SENATE BILL NO. 31

BY SENATOR FRED MILLS

HEALTH CARE. Provides for the repeal of certain inactive or obsolete healthcare laws. (8/1/22)

AN ACT
To repeal R.S. 28:4, 237, Chapter 2 of Title 28 of the Louisiana Revised Statutes of 1950, consisting of R.S. 28:241 through 249; and 824(A) through (H), R.S. 36:259(B)(12), (23), (27), (28), (29), and (33), R.S. 40:31.65(A), 642, 700.12, Part XI of Chapter 4 of Title 40 of the Louisiana Revised Statutes of 1950, consisting of R.S. 40:1051 through 1055, 1057.12, 1058, 1105.10(C), 1105.11(C), 1135.13, Part III of Subchapter B of Chapter 5-D of Title 40 of the Louisiana Revised Statutes of 1950, consisting of R.S. 40:1185.1 through 1185.6, 1189.6, Part III of Subchapter D of Chapter 5-D of Title 40 of the Louisiana Revised Statutes of 1950, consisting of R.S. 40:1215.1 and 1215.2, Part VI of Subchapter D of Chapter 5-D of Title 40 of the Louisiana Revised Statutes of 1950, consisting of R.S. 40:1221.1 through 1221.11, 1249.3(B), 1261.1, 1263.5, Part IX of Subchapter A of Chapter 5-F of Title 40 of the Louisiana Revised Statutes of 1950, consisting of R.S. 40:1277.1, Part X of Subchapter A of Chapter 5-F of Title 40 of the Louisiana Revised Statutes of 1950, consisting of R.S. 40:1279.1, 1283.2, Part V of Subchapter B of Chapter 5-F of Title 40 of the Louisiana Revised Statutes of 1950, consisting of R.S. 40:1290.1 through 1290.4, Part I-A of Chapter 6 of Title 40 of the Louisiana Revised Statutes of 1950.

Coding: Words which are struck through are deletions from existing law; words in boldface type and underscored are additions.
consisting of R.S. 40:1312.1 through 1312.27, Subpart E of Part III of Chapter 6 of
Title 40 of the Louisiana Revised Statutes of 1950, consisting of R.S. 40:1460.1 and
1460.2, 1597.2(B), 2001, 2009.1, 2013.4 through 2013.6, 2016, 2018.4, 2108,
2116.34(B), 2120.9, Part VI-B of Chapter 11 of Title 40 of the Louisiana Revised
Statutes of 1950, consisting of R.S. 40:2175.11 through 2175.15, Part VI-C of
Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, consisting of R.S.
40:2176.1, Part IX of Chapter 11 of Title 40 of the Louisiana Revised Statutes of
1950, consisting of R.S. 40:2194 through 2194.5, Part X-A of Chapter 11 of Title 40
of the Louisiana Revised Statutes of 1950, consisting of R.S. 40:2195.6, Part XI of
Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, consisting of R.S.
40:2196 through 2196.7, Part XV of Chapter 11 of Title 40 of the Louisiana Revised
Statutes of 1950, consisting of R.S. 40:2200.11 through 2200.15, Chapter 16 of Title
40 of the Louisiana Revised Statutes of 1950, consisting of R.S. 40:2331 and 2332,
Chapter 17 of Title 40 of the Louisiana Revised Statutes of 1950, consisting of R.S.
40:2351 through 2355, 2405.2, Chapter 21 of Title 40 of the Louisiana Revised
Statutes of 1950, consisting of R.S. 40:2481 through 2483, Chapter 23 of Title 40 of
the Louisiana Revised Statutes of 1950, consisting of R.S. 40:2501 through 2505,
and Chapter 24 of Title 40 of the Louisiana Revised Statutes of 1950, consisting of
R.S. 40:2511 through 2519, and R.S. 46:52.2, Subpart A-1 of Part I of Chapter 3 of
Title 46 of the Louisiana Revised Statutes of 1950, consisting of R.S. 46:160 through
160.11, Subpart B of Part I of Chapter 3 of Title 46 of the Louisiana Revised Statutes
of 1950, consisting of R.S. 46:161 through 165, Subpart C of Part II of Chapter 3 of
Title 46 of the Louisiana Revised Statutes of 1950, consisting of R.S. 46:261,
Subpart D-3 of Part II of Chapter 3 of Title 46 of the Louisiana Revised Statutes of
1950, consisting of R.S. 46:287.1 through 287.9, Subpart D-1 of Part VI-A of
Chapter 3 of Title 46 of the Louisiana Revised Statutes of 1950, consisting of
R.S. 46:440.4 through 440.8, 1094(D), 1442.3, Chapter 25 of Title 46 of the
Louisiana Revised Statutes of 1950, consisting of R.S. 46:1991 through 1996,
2405.1, Chapter 35-A of Title 46 of the Louisiana Revised Statutes of 1950,
consisting of R.S. 46:2431 through 2434, Chapter 52 of Title 46 of the Louisiana Revised Statutes of 1950, consisting of R.S. 46:2671 through 2675, and 2758.2(E) and (F), relative to health care; to repeal certain inactive or obsolete laws; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 28:4, 237, Chapter 2 of Title 28 of the Louisiana Revised Statutes of 1950, consisting of R.S. 28:241 through 249, and 824(A) through (H) are hereby repealed.

Section 2. R.S. 36:259(B)(12), (23), (27), (28), (29), and (33) are hereby repealed.

Title 40 of the Louisiana Revised Statutes of 1950, consisting of R.S. 40:2196 through
2196.7, Part XV of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950,
consisting of R.S. 40:2200.11 through 2200.15, Chapter 16 of Title 40 of the Louisiana
Revised Statutes of 1950, consisting of R.S. 40:2331 and 2332, Chapter 17 of Title 40 of the
Louisiana Revised Statutes of 1950, consisting of R.S. 40:2351 through 2355, 2405.2,
Chapter 21 of Title 40 of the Louisiana Revised Statutes of 1950, consisting of R.S. 40:2481
through 2483, Chapter 23 of Title 40 of the Louisiana Revised Statutes of 1950, consisting
of R.S. 40:2501 through 2505, and Chapter 24 of Title 40 of the Louisiana Revised Statutes
of 1950, consisting of R.S. 40:2511 through 2519 are hereby repealed.

Section 4. R.S. 46:52.2, Subpart A-1 of Part I of Chapter 3 of Title 46 of the
Louisiana Revised Statutes of 1950, consisting of R.S. 46:160 through 160.11, Subpart B of
Part I of Chapter 3 of Title 46 of the Louisiana Revised Statutes of 1950, consisting of R.S.
46:161 through 165, Subpart C of Part II of Chapter 3 of Title 46 of the Louisiana Revised
Statutes of 1950, consisting of R.S. 46:261, Subpart D-3 of Part II of Chapter 3 of Title 46 of
the Louisiana Revised Statutes of 1950, consisting of R.S. 46:287.1 through 287.9,
Subpart D-1 of Part VI-A of Chapter 3 of Title 46 of the Louisiana Revised Statutes of 1950,
consisting of R.S. 46:440.4 through 440.8, 1094(D), 1442.3, Chapter 25 of Title 46 of the
Louisiana Revised Statutes of 1950, consisting of R.S. 46:1991 through 1996, 2405.1,
Chapter 35-A of Title 46 of the Louisiana Revised Statutes of 1950, consisting of R.S.
46:2431 through 2434, Chapter 52 of Title 46 of the Louisiana Revised Statutes of 1950,
consisting of R.S. 46:2671 through 2675, and 2758.2(E) and (F) are hereby repealed.

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Brandi Cannon.

DIGEST
SB 31 Original 2022 Regular Session Fred Mills

Present law provides for certain laws which have become inactive or obsolete through
statutorily imposed expiration dates, transfer or consolidation of functions, or attaining
nonoperational status due to age or circumstance. Proposed law repeals present law as
specifically identified below:

Title 28

R.S. 28:4 (Act 384 of 2009) - behavioral health implementation advisory committee
dissolved by statute on July 1, 2011.


**Title 36**

R.S. 36:259(B)(12) Louisiana Obesity Prevention and Management Commission, (23) Louisiana Access to Better Care Medicaid Insurance Demonstration Project Oversight Board, (27) Board of Commissioners of the South Louisiana Health Services District, (28) Nursing Home Advisory Committee, (29) Hospital Licensing Council, and (33) Louisiana Narcotics Rehabilitation Commission are cross references in the transfer of agencies and function to the Louisiana Department of Health that are being repealed in Title 40 or Title 46.

**Title 40**


R.S. 40:642 (Act 786 of 1978) - unspecified frequency of reporting on state food, drug, and cosmetic law. Data available upon request.


R.S. 40:1051-1055 (Act 575 of 1968) - Louisiana narcotics rehabilitation commission is nonoperational. Function provided for through other LDH programs.

R.S. 40:1057.12 (Act 590 of 1975) - unspecified frequency of reporting on state hazardous aerosol act. Data available upon request.


R.S. 40:1105.10(C) (Act 711 of 1983) - joint subcommittee on health and welfare oversee compilation of annual cancer report during the year. Data available upon request.

R.S. 40:1105.11(C) (Act 468 of 1984) - joint subcommittee on health and welfare oversee compilation of annual lung cancer report during the year. Data available upon request.

R.S. 40:1135.13 (Act 493 of 2016) - ambulance transport alternatives task force authority dissolved 90 days after submitting its final report to the legislature on April 9, 2018.


R.S. 40:1189.6 (Act 1485 of 1997) - rural hospital licensing standard review committee and demonstration program implemented no later than 120 days after August 15, 1997.

R.S. 40:1221.1-1221.11 (Act 801 of 2003) - Louisiana Seniors Pharmacy Assistance Law within LDH suspended upon commencement of a federal law on or after July 1, 2003, which provides a federal prescription drug program (Medicare Part D was established on January 1, 2006).

R.S. 40:1249.3(B) (Act 305 of 2010) - LDH rules and regulations promulgated by October 1, 2010.


R.S. 40:1279.1 (Act 91 of 1908) - makes it a crime to spit on certain floors. Obsolete provision.

R.S. 40:1283.2 (Act 666 of 2003) - environmental health surveillance system development deadline on or before July 1, 2003 with report submitted by February 1, 2004.


R.S. 40:1597.2(B) (Act 784 of 2014) - conveyance device safety study due on or before February 1, 2015.


R.S. 40:2013.4-2013.6 (Act 35 of 1958) - evaluation center for exceptional children located near New Orleans as a unit under LDH. Nonoperational.


R.S. 40:2120.9 (Act 299 of 2011) - LDH comprehensive plan on home and community based services to be submitted by January 15, 2012.


R.S. 40:2176.1 (Act 923 of 2001) - children's comfort care center pilot program terminated


R.S. 40:2195.6 (Act 603 of 1993) - LDH establishment of primary healthcare clinics. Nonoperational. Function provided for through other LDH programs.

R.S. 40:2196-2196.7 (Act 418 of 1992) - LDH community indigent healthcare program. Nonoperational. Function provided for through other LDH programs.

R.S. 40:2200.11-2200.15 (Act 905 of 2010) - LDH registration of proton beam radiotherapy equipment requirement ceases to be effective ten years from the date of issuance of first registration. Regulated by Department of Environmental Quality.


R.S. 40:2351-2355 (Act 460 of 1972) - Governor's Council on Environmental Quality. Function transferred to Department of Environmental Quality.


Title 46


R.S. 46:160-160.11 (Act 1242 of 1995) - access to better care medical insurance demonstration project. Function provided for through other LDH programs.


R.S. 46:2758.2(E) and (F) (Act 214 of 2013) - DPSC and DCFS report to the legislature no later than July 1, 2014 and improved outcomes for at-risk youths program implementation no later than July 1, 2015.

Effective August 1, 2022.

(Repeals R.S. 28:4, 237, 241-249, and 824(A) through (H), R.S. 36:259(B)(12), (23), (27), (28), (29), and (33), R.S. 40:31.65(A), 642, 700.12, 1051-1055, 1057.12, 1058, 1105.10(C), 1105.11(C), 1135.13, 1185.1-1185.6, 1189.6, 1215.1 and 1215.2, 1221.1-1221.11, 1249.3(B), 1261.1, 1263.5, 1277.1, 1279.1, 1283.2, 1290.1-1290.4, 1312.1-1312.27, 1460.1 and 1460.2, 1597.2(B), 2001, 2009.1, 2013.4-2013.6, 2016, 2018.4, 2108, 2116.34(B), 2120.9, 2175.11-2175.15, 2176.1, 2194-2194.5, 2195.6, 2196 - 2196.7, 2200.11-2200.15, 2331 and 2332, 2351-2355, 2405.2, 2481-2483, 2501-2505, and 2511-2519, and R.S. 46:52.2, 160-160.11, 161-165, 261, 287.1-287.9, 440.4-440.8, 1094(D), 1442.3, 1991-1996, 2405.1, 2431-2434, 2671-2675, and 2758.2(E) and (F))