

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

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 42:1119(B)(2)(b)(ii) is hereby amended and reenacted and R.S.
9 42:1119(B)(2)(b)(iii) is hereby enacted to read as follows:

10 §1119. Nepotism

11 * * *

12 B.

13 * * *

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

15 * * *

16 (b)

17 * * *

18 (ii) Any hospital service district in a parish with a population of between four
19 hundred thousand and four hundred forty thousand persons as of the most recent
20 federal decennial census or hospital public trust authority located in such a district

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 certain 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. Provides that 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 retains present law and creates an exception based on the exception in present law; however, proposed law applies to hospital service districts in a parish with a population of between 400,000 and 440,000 persons and to hospital public trust authorities located in such districts and that with respect to such hospital service districts or trust authorities, the immediate family member must be a qualified applicant, not the only qualified applicant.

Present law, retained by proposed law, further provides for recusal and 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)(ii); Adds R.S. 42:1119(B)(2)(b)(iii))

Summary of Amendments Adopted by House

House Floor Amendments to the engrossed bill.

1. Removes provisions from proposed law that changed the exception in present law making it applicable to all districts.
2. Adds provisions creating an exception based on the exception in present law, but applicable to hospital service districts in a parish with a population of between 400,000 and 440,000 persons and providing that the immediate family member must be a qualified applicant, not the only qualified applicant.