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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Brandi Cannon.

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SB 30 Engrossed

DIGEST  
2022 Regular Session

Fred Mills

Present law establishes a facility need review process within the Louisiana Department of Health (LDH) to determine if there is a need for any new or additional facilities, providers, programs, services, or beds. Proposed law identifies the healthcare providers that are subject to facility need review and provides for the creation and composition of a facility need review committee, the review process used by the committee, and the rights of the applicant subject to review. Proposed law provides that facility need review must be satisfied before a provider can proceed with licensure and Medicaid provider certification.

Present law provides for a nursing facility moratorium and certain exceptions. Proposed law moves provisions in present law relative to the moratorium and exceptions into a new section and deletes obsolete provisions.

Present law provides that the nursing facility moratorium shall be in effect until July 1, 2027. Proposed law retains present law and provides that nursing facilities are subject to facility need review in absence of the moratorium.

Present law provides for certain cost effective measures that may be accomplished by a department waiver. Proposed law moves provisions in present law relative to cost effective measures into a new section.

Effective August 1, 2022.

(Amends R.S. 40:2116; adds R.S. 40:2009.4(C), 2116.1, 2116.2, and 2180.2(12))

#### Summary of Amendments Adopted by Senate

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

1. Clarifies that a facility need review may be conducted prior to licensure or certification to participate in the Louisiana Medicaid program.
2. Removes adult day healthcare providers and adult residential care providers from the list of providers subject to facility need review.
3. Provides for the supplemental review process including an in-person or virtual meeting between the applicant and the FNR committee or its designees.

4. Provides for the revocation, suspension, and expiration of FNR approvals.
5. Provides for a facility need review process for nursing facilities in absence of a moratorium.
6. Repeals additional present law provisions that are obsolete.
7. Restores and relocates present law relative to nursing facility beds approved prior to the moratorium.
8. Makes technical change.