

HOUSE SUMMARY OF SENATE AMENDMENTS

House Bill No. 5 by Representative Walker

HEALTH CARE/FACILITIES: Provides for the Department of Health and Hospitals to promulgate rules for the establishment, reestablishment, or continued operation of nursing facilities, hospitals, and intermediate care facilities for the mentally retarded located in areas subject to hurricanes, tidal surges, or flooding (Item #43)

Synopsis of Senate Amendments

1. Relative to nursing homes and ICF/MRs, adds provisions that the regulations include restrictions of locations of newly approved facilities that are subject to the facility need review process, provisions relative to facility specific Medicaid reimbursement, and reasonable time periods for compliance.
2. Relative to nursing homes, deletes requirements that the rules include the requirement that each nursing home maintain advanced communication devices.
3. Relative to hospitals, gives authority for DHH's regulations include provisions for the facility specific Medicaid reimbursement and reasonable time periods for compliance.
4. Relative to hospitals, nursing homes, and ICF/MRs, deletes the requirement that the regulations contain building codes which are more strict than those currently being used.

Digest of Bill as Finally Passed by Senate

Proposed law authorizes DHH to promulgate rules for the establishment, reestablishment, or continued operation of nursing facilities located in areas subject to hurricanes, tidal surges, or flooding. Such rules must include requirements for building and construction codes and guidelines, restrictions of location of newly approved facilities that are subject to the facility need review process, provisions for the facility specific Medicaid reimbursement of costs as a result of compliance, and provisions for reasonable time periods for compliance.

Proposed law authorizes DHH to promulgate rules for the establishment, reestablishment, or continued operation of hospitals located in areas subject to hurricanes, tidal surges, or flooding. Such rules may include the requirements for building and construction codes, provisions for the facility specific Medicaid reimbursement of costs as a result of compliance, and provisions for reasonable time periods for compliance.

Proposed law authorizes DHH to promulgate rules for the establishment, reestablishment, or continued operation of intermediate care facilities for the mentally retarded located in areas subject to hurricanes, tidal surges, or flooding. Such rules shall include the requirements for building and construction codes and guidelines restrictions of location of newly approved facilities that are subject to the facility need review process, provisions for the facility specific Medicaid reimbursement of costs as a result of compliance, and provisions for reasonable time periods for compliance.

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

(Adds R.S. 40:2009.4(A)(6), 2109(B)(1)(c), and 2180.2(10))

Summary of Amendments Adopted by House

House Floor Amendments to the engrossed bill.

1. Adds that the rules promulgated for nursing facilities must include the requirement that such facilities maintain advanced communication devices that do not depend upon towers, wires, or fibers.

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Health and Welfare to the reengrossed bill.

1. Removes language relating to facilities which were continuing operations rather than those in the process of establishing or reestablishing facilities.
2. Removes language regarding stricter building codes, leaving the reference to building codes, in general.
3. Provides that restrictions on locations of facilities shall apply only to facilities that are subject to the facility need review process.
4. Provides clarification regarding provisions in the reimbursement methodology to provide for the inclusion of the cost of land purchases in payment methodology.