2022 Regular Session

HOUSE BILL NO. 611

BY REPRESENTATIVE SELDERS

HEALTH CARE/FACILITIES: Provides relative to the facility need review process for healthcare facilities and providers

1	AN ACT
2	To amend and reenact R.S. 40:2116(A), relative to regulation of healthcare facilities and
3	providers by the Louisiana Department of Health; to provide relative to the facility
4	need review process for healthcare facilities and providers; to prohibit the
5	department from conducting facility need review without authorization by either of
6	the legislative committees on health and welfare to do so; and to provide for related
7	matters.
8	Be it enacted by the Legislature of Louisiana:
9	Section 1. R.S. 40:2116(A) is hereby amended and reenacted to read as follows:
10	§2116. Facility need review
11	A.(1) The Louisiana Department of Health, in accordance with the
12	Administrative Procedure Act, shall establish a facility need review process
13	consistent with the regulations for licensure and for Title XIX of the Social Security
14	Act shall implement a facility need review process in accordance with the provisions
15	of this Section.
16	(2)(a) Except for facilities that are subject to the provisions of Paragraph
17	(D)(2) of this Section, no healthcare facility or provider shall be subject to facility
18	need review pursuant to this Section unless the House Committee on Health and
19	Welfare or the Senate Committee on Health and Welfare has authorized the
20	department to conduct facility need review with respect to that facility or provider.

CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

1	(b) Authorization by a legislative committee for conducting facility need
2	review as required by Paragraph (a) of this Subsection may be by favorable vote,
3	viva voce, of a simple majority of the committee's membership at a meeting of the
4	committee.
5	* * *

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)]

HB 611 Engrossed	2022 Regular Session	Selders
------------------	----------------------	---------

Abstract: Requires authorization by a legislative health and welfare committee in order for the La. Department of Health to conduct facility need review with respect to healthcare facilities and providers.

<u>Present law</u> requires the La. Department of Health (LDH) to establish a facility need review process for healthcare facilities and providers, as a condition of consideration for licensure, consistent with state licensing regulations and federal Medicaid laws.

<u>Proposed law</u> revises <u>present law</u> to provide that LDH shall implement a facility need review process in accordance with the requirements of <u>present law</u> and <u>proposed law</u>.

<u>Proposed law</u> stipulates that, with the exception of nursing homes, which are subject to a licensure moratorium provided in <u>present law</u>, no healthcare facility or provider shall be subject to facility need review pursuant to <u>present law</u> unless either of the legislative committees on health and welfare has authorized the department to conduct such review with respect to that provider.

<u>Proposed law</u> provides that authorization by a legislative committee for conducting facility need review as required by <u>proposed law</u> may be by favorable vote of a simple majority of the committee's membership at a meeting of the committee.

(Amends R.S. 40:2116(A))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by <u>House Committee on Health and Welfare</u> to the <u>original</u> bill:

1. Exempt nursing homes from the provisions of proposed law.