

CONFERENCE COMMITTEE REPORT DIGEST

House Bill No. 5 by Representative Walker

Digest of Bill as Finally Passed by the House

Walker at al.

HB No. 5

Proposed law authorizes Department of Health and Hospitals (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 of stricter building and construction codes and guidelines, restrictions of location of facilities, and requirements of maintaining advanced communication devices which are not dependent on towers, wires, or fibers.

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 of stricter building and construction codes and guidelines and restrictions of location of facilities.

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 must include the requirements of stricter building and construction codes and guidelines and restrictions of location of facilities.

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 the SenateSenate Committee Amendments proposed by Senate Health and Welfare Committee to the Reengrossed bill.

1. 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.
2. Removes language relating to facilities which were continuing operations rather than those in the process of establishing or reestablishing facilities.
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.

Senate Floor Amendments to the Rengrossed bill.

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 to include provisions for the facility specific Medicaid reimbursement and reasonable time periods for compliance.

Digest of Bill as Proposed by Conference Committee

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 locations of newly approved facilities that are subject to the facility need review process, provisions for the fair allocation of the Medicaid share of facility specific costs directly incurred by a facility 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 fair allocation of the Medicaid share of facility specific costs directly incurred by a facility 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 must include the requirements for building and construction codes and guidelines, restrictions of locations of newly approved facilities that are subject to the facility need review process, provisions for the fair allocation of the Medicaid share of facility specific costs directly incurred by a facility as a result of compliance, and provisions for reasonable time periods for compliance.

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