

RÉSUMÉ DIGEST

ACT 332 (HB 536)

2019 Regular Session

Hilferty

Existing law provides for criminal history checks on nonlicensed and licensed persons and licensed ambulance personnel.

Existing law defines certain terms relative to the use of criminal history checks on certain individuals. Prior law defined the term "employer". New law adds free-standing birth centers to the list of enumerated employers.

Existing law provides for the fees, licensing, and penalties of any legal entity currently operating or planning to operate any of the facilities listed within existing law. New law makes existing law applicable to "free-standing birth centers".

New law authorizes the Louisiana Department of Health (LDH) to promulgate and publish rules and regulations for the licensing of free-standing birth centers.

New law defines certain terms including "free standing birth center", "free-standing birth center services", "low-risk pregnancy", and "standards".

New law requires that free-standing birth centers be licensed by LDH and that no such center be established, operated, or reimbursed under the Medicaid program unless licensed to provide such services as a free-standing birth center by LDH.

New law provides for specific requirements of licenses of free-standing birth centers such as specific geographic location, the term and expiration date, the form of such license, and the location of posting such license.

New law provides that the rules and regulations promulgated by LDH shall be in accordance with the Administrative Procedure Act; provides that such rules shall be in the interest of the health, safety, welfare, and well being of persons receiving services from free standing birthing centers; and provides that such rules are effective upon approval by the secretary of LDH and shall have the effect of law.

New law provides for the process, including the payment of a licensing fee as provided in existing law, an applicant must follow to apply to be licensed as a free-standing birth center by LDH. New law provides for the procedure for the renewal of a license.

New law provides for the penalties of any entity operating as a free-standing birth center without a license from LDH. New law provides that any center or facility operating without a license shall be charged with a misdemeanor. New law provides for the issuance of a fine between \$250 and \$1,000 upon conviction.

New law provides that any licensed free-standing birth center is subject to inspection of records and reports by LDH.

Effective upon signature of governor (June 11, 2019).

(Adds R.S. 40:1203.1(3)(z), 2006(A)(2)(s), (B)(2)(j), and (E)(2)(x), and 2180.21-2180.28)