

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:

8 **§2183.1. Exemption from licensure; gratuitous care**

9 **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:**

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

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

1                   (3) Provides individual private bedrooms for no more than three patients  
2                   at a time at any single location owned or operated by the nonprofit  
3                   organization.

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

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

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

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

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

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Health and Welfare to the original bill

1. Provides that the requirement for a nonprofit organization to provide individual private bedrooms for no more than three patients at a time applies to any single location owned or operated by the nonprofit organization.