
DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 1158 Engrossed

2016 Regular Session

Stokes

Abstract: Increases license fees assessed by the Department of Health and Hospitals (DHH) on healthcare facilities and providers and establishes additional bed fees for certain licensed facilities.

Proposed law makes the following revisions to present law relative to licensing fees for ambulance services:

- (1) Increases the initial licensing fee from \$150 to \$300.
- (2) Increases the annual license renewal fee from \$150 to \$300.
- (3) Deletes a requirement that a delinquent fee of \$100 for failure to timely pay an annual license renewal fee be assessed and become due and payable at 12:01 a.m. on the 36th day following the date of the invoice by which the department bills the applicant or licensee for the annual license renewal fee. Inserts in lieu thereof a requirement that this \$100 fee be assessed and become due and payable at 12:01 a.m. on the first day following the expiration of the license.
- (4) Deletes a requirement that ambulance services pay a delinquent fee of \$100 per ambulance and emergency medical response vehicle for failure to timely pay a vehicle inspection fee.

Present law authorizes initial licensure and annual license renewal fees not to exceed \$600, payable to DHH, for the following facilities and providers: Adult day health care facilities; behavioral health services providers; ambulatory surgical centers; case management providers; home health agencies; hospices; hospitals; nursing homes; rural health clinics; intermediate care facilities for people with developmental disabilities (ICF/DD); end stage renal disease facilities; outpatient abortion facilities; psychiatric residential treatment facilities; children's respite care centers; pediatric day healthcare facilities.

Proposed law revises present law to provide that initial licensure and annual license renewal fees for each of these facilities and providers shall be set as follows:

- (1) For a facility or provider that is licensed as of Dec. 31, 2016, the annual licensing fee shall be as follows:
 - (a) \$700 per year for a license issued or renewed between Jan. 1, 2017 and Dec. 31,

2017.

- (b) \$800 per year for a license issued or renewed between Jan. 1, 2018 and Dec. 31, 2018.
 - (c) \$900 per year for a license issued or renewed between Jan. 1, 2019 and Dec. 31, 2019.
 - (d) \$1,000 per year for a license issued or renewed on or after Jan. 1, 2020.
- (2) For a new facility or provider that is initially licensed after Dec. 31, 2016, the annual license fee shall be \$1,000 per year. Provides that this fee shall apply to each facility, provider, or entity which undergoes a change of ownership after Dec. 31, 2016.

Proposed law provides that the fee schedule above for initial licensure and annual license renewal shall apply to the following facilities and providers:

- (1) Pain management clinics.
- (2) Therapeutic group homes.
- (3) Crisis receiving centers.
- (4) Adult brain injury facilities.
- (5) Forensic supervised transitional residential and aftercare facilities.
- (6) Home- and community-based service providers.

Present law provides that any entity currently operating or planning to operate any one of an enumerated list of healthcare facilities shall be assessed an additional application and renewal fee not to exceed \$5 per unit, payable to DHH, at the time of initial licensure or annual license renewal. Provides that for purposes of present law, "unit" means a room or station.

Proposed law revises present law to provide that the additional \$5 fee shall be per bed. Provides that for purposes of proposed law, "bed" means a room or station. Extends applicability of the \$5 bed fee to the following facilities:

- (1) Therapeutic group homes.
- (2) Crisis receiving centers.
- (3) Adult brain injury facilities.
- (4) Forensic supervised transitional residential and aftercare facilities.

Present law provides that any entity currently operating or planning to operate a satellite, branch, or offsite office of a healthcare facility licensed by DHH shall be assessed a fee not to exceed \$300 per subsidiary license or registration, payable to DHH. Proposed law increases this fee to \$400.

Present law provides that any entity currently operating or planning to operate any one of an enumerated list of licensed healthcare facilities, or operate as any one of an enumerated list of licensed healthcare providers, shall be assessed a delinquent fee of \$100 for failure to timely renew its license or any subsidiary license. Proposed law extends applicability of the \$100 delinquent fee to the following facilities:

- (1) Therapeutic group homes.
- (2) Crisis receiving centers.
- (3) Forensic supervised transitional residential and aftercare facilities.

Present law authorizes DHH to assess a fee of up to \$600 for initial licensure and annual license renewal of adult residential care providers, and an annual fee of \$5 per bed for these providers. Proposed law retains the annual fee of \$5 per bed for adult residential care providers, and decreases the maximum annual licensure fee for these providers from \$600 to \$500.

Proposed law provides that DHH shall assess upon each adult residential care provider a survey fee not to exceed \$1,000 for any complaint survey conducted by the department through which deficiencies are substantiated. Provides that this fee shall be imposed only after the provider has completed the administrative appeals process which has upheld the deficiencies, or the time for filing such administrative appeal has expired. Provides further that the amount of the survey fee shall not exceed the cost of performing the survey, and shall be in addition to any other fines, fees, penalties, or other sanctions to which the provider may be subject.

Proposed law exempts state-owned health facilities from fees for applications for and renewal of licenses.

Proposed law makes technical and conforming changes in present law to address the fee amounts provided in proposed law.

Effective Jan. 1, 2017.

(Amends R.S. 28:35(B), R.S. 40:1135.4, 2006(A)(1) and (2)(intro. para.) and (c), (B)(1) and (2)(intro. para.), (C), and (E)(1) and (2)(intro. para.) and (c), 2120.4(D), 2120.34(F), 2139(A), 2166.5(C)(intro. para.), (1), and (2), and 2198.13; Adds R.S. 40:2006(A)(2)(r)-(w), (B)(2)(i)-(l), (E)(2)(t)-(v), and (F), and 2166.5(D); Repeals R.S. 28:34(C) and 36(B) and R.S. 40:2006(A)(2)(e), (E)(2)(e), 2107(A), and 2166.5(C)(4) and (5))