
HOUSE COMMITTEE AMENDMENTS

2022 Regular Session

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

1 AMENDMENT NO. 1

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

3 AMENDMENT NO. 2

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

5 AMENDMENT NO. 3

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

7 AMENDMENT NO. 4

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

9 AMENDMENT NO. 5

10 On page 4, at the beginning of line 25, change "(2)" to "(1)"

11 AMENDMENT NO. 6

12 On page 4, at the beginning of line 26, change "(3)" to "(2)"

13 AMENDMENT NO. 7

14 On page 5, at the beginning of line 1, change "(4)" to "(3)"

15 AMENDMENT NO. 8

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

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

20 AMENDMENT NO. 9

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

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

28 (4)(a) The department shall conduct a review of each nursing home
29 emergency preparedness plan submitted to it in accordance with Paragraph (3) of this
30 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"

1 AMENDMENT NO. 20

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

4 AMENDMENT NO. 21

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

6 AMENDMENT NO. 22

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

9 AMENDMENT NO. 23

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

12 AMENDMENT NO. 24

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

14 AMENDMENT NO. 25

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

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

26 AMENDMENT NO. 26

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

28 AMENDMENT NO. 27

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

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

32 AMENDMENT NO. 28

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

34 AMENDMENT NO. 29

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

1 AMENDMENT NO. 30

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

3 AMENDMENT NO. 31

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

5 AMENDMENT NO. 32

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

8 AMENDMENT NO. 33

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

11 AMENDMENT NO. 34

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

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

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

19 (E) Each licensed nursing home located in a parish listed in Subsection (A) of this
20 Section shall perform the duties relative to its emergency preparedness plan required by the
21 provisions of R.S. 40:2009.25(C)(10), as enacted by Section 1 of this Act, on or before May
22 31, 2023."

23 AMENDMENT NO. 35

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

25 AMENDMENT NO. 36

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

28 AMENDMENT NO. 37

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

31 AMENDMENT NO. 38

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

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

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

39 (E) Each licensed nursing home located in a parish listed in Subsection (A) of this
40 Section shall perform the duties relative to its emergency preparedness plan required by the

1 provisions of R.S. 40:2009.25(D)(10), as enacted by Section 1 of this Act, on or before May
2 31, 2024."

3 AMENDMENT NO. 39

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

5 AMENDMENT NO. 40

6 On page 22, at the beginning of line 20, change "Section 7." to "Section 6."