

2026 Regular Session

SENATE BILL NO. 45

BY SENATOR WHEAT

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

AN ACT

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

Be it enacted by the Legislature of Louisiana:

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

**(1) Provides accommodations and services at no cost to the patient or the patient's family.**

**(2) Does not receive any payments from Medicare, Medicaid, or any other public or private health insurance.**

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.

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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)]

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	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)