

(KEYWORD, SUMMARY, AND DIGEST as amended by Senate committee amendments)

FIRE PROTECT/FIRE MARSHAL. Provides for fire marshal review of plans and specifications for health care facilities and residential living options.

DIGEST

Present law (R.S. 40:2017.11) provides for a charge of \$5 per page for all plans or specifications for hospitals, ambulatory surgical centers, nursing homes, and group or community homes or other residential living options which are submitted for review to the Dept. of Health and Hospitals ("department") or its designee pursuant to rules promulgated by the department. Further, provides for a minimum charge of \$25 and a maximum charge of \$300, plus a postage and handling fee of \$10. Requires that these costs be paid prior to review by the owner of the project for which the review is requested.

Proposed law retains present law except authorizes the fire marshal, instead of the department, to conduct the review of the plans and specifications for the same present law charges and allows for rules to be promulgated in accordance with the Administrative Procedure Act.

Proposed law (R.S. 40:1563(L)) authorizes the fire marshal to conduct plan reviews for plans or specifications for facilities licensed, certified, or seeking licensure or certification by the department.

Proposed law provides that in consultation with the state fire marshal, the department shall develop and promulgate rules in accordance with the Administrative Procedure Act to implement the provisions of proposed law. The rules shall be applicable to both public and private entities.

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

(Amends R.S. 40:2017.11; Adds R.S. 40:1563(L))

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Commerce to the original bill.

1. Authorized the fire marshal to conduct plan reviews for plans or specifications for facilities licensed by DHH.
2. Deleted authority for fire marshal to charge certain fees for plan review of DHH facilities and instead allows the fire marshal to collect the fees charged under present law by DHH.
3. Specified promulgation of rules regarding charges should be in accordance with the APA.
4. Allowed consultation from the fire marshal regarding rules promulgated by DHH for the submission of plans for review.

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Commerce, Consumer Protection, and International Affairs to the engrossed bill

1. Allows the fire marshal to perform plan reviews on plans or specifications for facilities seeking licensure or certification from DHH.