature
23 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
24 vetoed by the governor and subsequently approved by the legislature, this Act shall become
25 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 45 Original 2026 Regular Session Wheat

Present law requires licensure by the La. Dept. of Health to operate or maintain a hospice.

Present law further requires licensure by the department to operate as a home- and community-based service provider.

Proposed law provides an exemption from licensure for a nonprofit organization that provides gratuitous end-of-life care to terminally ill patients in a home-like setting if the organization meets certain criteria identified in proposed law.

Proposed law provides that an exempted organization shall be treated as the patient's place of residence for purposes of home hospice care.

Proposed law provides that any medication prescribed for the patient in accordance with the patient's plan of care shall be delivered, stored, and administered in the same manner as if the patient was in a home setting.

Proposed law provides for the authority of individuals designated by the organization as the patient's caregiver and for healthcare professionals delegating tasks in accordance with the patient's plan of care.

Proposed law provides immunity from disciplinary or adverse actions from a licensing board for any licensed healthcare professional who delegates caregiver tasks in accordance with proposed law and who is acting in good faith and with reasonable care.

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

(Adds R.S. 40:2183.1)