HOUSE FLOOR AMENDMENTS
2022 Regular Session
Amendments proposed by Representative Turner to Engrossed House Bill No. 314 by Representative Turner

1 AMENDMENT NO. 1
On page 1, at the end of line 5, change "(D), and (F)," to "and (D),"

2 AMENDMENT NO. 2
On page 1, at the end of line 6, insert "1012, 1015(A) and (C), 1016, 1017(A),"

3 AMENDMENT NO. 3
On page 2, at the end of line 3, change "R.S. 40:1024(B)," to "R.S. 40:1021(introductory paragraph), 1024(B),"

4 AMENDMENT NO. 4
On page 2, line 7, after "1223.3," and before "2012.2," insert "1249.2(introductory paragraph) and (5), 1249.3(A)(4),"

5 AMENDMENT NO. 5
On page 2, delete line 11 in its entirety and insert in lieu thereof the following:
"2180.25(B)(2)(introductory paragraph), (m)(introductory paragraph) and (v), and (q), 2193.1(B)(5)(introductory paragraph), and 2321, R.S."

6 AMENDMENT NO. 6
On page 2, line 14, after "(B)(1)," and before "977," insert "460.3,"

7 AMENDMENT NO. 7
On page 2, line 15, after "2742(C)," delete the remainder of the line and insert in lieu thereof "2757(C)(1)(introductory paragraph) and (e), 2761, and 2891, and Children's Code Articles 301 and"

8 AMENDMENT NO. 8
On page 2, line 16, after "repeal" delete the remainder of the line and insert in lieu thereof the following:
"R.S. 37:796(F) and 2465(D), R.S. 40:5.5(F) and (G), 1249.1(A) and (B), and 1249.2(1), R.S. 46:2757(C)(2),"

9 AMENDMENT NO. 9
On page 2, at the beginning of line 17, delete "(B),"

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AMENDMENT NO. 10
On page 6, line 3, delete "(D), and (F)," and insert in lieu thereof "and (D)."

AMENDMENT NO. 11
On page 6, line 4, after "1007(A)(2)(c)," and before "1176(A)(3)," insert "1012, 1015(A) and (C), 1016, 1017(A),"

AMENDMENT NO. 12
On page 7, line 17, after "sale," and before "use," delete "or"

AMENDMENT NO. 13
On page 12, delete lines 18 through 21 in their entirety

AMENDMENT NO. 14
On page 15, between lines 3 and 4, insert the following:

"§1012. Definitions

As used in this Part, the following terms have the meaning ascribed in this Section:

(1) "Approved school" means any school of nursing preparing registered nurse applicants, approved by the board and including Charity Hospital School of Nursing, which is approved by the Louisiana State Board of Nursing.

A. (2) "Board" means the Board of Regents.

B. (3) "Committee" means the committee of deans, directors, and department heads of the approved schools and programs of nursing which prepare registered nurse applicants and a nonvoting representative of the board.

C. "Approved school" means any school of nursing preparing registered nurse applicants, approved by the board and including Charity Hospital School of Nursing, which is approved by the Louisiana State Board of Nursing.

* * *

§1015. Procedure for applications

A. Faculty members requesting stipends for the purpose of acquiring a master's or doctoral degree in nursing or a doctoral degree in a related field shall submit to the committee an application including all of the following:

(1) Notation of approval by the applicant's dean, director, or department head of nursing and other required institutional permission;

(2) An authorized letter of acceptance from the institution which the applicant plans to enter;

(3) The specific period of time for which the stipend is requested; and

(4) Other data and qualifications as deemed pertinent by the committee.

* * *

C. The university, college, or school budget administrator shall submit to the board a list of faculty members from the institution who were granted stipends by the committee. Upon request, each institution shall be reimbursed on a monthly or semester basis by the Board of Regents for authorized stipends paid.

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§1016. Stipends

Each person granted a stipend in accordance with the provisions of this Part shall receive seventy-five percent of his or her current contractual annual salary for the period of approved stipend program participation. Stipends for the fall and spring semester shall each be calculated on a four and one-half month basis. Stipends granted for a quarter session shall be calculated on a three-month basis. Summer stipends may be authorized at seventy-five percent of the salary of the individual in accordance with institutional policy. Stipends shall be used exclusively for study in Louisiana graduate programs approved by the board. A stipend may, however, be granted for out-of-state study if the committee determines that the necessary course of study is not available in the approved graduate programs of this state or for such other valid reasons as may be determined by the committee.

§1017. Procedure and stipends for non-faculty applications

A. The committee may administer a program by which they loan it loans each year to an applicant eligible pursuant to R.S. 37:1013(B) not more than seventy-five percent of the lowest faculty salary being paid at the time of the application to be forgiven in exchange for completing the degree and for serving on the faculty for not less than three years more than the length of time taken to acquire the degree.

AMENDMENT NO. 15

On page 38, line 2, delete "R.S. 40:1024(B)," and insert in lieu thereof "R.S. 40:1021(introductory paragraph), 1024(B),"

AMENDMENT NO. 16

On page 38, line 5, after "1223.3," and before "2012.2," insert "1249.2(introductory paragraph) and (5), 1249.3(A)(4),"

AMENDMENT NO. 17

On page 38, line 8, after "and (ii)," delete the remainder of the line and insert in lieu thereof the following:

"2180.25(B)(2)(introductory paragraph), (m)(introductory paragraph) and (v), and (q), 2193.1(B)(5)(introductory paragraph), and 2321"

AMENDMENT NO. 18

On page 38, at the beginning of line 9, delete "2193.1(B)(5)(introductory paragraph)"

AMENDMENT NO. 19

On page 45, between lines 25 and 26, insert the following:

"§1021. Definitions

A: As used in this Part, unless the context clearly otherwise indicates, the term "drug paraphernalia" shall mean and include means and includes, but is not be limited to:

* * *"
1 **AMENDMENT NO. 20**

2 On page 51, between lines 10 and 11, insert the following:

3 "§1249.2. Definitions

4 As used in this Part, the following terms have the meaning ascribed in this

5 Section:

6 * * *

7 (5) "Person with a developmental disability" means an individual of any age


9 * * *

10 §1249.3. Medical assistance programs

11 A. The department shall adopt rules and regulations in accordance with the

12 Administrative Procedure Act with regards to the following:

13 * * *

14 (4) Developing and implementing a budget-neutral budget-neutral pilot

15 program in selected areas of the state for an integrated, coordinated, prepaid delivery

16 model for long-term care services for the elderly and people with adult-onset

17 disabilities.

18 * * *"

19 **AMENDMENT NO. 21**

20 On page 56, line 2, delete the comma "," and after "limited to" and before the colon ":" insert

21 "the following"

22 **AMENDMENT NO. 22**

23 On page 56, line 5, after "individuals" and before "for" delete the comma ","

24 **AMENDMENT NO. 23**

25 On page 56, between lines 23 and 24, insert the following:

26 "§2321. Definitions

27 As used in this Chapter:

28 "Water water pollution control projects" means any waste treatment facilities

29 or any plants or other works which accomplishes the treating, stabilizing, or holding

30 of untreated or inadequately treated sewage or other wastes."

31 **AMENDMENT NO. 24**

32 On page 56, line 26, after "(B)(1)," and before "977," insert "460.3,"  

33 **AMENDMENT NO. 25**

34 On page 56, line 27, delete "and 2757(C)(1)(e)" and insert in lieu thereof

35 "2757(C)(1)(introductory paragraph) and (e), 2761, and 2891"

36 **AMENDMENT NO. 26**

37 On page 59, between lines 2 and 3, insert the following:

CODING: Words in struck through type are deletions from existing law; words underscored

are additions.
"§460.3. Adult basic education; literacy training; vocational educational training

To the extent allowed by federal law and notwithstanding any other state law, rule, or regulation to the contrary, adult basic education and literacy training shall be included in the definition of vocational educational training for purposes of calculating work participation rates under the Temporary Assistance for Needy Families programs. This law shall apply to any person receiving such education or training, regardless of the person's age. Any rule or regulation in conflict with this Section is hereby repealed.

AMENDMENT NO. 27
On page 59, line 28, delete "real and personal" and insert "immovable"

AMENDMENT NO. 28
On page 62, line 2, after "develop" delete the remainder of the line

AMENDMENT NO. 29
On page 62, at the beginning of line 3, delete "March 1, 2004,"

AMENDMENT NO. 30
On page 62, between lines 16 and 17, insert the following:

"§2761. Uncompensated Care Hospital Payments

A(1) The Louisiana Department of Health shall specify in the Medicaid State Plan how uncompensated care is defined and calculated and shall determine what facilities qualify for uncompensated care payments and the amount of the payments. In determining payments as provided in this Subsection, the department shall prioritize local access to care, and shall distribute uncompensated care payments in proportion to the amount and type of uncompensated care reported by all qualified facilities as required by rule and as allocated in appropriations to the Medical Vendor Payments Program medical vendor payments program. The secretary shall require, as a condition of payment of uncompensated care costs provided under pursuant to this Subsection, that all state and non-state hospitals, excluding rural hospitals included in the Rural Hospital Preservation Act and their provider-based rural health clinics, and other health care facilities report to the department patient-specific Louisiana Medicaid universal billing revenue code format data on the amount and type of uncompensated care reported and all requested data on the amount and type of other services and activities financed by uncompensated care payments. This data shall be reported electronically by each hospital or other facility on a quarterly schedule as required by the department. The secretary shall provide, after the close of each quarter, a detailed summary of reported information to the governor and the legislature. Hospitals defined under in the Rural Hospital Preservation Act shall continue to report the data collected on the Louisiana Department of Health form "Schedule of Uncompensated Care Cost" in accordance with the state plan as approved by the Centers for Medicare and Medicaid Services. The secretary of the Louisiana Department of Health shall provide an annual report of the submitted information and related payments to the governor and the legislature and shall make such data available to the public on the Health department's website. In addition, if a hospital or other health care facility does not provide the required patient-specific data, the secretary of the department may withhold an amount equal to five percent of Medicaid payments due that provider. Such withholding shall increase by five percent for each quarter, beginning with the date the hospital or other health care facility fails to provide the required patient-specific data.

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successive month that the required data is not received, but the total amount withheld shall not exceed twenty-five percent of the total monthly amount due the facility. Upon receipt of the required data, the department shall pay the facility all amounts previously withheld as a result of the failure to submit the required data. A hospital or other healthcare facility subject to withholding under this provision pursuant to this Paragraph may request an administrative review as provided by R.S. 46:437.4. The format of the data submission shall be defined as the current mandated Louisiana Medicaid Program format by the secretary of the department.

(2) Nothing in this Subsection shall be construed to impede or preclude the Louisiana Department of Health from implementing the provisions of the Rural Hospital Preservation Act.

B. The secretary of the Louisiana Department of Health shall, subject to approval from the Centers for Medicare and Medicaid Services, amend the State Medicaid Plan state Medicaid plan to provide for Medicaid disproportionate share payments to hospitals operated by the LSU Health Sciences Center-New Orleans under the provision of federal law that permits the reimbursement of uncompensated cost up to one hundred and seventy-five percent of allowable cost. In state fiscal years 2003-2004 and 2004-2005, Medicaid disproportionate share payments retained by the hospitals shall not exceed a cap as agreed upon by the division and the Louisiana Department of Health and as reflected in appropriations to the Medical Vendor Payments Program for each year.

§2891. Physician upper payment limit methodology

The Louisiana Department of Health is hereby authorized to develop mechanisms to support the continued operation of state-funded healthcare programs, specifically Medicaid, through the utilization of physician upper payment limit reimbursement methodologies. Any such methodology utilized shall be designed to continue access and delivery of healthcare services to the poor. The implementation of this methodology is subject to federal law and approval of by the Centers for Medicare and Medicaid Services. Participation in the utilization of physician upper payment limit reimbursement methodologies shall be limited exclusively to only those hospitals which certify public expenditures to the state of Louisiana.

AMENDMENT NO. 31

On page 62, line 17, delete "Children's Code Article 1150(2)(b) is" and insert in lieu thereof "Children's Code Articles 301 and 1150(2)(b) are"

AMENDMENT NO. 32

On page 62, between lines 18 and 19, insert the following:

"Art. 301. Definitions

As used in this Title,

"Nonmetropolitan nonmetropolitan area" means a parish whose largest city has a population of fifty thousand or less and where the population of the entire parish is less than one hundred thousand.

* * *"
AMENDMENT NO. 33

On page 63, delete line 4 in its entirety and insert in lieu thereof the following:

"Section 7. R.S. 37:796(F) and 2465(D), R.S. 40:5.5(F) and (G), 1249.1(A) and (B),
and 1249.2(1), R.S. 46:2757(C)(2), and"

AMENDMENT NO. 34

On page 63, delete line 8 in its entirety and insert in lieu thereof the following:

"2833, R.S. 40:1061.9, 1105.1, 1105.9(D), 1251.4, 1269.2, 1300.32, 2010.1, 2010.7,
2017.12(B), 2120.2, and 2472, R.S. 46:1 and 1072, and Children's Code Articles
811.3 and 1351."

AMENDMENT NO. 35

On page 63, at the beginning of line 9, change "Section 9." to "Section 9.(A)"

AMENDMENT NO. 36

On page 63, line 11, after "1123.4" and before the comma "," insert "as amended by Section
4 of this Act"

AMENDMENT NO. 37

On page 63, after line 13, insert the following:

"(B) The Louisiana State Law Institute is hereby authorized and directed to
redesignate Chapter 60 of Title 46 of the Louisiana Revised Statutes of 1950, comprised of
R.S. 46:2761 as amended by Section 5 of this Act, as Subpart A-1 of Part I of Chapter 5-E
of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1242, and
is further directed to apply to the Subpart the heading "Uncompensated Care Hospital
Payments".

(C) The Louisiana State Law Institute is hereby authorized and directed to
redesignate Chapter 64 of Title 46 of the Louisiana Revised Statutes of 1950, comprised of
R.S. 46:2891 as amended by Section 5 of this Act, as Subpart B-1 of Part I of Chapter 5-E
of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1244.1, and
is further directed to apply to the Subpart the heading "Physician Upper Payment Limit
Methodology"."