

GREEN SHEET REDIGEST

HB 539

2018 Regular Session

Leger

(KEYWORD, SUMMARY, AND DIGEST as amended by Senate committee amendments)

FEES/LICENSES/PERMITS: Provides for an expedited licensing process and associated fees for facilities and providers licensed by the La. Department of Health

DIGEST

Proposed law provides that Louisiana Department of Health shall implement an expedited licensing process for healthcare facilities and providers that the department licenses in accordance with the Administrative Procedure Act.

Proposed law provides that the fees for the expedited licensing process shall be assessed in an amount not to exceed \$7,500 and shall be payable to the department at the time an expedited licensing application is submitted to the department by a healthcare facility or provider.

Proposed law provides that after the department receives and approves the completed expedited licensing application packet, the department shall notify the applicant to provide a readiness date for the expedited survey. The department shall conduct the expedited licensing survey within ten working days of the readiness date indicated by the facility or provider and in accordance with applicable rules of the department.

Proposed law provides that the department shall refund the expedited licensing fee if the expedited licensing survey is not conducted within the time period specified in this Section, unless such failure to conduct the survey is due to the unavailability of the facility or provider. Proposed law provides that the department shall not utilize existing employees who conduct regular licensing surveys to conduct any expedited licensing survey.

Proposed law provides that the department shall ensure that no facility or provider seeking approval to apply for licensure pursuant to a pre-licensing facility need review process provided for in this Chapter is affected by another provider of the same license type choosing the expedited licensing process instead of the regular licensing process.

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

(Adds R.S. 40:2006.2)

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

1. Require the La. Department of Health (LDH) to refund any fee amount paid by a healthcare provider in accordance with proposed law if the services for which the provider paid the fee are not completed within the time period specified in proposed law.
2. Require LDH to ensure that no healthcare provider seeking approval to apply for licensure pursuant to a pre-licensing facility need review process provided for in present law is affected by another provider of the same license type choosing the expedited licensing process provided for in proposed law.
3. Require LDH to submit a written report to the legislative committees on health and welfare on or before Feb. 1, 2019, regarding implementation of the expedited licensing process authorized by proposed law.

4. Remove outpatient abortion facilities from the set of provider types authorized by proposed law to seek expedited licensing.
5. Stipulate that LDH shall contract to conduct the expedited licensure functions authorized by proposed law.

Summary of Amendments Adopted by Senate

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

1. Provides LDH with rulemaking authority to implement an expedited licensing process for healthcare facilities in accordance with the APA.
2. Provides that the fee for the expedited license, payable to LDH when submitting the application, shall not exceed \$7,500.
3. Provides that LDH has 10 days to conduct the expedited survey from the date the provider has indicated his readiness or LDH shall refund the expedited licensing fee.
4. Provides that LDH shall not use existing employees to perform the expedited survey.
5. Provides that providers seeking facility-need review shall not be affected by a similar provider who pays for expedited survey processing.