

## RÉSUMÉ DIGEST

ACT 253 (SB 33)

2022 Regular Session

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New law provides that nursing facilities must have a generator or other La. Dept. of Health (LDH) approved alternate electrical power source capable of providing sufficient electrical power for the simultaneous operation of certain systems in the event of the loss of primary electrical power.

New law provides that the generator or alternate electrical power source must be permanently installed onsite at the nursing facility and a certain quantity of fuel must be stored onsite at the nursing facility or delivered prior to the emergency event. Provides that natural gas is an allowable fuel source and meets the onsite fuel requirement if there is an onsite propane tank sufficient in size to meet the fuel requirements.

New law provides for each nursing facility to have fuel delivery agreements in place that will extend the uninterrupted operation of the generator or alternative electrical power source under full load to a total period of 168 hours for a single emergency event. Allows nursing facilities to interrupt operation of the generator or alternative electrical power source to conduct routine maintenance as recommended by manufacturer's specifications.

New law provides the option of a waiver, if a nursing facility was built or had construction plans approved by LDH prior to Aug. 1, 2022, for the permanently installed generator or alternative electrical power source if there is not sufficient physical space available or a governmental ordinance exists that makes it impossible to place a generator or alternative electrical power source and the required fuel on the premises of the nursing facility. Further requires each nursing facility which receives a waiver to annually submit to the department a plan to provide for the health and safety of the facility's residents in the event of power loss.

New law provides that nursing facilities shall meet the requirements of new law no later than June 30, 2023. Allows LDH to grant a one-time extension, not to exceed six months, upon written application by a nursing facility that compliance has been delayed due to extraordinary and unforeseen circumstances if the nursing facility provides sufficient evidence of substantial compliance or good faith efforts to comply with the requirement deadline.

Effective June 3, 2022.

(Adds R.S. 40:2009.24)