

Regular Session, 2012

HOUSE BILL NO. 206

BY REPRESENTATIVE GIROD JACKSON

ETHICS/NEPOTISM: Provides relative to nepotism exceptions involving certain health professionals

1 AN ACT

2 To amend and reenact R.S. 42:1119(B)(2)(b)(i), relative to nepotism; to remove certain
3 restrictions relative to contracting with and employment of immediate family
4 members by hospital service districts and hospital public trust authorities; and to
5 provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 42:1119(B)(2)(b)(i) is hereby amended and reenacted to read as
8 follows:

9 §1119. Nepotism

10 * * *

11 B.

12 * * *

13 (2) Notwithstanding the provisions of Paragraph (1) of this Subsection:

14 * * *

15 (b)(i) Any hospital service district ~~with a population of one hundred~~
16 ~~thousand persons or less as of the most recent federal decennial census~~ or hospital
17 public trust authority located in such a district may enter into an initial recruiting
18 contract with or employ as a health care provider, a licensed physician, a registered
19 nurse, or an allied health professional who is a member of the immediate family of
20 any district board, authority, or parish governing authority member or of the chief

1 executive of the district or authority provided that such family member is ~~the only~~
 2 a qualified applicant who has applied for the position after it has been advertised for
 3 at least thirty days in the official journal of the parish and in all newspapers of
 4 general circulation in the parish where the hospital is located. The chief executive
 5 and any member of a board of a hospital service district or hospital public trust
 6 authority which enters into an initial recruiting contract with or employs such
 7 physician, registered nurse, or allied health professional shall recuse himself from
 8 any decision involving the promotion, discipline, discharge, or assignment of any
 9 such employee who is a member of his immediate family.

* * *

11 Section 2. This Act shall become effective upon signature by the governor or, if not
 12 signed by the governor, upon expiration of the time for bills to become law without signature
 13 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 14 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 15 effective on the day following such approval.

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)]

Girod Jackson

HB No. 206

Abstract: Removes certain restrictions relative to contracting with and employment of immediate family members by hospital service districts and hospital public trust authorities.

Present law (ethics code – R.S. 42:1119), relative to nepotism, prohibits employment of an immediate family member of a member of the governing authority or the chief executive of a governmental entity by the governmental entity. Provides an exception for any hospital service district with a population of 100,000 persons or less or hospital public trust authority located in such a district. Such a district or authority may enter into an initial recruiting contract with or employ as a health care provider, a licensed physician, a registered nurse, or an allied health professional who is a member of the immediate family of any district board, authority, or parish governing authority member or of the chief executive of the district or authority if such family member is the only qualified applicant who has applied for the position after it has been advertised as provided by present law.

Proposed law removes the population limit on this exception. Provides that the immediate family member be a qualified applicant, not the only qualified applicant. Otherwise retains present law.

Present law, retained by proposed law, further provides for recusal. Requires the filing of a disclosure statement with the Board of Ethics stating the facts of such employment.

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

(Amends R.S. 42:1119(B)(2)(b)(i))