
DIGEST

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HB 1116 Original

2026 Regular Session

Chenevert

Abstract: Provides relative to public health reviews conducted and public health guidance issued by the surgeon general.

Present law provides for the duties and functions of the surgeon general within the La. Dept. of Health (LDH), office of surgeon general.

Proposed law retains present law and provides for an additional function of the surgeon general in regard to conducting public health reviews.

Proposed law provides that, upon receipt of a written referral from the office of public health within LDH, the surgeon general may conduct a review to investigate the transmissions, causes, and prevention of any suspected public health condition, disease, injury, event, emergency, or loss of life.

Proposed law provides that the purpose of these public health reviews is to support public health policymaking and research for the purpose of informing public health, and not for addressing individual public interest inquiries.

Proposed law requires the office of public health to establish a written procedure for making written referrals to the surgeon general.

Proposed law allows the surgeon general to access medical records, vital records, and other health information in the custody or possession of any of the following:

- (1) The office of public health.
- (2) Providers or facilities licensed or certified by LDH.
- (3) Healthcare professionals licensed or certified pursuant to present law (R.S. 37:1 et seq.).
- (4) Other medical or healthcare clinics or laboratories.

Proposed law requires the surgeon general to send a written request, on official letterhead, to the healthcare provider, facility, or professional or the office of public health to obtain access to medical records, vital records, or other health information. Proposed law further requires any copies of the requested health records and information to be sent in a secure electronic format.

Proposed law requires the health records and information to be kept confidential and prohibits the surgeon general from utilizing them for any purpose other than for the public health review.

Proposed law allows the surgeon general, after concluding the review, to issue a public health guidance to the healthcare provider, facility, or professional or to the public on the specific public health issue reviewed.

Proposed law provides that if the public health guidance is issued to a healthcare provider, facility, or professional, the public health guidance may be published on LDH's website, if deemed appropriate by the surgeon general. However, proposed law requires the public health guidance to be published on LDH's website, if it is issued to the public in general.

Proposed law stipulates that the surgeon general's review and conclusions, other than the public health guidance, shall be confidential.

Proposed law prohibits the surgeon general from being compelled to testify about the review or conclusions in any civil, criminal, administrative, legislative, or other proceeding.

Proposed law requires specified health records and information obtained by the surgeon general to be kept confidential and prohibits such records and information from being available for subpoena and from being disclosed, discoverable, or compelled to be produced in any civil, criminal, administrative, legislative, or other proceeding.

Proposed law also prohibits the requested health records and information from being admissible as evidence in a civil, criminal, administrative, legislative, or other proceeding.

Proposed law prohibits the surgeon general's review or conclusions from being referred to any professional licensing board or agency for action against a healthcare provider's, facility's, or professional's or clinic's license or certification.

Present law provides a list of certain records, documentation, and information that are exempted from public records.

Proposed law adds to the public records exception any information, documents, records, notes, files, communications, or results that are received, generated, made, or maintained for or in connection with the public health review conducted by the surgeon general. Proposed law otherwise retains present law.

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

(Adds R.S. 36:254.4(H) and R.S. 44:4(65))