DIGEST

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Brossett   HB No. 693

Abstract: Removes certain restrictions relative to contracting with and employment of immediate family members by hospital service districts and hospital public trust authorities.

Present law (ethics code – R.S. 42:1119), relative to nepotism, prohibits employment of an immediate family member of a member of the governing authority or the chief executive of a governmental entity by the governmental entity.

Present law provides an exception that authorizes a hospital service district with a population of 100,000 persons or less as of the most recent federal decennial census or hospital public trust authority located in such a district to enter into an initial recruiting contract with or employ as a health care provider, a licensed physician, a registered nurse, or an allied health professional who is a member of the immediate family of any district board, authority, or parish governing authority member or of the chief executive of the district or authority provided that such family member is the only qualified applicant who has applied for the position after it has been advertised for at least 30 days in the official journal of the parish and in all newspapers of general circulation in the parish where the hospital is located. Provides that the chief executive and any member of a board of a hospital service district or hospital public trust authority which enters into an initial recruiting contract with or employs such physician, registered nurse, or allied health professional shall recuse himself from any decision involving the promotion, discipline, discharge, or assignment of any such employee who is a member of his immediate family.

Proposed law repeals present law exception.

Present law provides an additional exception that authorizes a hospital service district in a parish with a population of between 400,000 and 440,000 persons as of the most recent federal decennial census or hospital public trust authority located in such a district to enter into an initial recruiting contract with or employ as a health care provider, a licensed physician, a registered nurse, or an allied health professional who is a member of the immediate family of any district board, authority, or parish governing authority member or of the chief executive of the district or authority provided that such family member is a qualified applicant who has applied for the position after it has been advertised for at least 30 days in the official journal of the parish and in all newspapers of general circulation in the parish where the hospital is located. Requires the chief executive and any member of a board of a hospital service district or hospital public trust authority which enters into an initial recruiting contract with or employs such physician, registered nurse, or allied health professional to recuse himself from any decision involving the

promotion, discipline, discharge, or assignment of any such employee who is a member of his immediate family.

Proposed law removes the population limit on this exception thereby making it apply statewide. Otherwise retains present law.

Present law provides that no later than Jan. 30th of each year, any chief executive and any member of a board of a hospital service district or hospital public trust authority whose immediate family member enters into an initial recruiting contract with or is employed by the hospital service district or hospital public trust authority pursuant to present law shall file a disclosure statement with the Board of Ethics stating the facts of such employment. Provides that any person who fails to timely file a disclosure statement may be assessed a late fee of $50 per day, not to exceed $1,500, subject to the provisions of present law (R.S. 42:1157.2).

Proposed law retains present law.

(Amends R.S. 42:1119(B)(2)(b))