

---

**HOUSE COMMITTEE AMENDMENTS**

2022 Regular Session

Amendments proposed by House Committee on Health and Welfare to Original House Bill No. 933 by Representative Stagni

AMENDMENT NO. 1

On page 1, line 2, delete "and R.S. 44:4.1(B)(26)"

AMENDMENT NO. 2

On page 1, line 16, after "rules;" delete the remainder of the line

AMENDMENT NO. 3

On page 1, at the beginning of line 17, delete "Public Records Law;"

AMENDMENT NO. 4

On page 4, delete lines 21 through 24 in their entirety

AMENDMENT NO. 5On page 4, at the beginning of line 25, change "(2)" to "(1)"AMENDMENT NO. 6On page 4, at the beginning of line 26, change "(3)" to "(2)"AMENDMENT NO. 7On page 5, at the beginning of line 1, change "(4)" to "(3)"AMENDMENT NO. 8

On page 5, delete lines 21 and 22 in their entirety and insert in lieu thereof the following:

"(a) A primary evacuation site and a secondary evacuation site, verified by one or more contracts or other written agreements, as well as any other alternative evacuation sites that the nursing home may have."

AMENDMENT NO. 9

Delete pages 6 and 7 in their entirety and on page 8, delete lines 1 through 6 in their entirety and insert in lieu thereof the following:

"(3) Each nursing home located in a parish listed in Paragraph (1) of this Subsection shall submit a copy of its full, updated emergency preparedness plan to the department in electronic format. The emergency preparedness plan shall be signed by the nursing home's owner or owners, or any designee of such parties, and its administrator."

(4)(a) The department shall conduct a review of each nursing home emergency preparedness plan submitted to it in accordance with Paragraph (3) of this Subsection."

1           **(b) The departmental review required by this Paragraph shall include**  
 2 **transmittal of each nursing home emergency preparedness plan to all of the following**  
 3 **entities for review by those entities:**

4           **(i) The office of state fire marshal.**

5           **(ii) The Governor's Office of Homeland Security and Emergency**  
 6 **Preparedness.**

7           **(iii) The Department of Transportation and Development.**

8           **(iv) The Louisiana Emergency Response Network.**

9           **(v) The local office of emergency preparedness of the parish in which the**  
 10 **nursing home is located.**

11           **(vi) The local office of emergency preparedness of any parish in which an**  
 12 **evacuation site, including any unlicensed sheltering site, as identified in the nursing**  
 13 **home's emergency preparedness plan is located.**

14           **(c) The departmental review required by this Paragraph may include**  
 15 **transmittal to any other local, parish, regional, or other state agencies or entities for**  
 16 **consultation as the department deems appropriate. Each such agency or entity shall**  
 17 **cooperate and contribute to the department's review and approval process.**

18           **(5) Each entity listed in Subparagraph (4)(b) of this Subsection shall review**  
 19 **each nursing home emergency preparedness plan submitted to it and shall submit one**  
 20 **of the following documents to the department within ninety days of receipt of the**  
 21 **emergency preparedness plan from the department:**

22           **(a) A letter of preliminary approval of the nursing home's emergency**  
 23 **preparedness plan.**

24           **(b) A letter detailing what changes, amendments, or revisions to the**  
 25 **emergency preparedness plan are necessary.**

26           **(6) Any entity listed in Subparagraph (4)(b) of this Subsection that does not**  
 27 **respond to the department concerning a nursing home emergency preparedness plan**  
 28 **within ninety days of receipt of the plan shall be deemed to have granted preliminary**  
 29 **approval to the plan.**

30           **(7) After review of a nursing home emergency preparedness plan and results**  
 31 **of the review of the plan by the entities listed in Subparagraph (4)(b) of this**  
 32 **Subsection, the department shall transmit in electronic format either of the following**  
 33 **documents to the nursing home that submitted the plan:**

34           **(a) A notification letter communicating to the nursing home final approval**  
 35 **of the emergency preparedness plan.**

36           **(b) A notification letter communicating to the nursing home all required**  
 37 **changes, amendments, or other revisions to the emergency preparedness plan.**

38           **(8) Within fifteen days of receipt by the nursing home of an electronic**  
 39 **notification from the department that requires changes, amendments, or revisions to**  
 40 **the nursing home's emergency preparedness plan, the nursing home shall update and**  
 41 **revise its emergency preparedness plan to incorporate the required changes,**  
 42 **amendments, or revisions, and shall return a copy of the updated and revised**  
 43 **emergency preparedness plan to the department.**

44           **(9) Upon receipt of a nursing home's updated and revised emergency**  
 45 **preparedness plan, the department shall confirm that all required changes,**  
 46 **amendments, or revisions have been incorporated into the updated and revised**  
 47 **emergency preparedness plan, and shall issue an approval letter to the nursing home**  
 48 **for the emergency preparedness plan. If the required changes, amendments, or**  
 49 **revisions have not been incorporated, the department shall issue a letter of rejection**  
 50 **of the emergency preparedness plan to the nursing home.**

51           **(10) Each nursing home shall transmit a copy of its final, approved**  
 52 **emergency preparedness plan and a copy of the approval letter from the department**  
 53 **to the office of state fire marshal and the applicable local office or office of**

1 emergency preparedness. The nursing home shall submit the final, approved  
 2 emergency preparedness plan in electronic format, if available, to the recipients  
 3 listed in this Paragraph. If the nursing home received a letter of rejection from the  
 4 department, the nursing home shall transmit a copy of that letter to the office of state  
 5 fire marshal and the applicable local office or office of emergency preparedness.

6 (11) The review and approval of nursing home emergency preparedness  
 7 plans by the department and each entity listed in Subparagraph (4)(b) of this  
 8 Subsection shall be performed pursuant to the department's and those entities'  
 9 respective areas of knowledge, expertise, or jurisdiction."

10 AMENDMENT NO. 10

11 On page 8, delete lines 18 and 19 in their entirety and insert in lieu thereof the following:

12 "(a) A primary evacuation site and a secondary evacuation site, verified by  
 13 one or more contracts or other written agreements, as well as any other alternative  
 14 evacuation sites that the nursing home may have."

15 AMENDMENT NO. 11

16 On page 8, after line 25, delete the remainder of the page and delete pages 9 and 10 in their  
 17 entirety and on page 11 delete lines 1 through 4 in their entirety and insert in lieu thereof the  
 18 following:

19 "(3) Each nursing home located in a parish listed in Paragraph (1) of this  
 20 Subsection shall submit a copy of its full, updated emergency preparedness plan to  
 21 the department in electronic format. The emergency preparedness plan shall be  
 22 signed by the nursing home's owner or owners, or any designee of such parties, and  
 23 its administrator.

24 (4)(a) The department shall conduct a review of each nursing home  
 25 emergency preparedness plan submitted to it in accordance with Paragraph (3) of this  
 26 Subsection.

27 (b) The departmental review required by this Paragraph shall include  
 28 transmittal of each nursing home emergency preparedness plan to all of the following  
 29 entities for review by those entities:

30 (i) The office of state fire marshal.

31 (ii) The Governor's Office of Homeland Security and Emergency  
 32 Preparedness.

33 (iii) The Department of Transportation and Development.

34 (iv) The Louisiana Emergency Response Network.

35 (v) The local office of emergency preparedness of the parish in which the  
 36 nursing home is located.

37 (vi) The local office of emergency preparedness of any parish in which an  
 38 evacuation site, including any unlicensed sheltering site, as identified in the nursing  
 39 home's emergency preparedness plan is located.

40 (c) The departmental review required by this Paragraph may include  
 41 transmittal to any other local, parish, regional, or other state agencies or entities for  
 42 consultation as the department deems appropriate. Each such agency or entity shall  
 43 cooperate and contribute to the department's review and approval process.

44 (5) Each entity listed in Subparagraph (4)(b) of this Subsection shall review  
 45 each nursing home emergency preparedness plan submitted to it and shall submit one  
 46 of the following documents to the department within ninety days of receipt of the  
 47 emergency preparedness plan from the department:

48 (a) A letter of preliminary approval of the nursing home's emergency  
 49 preparedness plan.

1 (b) A letter detailing what changes, amendments, or revisions to the  
2 emergency preparedness plan are necessary.

3 (6) Any entity listed in Subparagraph (4)(b) of this Subsection that does not  
4 respond to the department concerning a nursing home emergency preparedness plan  
5 within ninety days of receipt of the plan shall be deemed to have granted preliminary  
6 approval to the plan.

7 (7) After review of a nursing home emergency preparedness plan and results  
8 of the review of the plan by the entities listed in Subparagraph (4)(b) of this  
9 Subsection, the department shall transmit in electronic format either of the following  
10 documents to the nursing home that submitted the plan:

11 (a) A notification letter communicating to the nursing home final approval  
12 of the emergency preparedness plan.

13 (b) A notification letter communicating to the nursing home all required  
14 changes, amendments, or other revisions to the emergency preparedness plan.

15 (8) Within fifteen days of receipt by the nursing home of an electronic  
16 notification from the department that requires changes, amendments, or revisions to  
17 the nursing home's emergency preparedness plan, the nursing home shall update and  
18 revise its emergency preparedness plan to incorporate the required changes,  
19 amendments, or revisions, and shall return a copy of the updated and revised  
20 emergency preparedness plan to the department.

21 (9) Upon receipt of a nursing home's updated and revised emergency  
22 preparedness plan, the department shall confirm that all required changes,  
23 amendments, or revisions have been incorporated into the updated and revised  
24 emergency preparedness plan, and shall issue an approval letter to the nursing home  
25 for the emergency preparedness plan. If the required changes, amendments, or  
26 revisions have not been incorporated, the department shall issue a letter of rejection  
27 of the emergency preparedness plan to the nursing home.

28 (10) Each nursing home shall transmit a copy of its final, approved  
29 emergency preparedness plan and a copy of the approval letter from the department  
30 to the office of state fire marshal and the applicable local office or office of  
31 emergency preparedness. The nursing home shall submit the final, approved  
32 emergency preparedness plan in electronic format, if available, to the recipients  
33 listed in this Paragraph. If the nursing home received a letter of rejection from the  
34 department, the nursing home shall transmit a copy of that letter to the office of state  
35 fire marshal and the applicable local office or office of emergency preparedness.

36 (11) The review and approval of nursing home emergency preparedness  
37 plans by the department and each entity listed in Subparagraph (4)(b) of this  
38 Subsection shall be performed pursuant to the department's and those entities'  
39 respective areas of knowledge, expertise, or jurisdiction."

40 AMENDMENT NO. 12

41 On page 11, line 29, after "owner or owners" and before "and" insert a comma ", " and "or  
42 any designee of such parties,"

43 AMENDMENT NO. 13

44 On page 12, line 8, change "(10)" to "(12)"

1 AMENDMENT NO. 14

2 On page 12, after line 13, delete the remainder of the page and delete page 13 in its entirety  
 3 and on page 14 delete lines 1 through 21 in their entirety and insert in lieu thereof the  
 4 following:

5 "inclusive of any updates and revisions, to the department on or before November  
 6 first. The full emergency preparedness plan shall be signed by the nursing home's  
 7 owner or owners, or any designee of such parties, and its administrator.

8 (5) The department shall conduct a review of each nursing home emergency  
 9 preparedness plan submitted to it in accordance with Paragraph (4) of this  
 10 Subsection.

11 (b) The departmental review required by this Paragraph shall include  
 12 transmittal of each nursing home emergency preparedness plan to all of the following  
 13 entities for review by those entities:

14 (i) The office of state fire marshal.

15 (ii) The Governor's Office of Homeland Security and Emergency  
 16 Preparedness.

17 (iii) The Department of Transportation and Development.

18 (iv) The Louisiana Emergency Response Network.

19 (v) The local office of emergency preparedness of the parish in which the  
 20 nursing home is located.

21 (vi) The local office of emergency preparedness of any parish in which an  
 22 evacuation site, including any unlicensed sheltering site, as identified in the nursing  
 23 home's emergency preparedness plan is located.

24 (c) The departmental review required by this Paragraph may include  
 25 transmittal to any other local, parish, regional, or other state agencies or entities for  
 26 consultation as the department deems appropriate. Each such agency or entity shall  
 27 cooperate and contribute to the department's review and approval process.

28 (6) Each entity listed in Subparagraph (5)(b) of this Subsection shall review  
 29 each nursing home emergency preparedness plan submitted to it and shall submit one  
 30 of the following documents to the department within ninety days of receipt of the  
 31 emergency preparedness plan from the department:

32 (a) A letter of preliminary approval of the nursing home's emergency  
 33 preparedness plan.

34 (b) A letter detailing what changes, amendments, or revisions to the  
 35 emergency preparedness plan are necessary.

36 (7) Any entity listed in Subparagraph (5)(b) of this Subsection that does not  
 37 respond to the department concerning a nursing home emergency preparedness plan  
 38 within ninety days of receipt of the plan shall be deemed to have granted preliminary  
 39 approval to the plan.

40 (8) After review of a nursing home emergency preparedness plan and results  
 41 of the review of the plan by the entities listed in Subparagraph (5)(b) of this  
 42 Subsection, the department shall transmit in electronic format, on or before March  
 43 first, either of the following documents to the nursing home that submitted the plan:

44 (a) A notification letter communicating to the nursing home final approval  
 45 of the emergency preparedness plan.

46 (b) A notification letter communicating to the nursing home all required  
 47 changes, amendments, or other revisions to the emergency preparedness plan.

48 (9) Within fifteen days of receipt by the nursing home of an electronic  
 49 notification from the department that requires changes, amendments, or revisions to  
 50 the nursing home's emergency preparedness plan, the nursing home shall update and  
 51 revise its emergency preparedness plan to incorporate the required changes,

1 amendments, or revisions, and shall return a copy of the updated and revised  
 2 emergency preparedness plan to the department.

3 (10) Upon receipt of a nursing home's updated and revised emergency  
 4 preparedness plan, the department shall confirm that all required changes,  
 5 amendments, or revisions have been incorporated into the updated and revised  
 6 emergency preparedness plan, and shall issue an approval letter to the nursing home  
 7 for the emergency preparedness plan. If the required changes, amendments, or  
 8 revisions have not been incorporated, the department shall issue a letter of rejection  
 9 of the emergency preparedness plan to the nursing home. The department shall issue  
 10 the approval letter or rejection letter required by this Paragraph on or before May  
 11 fifteenth.

12 (11) On or before May thirty-first, each nursing home shall transmit a copy  
 13 of its final, approved emergency preparedness plan and a copy of the approval letter  
 14 from the department to the office of state fire marshal and the applicable local office  
 15 or office of emergency preparedness. The nursing home shall submit the final,  
 16 approved emergency preparedness plan in electronic format, if available, to the  
 17 recipients listed in this Paragraph. If the nursing home received a letter of rejection  
 18 from the department, the nursing home shall transmit a copy of that letter to the  
 19 office of state fire marshal and the applicable local office or office of emergency  
 20 preparedness on or before May thirty-first.

21 (12) The review and approval of nursing home emergency preparedness  
 22 plans by the department and each entity listed in Subparagraph (5)(b) of this  
 23 Subsection shall be performed pursuant to the department's and those entities'  
 24 respective areas of knowledge, expertise, or jurisdiction."

25 AMENDMENT NO. 15

26 On page 15, line 16, after "Review" and before "nursing home" insert "and approve"

27 AMENDMENT NO. 16

28 On page 15, between lines 21 and 22, insert the following:

29 "(4) The department shall implement a program for electronic submission  
 30 of nursing home emergency preparedness plans no later than September 1, 2023."

31 AMENDMENT NO. 17

32 On page 17, line 22, after "plan" and before the period "." insert "to determine the suitability  
 33 and capacity of the site"

34 AMENDMENT NO. 18

35 On page 17, delete line 25 in its entirety and insert in lieu thereof the following:

36 "(c) On an annual basis, the department shall inspect and survey nonlicensed  
 37 sheltering sites"

38 AMENDMENT NO. 19

39 On page 17, line 28, change "its capacity to" to "whether it can"

40 AMENDMENT NO. 20

41 On page 18, after line 14, delete the remainder of the page and on page 19, delete lines 1  
 42 through 7 in their entirety

1 AMENDMENT NO. 21

2 On page 19, at the beginning of line 8, change "J.(1)" to "I.(1)"

3 AMENDMENT NO. 22

4 On page 19, line 9, change "the employees or representatives" to "any employee or  
5 representative"

6 AMENDMENT NO. 23

7 On page 19, line 18, change "The members" to "Except in the case of willful misconduct,  
8 no member"

9 AMENDMENT NO. 24

10 On page 19, line 21, after "shall" and "be liable" delete "not"

11 AMENDMENT NO. 25

12 On page 19, between lines 26 and 27, insert the following:

13 "(3) Neither the local office of emergency preparedness, nor, except in the  
14 case of willful misconduct, any employee or representative of the local office of  
15 emergency preparedness, engaged in the emergency preparedness activities and  
16 responsibilities as established in this Section, or in the rules and regulations  
17 promulgated pursuant to the provisions of this Section, shall be liable for the death  
18 of or any injury to persons or damage to property as a result of such activity. The  
19 local office of emergency preparedness and its employees and representatives shall  
20 be immune from any claim based on the exercise or performance of, or the failure  
21 to exercise or perform, the duties as established in this Section or in the rules and  
22 regulations promulgated pursuant to the provisions of this Section."

23 AMENDMENT NO. 26

24 On page 19, at the beginning of line 27, change "K." to "J.(1)"

25 AMENDMENT NO. 27

26 On page 19, after line 29, add the following:

27 "(2) Implementation and execution of an emergency preparedness plan shall  
28 be the duty and responsibility of the nursing home."

29 AMENDMENT NO. 28

30 On page 20, at the beginning of line 1, change "L." to "K."

31 AMENDMENT NO. 29

32 On page 20, delete lines 3 through 16 in their entirety

33 AMENDMENT NO. 30

34 On page 20, at the beginning of line 17, change "Section 3." to "Section 2."

35 AMENDMENT NO. 31

36 On page 20, at the beginning of line 19, change "Section 4.(A)" to "Section 3.(A)"

1 AMENDMENT NO. 32

2 On page 20, line 24, after "this Act," delete the remainder of the line and insert in lieu  
3 thereof "on or before August 30, 2022."

4 AMENDMENT NO. 33

5 On page 20, line 27, after "this Act," delete the remainder of the line and delete line 28 in  
6 its entirety and insert in lieu thereof "on or before September 1, 2022."

7 AMENDMENT NO. 34

8 On page 21, delete lines 1 through 16 in their entirety and insert in lieu thereof the following:

9 "(C) The Louisiana Department of Health shall transmit to licensed nursing homes  
10 all notification letters required by the provisions of R.S. 40:2009.25(C)(7), as enacted by  
11 Section 1 of this Act, on or before March 1, 2023.

12 (D) The Louisiana Department of Health shall transmit to licensed nursing homes  
13 all approval and rejection letters required by the provisions of R.S. 40:2009.25(C)(9), as  
14 enacted by Section 1 of this Act, on or before May 15, 2023.

15 (E) Each licensed nursing home located in a parish listed in Subsection (A) of this  
16 Section shall perform the duties relative to its emergency preparedness plan required by the  
17 provisions of R.S. 40:2009.25(C)(10), as enacted by Section 1 of this Act, on or before May  
18 31, 2023."

19 AMENDMENT NO. 35

20 On page 21, at the beginning of line 17, change "Section 5.(A)" to "Section 4.(A)"

21 AMENDMENT NO. 36

22 On page 21, line 24, after "this Act," delete the remainder of the line and insert in lieu  
23 thereof "on or before August 30,"

24 AMENDMENT NO. 37

25 On page 21, line 28, after "this Act," delete the remainder of the line and delete line 29 in  
26 its entirety and insert in lieu thereof "on or before September 1, 2023."

27 AMENDMENT NO. 38

28 On page 22, delete lines 1 through 16 in their entirety and insert in lieu thereof the following:

29 "(C) The Louisiana Department of Health shall transmit to licensed nursing homes  
30 all notification letters required by the provisions of R.S. 40:2009.25(D)(7), as enacted by  
31 Section 1 of this Act, on or before March 1, 2024.

32 (D) The Louisiana Department of Health shall transmit to licensed nursing homes  
33 all approval and rejection letters required by the provisions of R.S. 40:2009.25(D)(9), as  
34 enacted by Section 1 of this Act, on or before May 15, 2024.

35 (E) Each licensed nursing home located in a parish listed in Subsection (A) of this  
36 Section shall perform the duties relative to its emergency preparedness plan required by the  
37 provisions of R.S. 40:2009.25(D)(10), as enacted by Section 1 of this Act, on or before May  
38 31, 2024."

39 AMENDMENT NO. 39

40 On page 22, at the beginning of line 17, change "Section 6." to "Section 5."



- 1 AMENDMENT NO. 40
- 2 On page 22, at the beginning of line 20, change "Section 7." to "Section 6."