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## DIGEST

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HB 414 Engrossed

2017 Regular Session

Leger

**Abstract:** Increases license fees assessed by the La. Dept. of Health (LDH) on health facilities and providers; subjects additional types of providers to initial license, license renewal, and bed fees.

Proposed law makes the following revisions to present law relative to licensing fees for ambulance services and air ambulance services:

- (1) Increases the initial licensing fee from \$150 to \$300.
- (2) Increases the annual license renewal fee from \$150 to \$300.
- (3) Deletes a requirement that a delinquent fee of \$100 for failure to timely pay an annual license renewal fee be assessed and become due and payable at 12:01 a.m. on the 36th day following the date of the invoice by which the department bills the applicant or licensee for the annual license renewal fee. Inserts in lieu thereof a requirement that this \$100 fee be assessed and become due and payable at 12:01 a.m. on the first day following the expiration of the license.
- (4) Deletes a requirement that ambulance services pay a delinquent fee of \$100 per ambulance and emergency medical response vehicle for failure to timely pay a vehicle inspection fee.
- (5) Deletes a requirement that air ambulance services pay a delinquent fee of \$25 per aircraft for failure to timely pay an aircraft inspection fee.

Present law authorizes initial licensure and annual license renewal fees not to exceed \$600, payable to LDH, for the following facilities and providers: Adult day health care facilities; behavioral health services providers; ambulatory surgical centers; case management providers; urine drug screening providers; home health agencies; hospices; hospitals; nursing homes; rural health clinics; intermediate care facilities for people with developmental disabilities (ICF/DD); end stage renal disease facilities; outpatient abortion facilities; psychiatric residential treatment facilities; children's respite care centers; pediatric day healthcare facilities.

Proposed law repeals present law authorizing assessment of initial licensure and annual license renewal fees for urine drug screening providers. For all other facilities and providers, proposed law revises present law to provide that initial licensure and annual license renewal fees shall be set as follows:

- (1) For a facility or provider that is licensed as of Dec. 31, 2017, the annual licensing fee shall be as follows:
  - (a) \$700 per year for a license issued or renewed on or after Jan. 1, 2018 and before Jan. 1, 2019.
  - (b) \$800 per year for a license issued or renewed on or after Jan. 1, 2019 and before Jan. 1, 2020.
  - (c) \$900 per year for a license issued or renewed on or after Jan. 1, 2020 and before Jan. 1, 2021.
  - (d) \$1,000 per year for a license issued or renewed on or after Jan. 1, 2021.
- (2) For a new facility or provider that is initially licensed after Dec. 31, 2017, the annual license fee shall be \$1,000 per year. Provides that this fee shall apply to each facility, provider, or entity which undergoes a change of ownership after Dec. 31, 2017.

Proposed law provides that the fee schedule above for initial licensure and annual license renewal shall also apply to the following facilities and providers:

- (1) Pain management clinics.
- (2) Therapeutic group homes.
- (3) Crisis receiving centers.
- (4) Adult brain injury facilities.
- (5) Forensic supervised transitional residential and aftercare facilities.
- (6) Home- and community-based service providers.

Present law provides that at the time of initial licensure or annual license renewal, any entity currently operating or planning to operate any one of the following healthcare facilities shall be assessed an additional application and renewal fee not to exceed \$5 per unit (defined as a room or station), payable to LDH: Hospices; hospitals; nursing homes; intermediate care facilities for people with developmental disabilities; behavioral health services providers; psychiatric residential treatment facilities; children's respite care centers; end stage renal disease facilities.

Proposed law revises present law to provide that the additional fee shall be per bed. Provides that for purposes of proposed law, "bed" means a licensed bed or station. Extends applicability of the additional fee per bed to the following facilities:

- (1) Therapeutic group homes.

- (2) Crisis receiving centers.
- (3) Adult brain injury facilities.
- (4) Forensic supervised transitional residential and aftercare facilities.
- (5) Home- and community-based service providers.

Present law provides that any entity currently operating or planning to operate a satellite, branch, or offsite office of a healthcare facility licensed by LDH shall be assessed a fee not to exceed \$300 per subsidiary license or registration, payable to LDH. Proposed law increases this fee to \$400.

Present law provides that any entity currently operating or planning to operate any one of the following licensed facilities or providers shall be assessed a delinquent fee of \$100 for failure to timely renew its license or any subsidiary license: Adult day health care facility; behavioral health services provider; ambulatory surgical center; case management provider; urine drug screening provider; home health agency; hospice; hospital; nursing home; intermediate care facility for people with developmental disabilities; end stage renal disease facility; outpatient abortion facility; rural health clinic; psychiatric residential treatment facility; children's respite care center; pediatric day health care facility; home- and community-based service provider; adult brain injury facility; pain management clinic.

Proposed law repeals present law authorizing assessment of the delinquent fee on urine drug screening providers, and extends applicability of the delinquent fee to the following facilities:

- (1) Therapeutic group homes.
- (2) Crisis receiving centers.
- (3) Forensic supervised transitional residential and aftercare facilities.

Present law requires adult residential care providers to pay an initial license application fee and an annual license renewal fee, both in the amount of \$600. Proposed law decreases this fee amount to \$500.

Present law requires assessment of an additional application and renewal fee not to exceed \$5 per unit on adult residential care providers. Proposed law retains present law and changes the definition of "unit" from "room or station" to "the licensed capacity of the adult residential care provider".

Proposed law exempts state-owned health facilities from fees for applications for and renewal of licenses.

Proposed law makes technical and conforming changes in present law to reflect the fee amounts provided in proposed law.

Effective Jan. 1, 2018.

(Amends R.S. 28:35(B) and R.S. 40:1135.4, 1135.8(E)(2), 1135.11, 2006(A)(1) and (2)(intro. para.) and (c), (B)(1) and (2)(intro. para.), (C), and (E)(1) and (2)(intro. para.) and (c), 2120.4(D), 2120.34(F), 2139(A), 2166.5(C), and 2198.13; Adds R.S. 40:2006(A)(2)(r)-(w), (B)(2)(i)-(m), (E)(2)(t)-(v), and (F) and 2166.5(D); Repeals R.S. 28:34(C) and 36(B) and R.S. 40:2006(A)(2)(e) and (E)(2)(e) and 2107(A))

#### Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Health and Welfare to the original bill:

1. Remove adult residential care providers from the listing of facilities to which the license fee increases provided in proposed law would apply.
2. Restore and amend present law relative to adult residential care provider license application and renewal fees to decrease the amount of such fees from \$600 to \$500.
3. In provisions requiring assessment of an additional application and renewal fee not to exceed \$5 per unit on adult residential care providers, change the definition of "unit" from "room or station" to "the licensed capacity of the adult residential care provider".
4. Make technical changes.