

SENATE BILL NO. 167

BY SENATORS TALBOT, BARROW, CARTER, HENSGENS, LUNEAU, MCMATH,
FRED MILLS, MIZELL AND POPE

1 AN ACT

2 To amend and reenact R.S. 40:2009.25(A), (C) through (E), and (I) and to enact R.S.
3 40:1563(N), relative to emergency preparedness plans for nursing homes; to provide
4 for the duties of the state fire marshal; to provide for the duties of the Louisiana
5 Department of Health; to provide for an effective date; and to provide for related
6 matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 40:2009.25(A), (C) through (E), and (I) are hereby amended and
9 reenacted and R.S. 40:1563(N) is hereby enacted to read as follows:

10 §1563. Powers and duties generally; use of deputies; responsibilities of local
11 governing authorities with fire prevention bureaus; open structures
12 and process structures; fees

13 * * *

14 **N. The fire marshal shall take all steps necessary and proper to perform**
15 **inspections as required by R.S. 40:2009.25.**

16 * * *

17 §2009.25. Emergency preparedness plans for nursing homes; applicable parishes;
18 requirements; Nursing Home Emergency Preparedness Review
19 Committee; rules and regulations; application

20 A. Due to the threat hurricanes pose to the parishes of Acadia, Ascension,

1 Assumption, Calcasieu, Cameron, Iberia, Jefferson, Jefferson Davis, Lafayette,
 2 Lafourche, Orleans, Plaquemines, St. Bernard, St. Charles, St. James, St. John the
 3 Baptist, St. Mary, St. Martin, St. Tammany, Tangipahoa, Terrebonne, and Vermilion,
 4 nursing homes located in these parishes shall develop an emergency preparedness
 5 plan which shall be submitted to the Louisiana Department of Health, bureau of
 6 health services financing, emergency preparedness manager, ~~by August 1, 2006.~~

7 * * *

8 C. Each summary of the emergency preparedness plan shall include and
 9 identify at a minimum:

10 (1) A primary sheltering host site outside the area of risk, verified by written
 11 agreements or contracts and any other alternative sheltering host sites that the
 12 nursing home may have.

13 (2) Proof of transportation or a contract with a transportation company,
 14 verified by a written transportation agreement or contract.

15 (3) Staffing patterns for evacuation, including contact information for ~~such~~
 16 staff.

17 **(4) A detailed plan to address emergency power in the event of the loss**
 18 **of primary electrical power in that nursing home if evacuation from the nursing**
 19 **home is not required.**

20 **D.(1)(a) Upon receipt of an emergency preparedness plan or summary**
 21 **of an updated plan submitted by a nursing home pursuant to this Section, the**
 22 **Louisiana Department of Health shall confirm that the plan contains the**
 23 **minimum requirements as provided in Subsection C of this Section.**

24 **(b) Each nursing home's primary sheltering host site and any other**
 25 **alternative sheltering host sites as provided in the nursing home's emergency**
 26 **preparedness plan shall be inspected and approved by the office of state fire**
 27 **marshal in accordance with the rules and regulations established pursuant to**
 28 **Paragraph (2) of this Subsection.**

29 **(c) If the state fire marshal fails to inspect a sheltering host site within**
 30 **fifteen business days after the Louisiana Department of Health receives a**

1 vetoed by the governor and subsequently approved by the legislature, this Act shall become
2 effective on the day following such approval.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____