

HOUSE SUMMARY OF SENATE AMENDMENTS

HB 853

2024 Regular Session

Myers

HEALTH/LDH: Creates the office of surgeon general within the Louisiana Department of Health

Synopsis of Senate Amendments

1. Makes technical changes.
2. Adds that proposed law shall be effective upon signature of governor or lapse of time for gubernatorial action.

Digest of Bill as Finally Passed by Senate

Present law requires LDH to be composed of the executive office of the secretary, the office of management and finance, the office of public health, the office of behavioral health, the office for citizens with developmental disabilities, the office of aging and adult services, the office on women's health and community health, and such other offices as created by present law.

Proposed law adds the office of the surgeon general to present law and otherwise retains present law.

Present law requires officers of LDH to be the secretary, the undersecretary, the deputy secretary, if one is appointed, and assistant secretaries, each of whom shall be selected in accordance with present law.

Proposed law adds the surgeon general to present law and otherwise retains present law.

Present law further provides that no person serving as a secretary, deputy secretary, undersecretary, or assistant secretary shall receive any additional salary from the state other than that salary he receives for his service in such offices.

Proposed law adds the surgeon general to present law and otherwise retains present law.

Proposed law creates the position of surgeon general, office of the surgeon general, within LDH and requires his appointment by the governor with consent from the state Senate. Proposed law further provides for his salary.

Proposed law requires the surgeon general to be a licensed and practicing physician in this state and to continue to be qualified throughout his term in office. Proposed law further requires him to be an employee of LDH.

Proposed law requires the surgeon general to serve as the chief medical officer of LDH and the state's leading advocate for wellness and disease prevention. Proposed law further requires the surgeon general to serve as the state health officer.

Proposed law provides that the surgeon general shall have the responsibility of providing medical and clinical guidance and recommendations to LDH and directly to the governor upon request.

Proposed law requires the surgeon general to perform certain functions under the general control and supervision of the governor and in accordance with present law and proposed law.

Proposed law further requires the surgeon general to direct and be responsible for the functions of the office of surgeon general within LDH.

Proposed law outlines the purpose, duties, and functions of the surgeon general and the office of surgeon general, which includes all of the following:

- (1) Collect, manage, and analyze health data and statistics to formulate public health policy and planning for this state.
- (2) Promote the health of all residents and visitors in this state.
- (3) Coordinate with other agencies, offices, medical schools, boards, commissions, task forces, and other associations on health care initiatives for this state.
- (4) Provide an annual report to the governor, to the legislature, and to the secretary of LDH.

Present law provides that each office within LDH, except the office of management and finance, shall be under the immediate supervision and direction of an assistant secretary.

Proposed law adds the surgeon general to the list of assistant secretaries under the immediate supervision of the assistant secretary and otherwise retains present law.

Proposed law requires the office of surgeon general to be responsible for leading and coordinating efforts of LDH that are intended to provide clinical and medical guidance and recommendations to improve health outcomes for all residents of this state.

Proposed law allows LDH to consolidate efforts on healthcare provisions and outcomes for all programs within LDH as deemed appropriate by the secretary of LDH after consultation with the surgeon general.

Present law requires the state health officer to be a licensed and practicing physician in this state and continue to be qualified during his term of office.

Proposed law further requires him to be a full-time employee of the Louisiana Department of Health.

Proposed law requires the surgeon general to be appointed by the governor and to serve as the state health officer. Proposed law permits the surgeon general to collaborate with the secretary on any order, rule, or regulation issued by the state health officer.

Present law defines "state health officer" as the secretary of LDH or his designee. Proposed law redefines the term to mean surgeon general appointed by the governor as provided in proposed law.

Proposed law adds the surgeon general to the list of positions that, if filled by a physician, are exempt from the ethical standards that prohibit payments for nonpublic services.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 36:251(C)(1), 252(A) and (B), and 257(A) and R.S. 40:2 and 1281.1(intro. para.) and (8); Adds R.S. 36:254.4 and 258(M) and R.S. 42:1123.2(D)(6))