

2026 Regular Session

SENATE BILL NO. 190

BY SENATOR MIZELL

NURSING HOMES. Provides relative to nursing home licenses. (8/1/26)

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AN ACT

To enact R.S. 40:2009.10.2, relative to nursing facilities; to provide for the Centers for Medicare and Medicaid Services Special Focus Facility Program; to provide for nursing facility candidates for the program; to provide for state requirements for nursing facilities; to provide for the duties and responsibilities of the Louisiana Department of Health; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 40:2009.10.2 is hereby enacted to read as follows:

§2009.10.2. Special Focus Facility Program; candidates; state requirements

A. Any nursing facility licensed by the Louisiana Department of Health that is identified by the Centers for Medicare and Medicaid Services as a candidate for participation in the Special Focus Facility Program due to persistent poor performance on surveys which include obtaining an immediate jeopardy deficiency, a deficiency cited as abuse or actual harm, or a deficiency for the potential for more than minimal harm to residents, shall be subject to enhanced state oversight regardless of whether the nursing facility is selected for participation in the Special Focus Facility Program.

1 **B. Any nursing facility identified in Subsection A of this Section shall:**

2 **(1) Provide notice to both prospective and current residents that the**
3 **facility is a candidate for placement in the Special Focus Facility Program due**
4 **to the scope and severity of persistent noncompliance with state and federal**
5 **requirements that could put their health and safety at risk.**

6 **(2) Provide current residents the opportunity to transfer to another**
7 **available facility if the resident can be transferred safely and there is an**
8 **alternative nursing facility with availability that meets the resident's**
9 **geographical, physical health, and mental health needs.**

10 **(3) Comply with the following state requirements in addition to any**
11 **requirements imposed by the Centers for Medicare and Medicaid Services:**

12 **(a) Be subject to state-appointed monitoring.**

13 **(b) Be subject to a minimum of quarterly in-person unannounced**
14 **inspections.**

15 **(c) Enter into a directed plan of correction with the department.**

16 **(d) Hold directed, in-service training.**

17 **(e) Be subject to a root cause analysis to determine the basis for its poor**
18 **performance.**

19 **(f) Be subject to an owner or license holder analysis to identify a pattern**
20 **of poor performance under the same owner.**

21 **(g) Be responsible for immediate staffing increases as needed to address**
22 **deficiencies.**

23 **(h) Engage with a Quality Improvement Organization approved by the**
24 **Centers for Medicare and Medicaid Services.**

25 **C. If a nursing facility is selected for the Special Focus Facility Program**
26 **and fails to meet the requirements for graduation from the program and the**
27 **additional requirements imposed by the department in accordance with**
28 **Subsection B of this Section within eighteen months, the Louisiana Department**
29 **of Health shall revoke the facility's license.**

1 **D. A nursing facility shall not be allowed to enter into the Special Focus**
 2 **Facility Program more than once. If a nursing facility graduates from the**
 3 **Special Focus Facility Program and continues to be a poor-performing facility,**
 4 **the department shall take action to best protect the facility's residents, including**
 5 **revoking the owner's license and securing a new license holder and owner to**
 6 **continue operating at the same location or revoking the license, closing the**
 7 **facility, and relocating the residents to alternative nearby facilities.**

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Senate Legislative Services. The keyword, summary, 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)]

DIGEST

SB 190 Original

2026 Regular Session

Mizell

Proposed law establishes state requirements to correspond with the federal requirements established by the Centers for Medicare and Medicaid Services (CMS) Special Focus Facility (SFF) program which focuses on nursing homes that have a persistent record of noncompliance leading to poor quality of care.

Proposed law requires that any nursing facility licensed by the La. Dept. of Health that is identified by CMS as a candidate for participation in the Special Focus Facility Program be subject to enhanced state oversight regardless of whether the nursing facility is selected for participation in the program.

Proposed law requires the nursing facilities to notify prospective and current residents of the candidacy for the program and give the residents an opportunity to transfer to another nursing facility.

Proposed law requires the nursing facilities to comply with state requirements in addition to CMS requirements for the program.

Proposed law requires the La. Dept. of Health to revoke the license of any nursing facility that fails to meet the requirements for graduation from the program and additional requirements imposed by the department within 18 months.

Proposed law prohibits a nursing facility to enter into the program more than once and requires the La. Dept. of Health to take action to protect the residents of a continuously poor-performing facility.

Effective August 1, 2026.

(Adds R.S. 40:2009.10.2)