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## DIGEST

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Frith

HB No. 165

**Abstract:** Provides for the impact of an executive order or proclamation of emergency or disaster upon the licensure process in areas affected by the emergency or disaster, the continuation of facility need review approval for nursing homes and ICF/MRs operating in areas affected by an executive order or proclamation of emergency or disaster, and prohibits termination of a provider agreement of a health care facility which has experienced an interruption of services as a result of the emergency or disaster which was the subject of such an executive order or proclamation.

Present law provides licensing standards for health care facilities, including the voluntary surrender of a license.

Proposed law provides for the impact of an executive order or proclamation of emergency or disaster upon the licensure process in areas affected by the emergency or disaster. The facilities whose licensing processes are affected are:

- (1) Adult day health care facility.
- (2) Substance abuse/addiction treatment facility.
- (3) Ambulatory surgery center.
- (4) Case management provider.
- (5) Urine drug screening provider.
- (6) Home health agency.
- (7) Hospice.
- (8) Hospital.
- (9) Nursing home.
- (10) Rural health clinic.
- (11) Intermediate care facility for the mentally retarded (ICF/MR).
- (12) End stage renal disease facility.

Present law provides for the facility need review process with respect to long-term care providers, particularly nursing homes and intermediate care facilities for the mentally retarded (ICF/MR). Present law provides for the termination, expiration, or revocation of such facility need review approval based upon the cessation of the provision of services.

Proposed law provides for the continuation of facility need review approval for nursing homes and ICF/MRs operating in areas affected by an executive order or proclamation of emergency or disaster under certain conditions.

Present law provides that DHH may terminate a health care provider agreement based upon the cessation of the provision of services.

Proposed law provides that DHH may not terminate the provider agreement of a health care facility which has experienced an interruption of services as a result of the emergency or disaster which was the subject of such an executive order or proclamation issued in accordance with R.S. 29:724.

(Adds R.S. 40:2007.1 and 2116(J) and R.S. 46:437.11(F))