

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 107 by Senator McPherson

1 AMENDMENT NO. 1

2 On page 1, line 2 after "To" insert "amend and reenact R.S. 40:2109(B)(7) and to"

3 AMENDMENT NO. 2

4 On page 1, delete line 10 and insert the following:

5 "Section 1. R.S. 40:2109(B)(7) is hereby amended and reenacted and R.S. 40:2007.1 and
6 2116(J) are hereby enacted to read as follows:"

7 AMENDMENT NO. 3

8 On page 3, delete lines 16 through 24 and insert the following:

9 **"D.(1) The Department of Health and Hospitals shall license, as of the date services**
10 **commence, any outpatient off-campus facility of a licensed hospital, if the need for the**
11 **off-campus facility was occasioned by an event which is the subject of an executive**
12 **order or proclamation of emergency or disaster, issued in accordance with R.S. 29:724.**
13 **In order to qualify for licensure of such an off-campus facility, the licensed hospital**
14 **shall, no later than December 31, 2005, comply with the following:**

15 **(a) Notify the Department of Health and Hospitals that it has commenced**
16 **operations at an outpatient off-campus facility, regardless of whether such off-campus**
17 **facility is located in an area that is the subject of the executive order or proclamation**
18 **of emergency or disaster issued in accordance with R.S. 29:724.**

19 **(b) Submit to the Department of Health and Hospitals an attestation of**
20 **regulatory compliance specifying that, to the best of the hospital's knowledge, the**
21 **outpatient off-campus facility is in compliance with all regulatory requirements,**
22 **including life and safety and public health requirements, as of the date the off-campus**
23 **facility commenced providing services.**

24 **(2) The Department of Health and Hospitals shall not require any documentation from**
25 **a licensed hospital regarding an outpatient off-campus facility other than that listed in**
26 **this Subsection.**

27 * * *
28 §2109. Rules, regulations, and minimum standards
29 * * *

30 B. The minimum standards adopted by the secretary governing operation and maintenance
31 of hospitals may contain regulations in relation to:
32 * * *

33 (7) Minimum number of beds required, which shall be ten. **In the case of a parish in which**
34 **the sole hospital providing inpatient and emergency department services temporarily**
35 **ceases operations as a result of an event which is the subject of an executive order or**
36 **a proclamation of emergency or disaster issued in accordance with R.S. 29:724, the**
37 **Department of Health and Hospitals shall waive the minimum bed number. The**
38 **requirement of a minimum number of beds shall be waived in order that a temporary**
39 **hospital may be constructed or a modular building designed for inpatient services may**
40 **be utilized in such parish. Such waiver shall be effective for a period of two years,**
41 **beginning the date on which the temporary hospital commences operations as an**
42 **inpatient facility. Extensions shall be granted by the Department of Health and**
43 **Hospitals for good cause, including, but not limited to delays in construction beyond**
44 **the provider's control.**

1 AMENDMENT NO. 4

2 On page 4, delete line 22 and insert the following:

3 **"F. In accordance with federal regulations and subject to the approval of the Centers**
4 **for Medicare and Medicaid Services, the secretary of the Department of Health and**
5 **Hospitals shall not"**