

2022 Regular Session

HOUSE BILL NO. 933

BY REPRESENTATIVE STAGNI

NURSING HOMES: Provides relative to emergency preparedness among licensed nursing homes

1 AN ACT  
2 To amend and reenact R.S. 40:2009.25 and to repeal R.S. 36:259(B)(28) and R.S. 40:2009.1,  
3 relative to nursing homes licensed by the Louisiana Department of Health; to provide  
4 relative to emergency preparedness among nursing homes; to provide requirements  
5 and standards for nursing home emergency preparedness plans; to provide  
6 procedures for and schedules by which nursing homes shall develop and submit such  
7 plans; to provide for duties of the Louisiana Department of Health and local offices  
8 of emergency preparedness with respect to nursing home emergency preparedness;  
9 to provide relative to sites to which nursing home residents may be evacuated; to  
10 revise laws creating and providing for the Nursing Home Emergency Preparedness  
11 Review Committee within the Louisiana Department of Health; to repeal laws  
12 creating and providing for a nursing home advisory committee within the Louisiana  
13 Department of Health; to provide for limitation of liability; to require promulgation  
14 of administrative rules; to provide for an effective date; and to provide for related  
15 matters.

16 Be it enacted by the Legislature of Louisiana:

17 Section 1. R.S. 40:2009.25 is hereby amended and reenacted to read as follows:

1           §2009.25. Emergency preparedness plans for nursing homes; ~~applicable parishes;~~  
2                           requirements; Nursing Home Emergency Preparedness Review Committee;  
3                           rules and regulations; ~~application~~

4           A. ~~Due to the threat hurricanes pose to the parishes of Acadia, Ascension,~~  
5           ~~Assumption, Calcasieu, Cameron, Iberia, Jefferson, Jefferson Davis, Lafayette,~~  
6           ~~Lafourche, Orleans, Plaquemines, St. Bernard, St. Charles, St. James, St. John the~~  
7           ~~Baptist, St. Mary, St. Martin, St. Tammany, Tangipahoa, Terrebonne, and Vermilion,~~  
8           ~~nursing homes located in these parishes shall develop an emergency preparedness~~  
9           ~~plan which shall be submitted to the Louisiana Department of Health, bureau of~~  
10           ~~health services financing, emergency preparedness manager, by August 1, 2006.~~

11           B. ~~Each emergency preparedness plan shall be reviewed and updated by the~~  
12           ~~nursing home annually. A summary of the updated plan shall be submitted to the~~  
13           ~~Louisiana Department of Health, bureau of health services financing, emergency~~  
14           ~~preparedness manager, by March first of each year. If the emergency preparedness~~  
15           ~~plan is changed, modified, or amended by the nursing home during the year, a~~  
16           ~~summary of the amended plan shall be submitted to the Louisiana Department of~~  
17           ~~Health, bureau of health services financing, emergency preparedness manager,~~  
18           ~~within thirty days of the amendment or modification.~~

19           C. ~~Each summary of the emergency preparedness plan shall include and~~  
20           ~~identify at a minimum:~~

21                           (1) ~~A primary sheltering host site outside the area of risk, verified by written~~  
22                           ~~agreements or contracts and any other alternative sheltering host sites that the~~  
23                           ~~nursing home may have.~~

24                           (2) ~~Proof of transportation or a contract with a transportation company,~~  
25                           ~~verified by a written transportation agreement or contract.~~

26                           (3) ~~Staffing patterns for evacuation, including contact information for such~~  
27                           ~~staff.~~

1           ~~D. The secretary of the Louisiana Department of Health shall prescribe and~~  
2           ~~publish, in accordance with the Administrative Procedure Act, criteria for evaluation~~  
3           ~~of all emergency preparedness plans.~~

4           ~~E. The Louisiana Department of Health shall:~~

5           ~~(1) Review the emergency preparedness plans.~~

6           ~~(2) Prepare findings from the collected information.~~

7           ~~(3) Share such findings with the Nursing Home Emergency Preparedness~~  
8           ~~Review Committee.~~

9           ~~F. There is hereby created in the Louisiana Department of Health the~~  
10          ~~Nursing Home Emergency Preparedness Review Committee, hereinafter referred to~~  
11          ~~in this Section as the "committee." The committee, which shall convene at least~~  
12          ~~annually, shall be charged with reviewing the findings of the emergency~~  
13          ~~preparedness plan submitted to the department under this Section, identifying risks~~  
14          ~~and threats, identifying manpower issues for loading, transporting and unloading~~  
15          ~~residents, and developing recommendations for emergency preparedness plans to~~  
16          ~~promote the health, safety, and welfare of nursing home residents. The committee~~  
17          ~~shall be comprised of the following members:~~

18          ~~(1) The secretary of the Louisiana Department of Health or his designee.~~

19          ~~(2) The undersecretary of the Louisiana Department of Health or his~~  
20          ~~designee.~~

21          ~~(3) The state health officer of the Louisiana Department of Health or his~~  
22          ~~designee.~~

23          ~~(4) The Louisiana Department of Health, bureau of health services financing,~~  
24          ~~emergency preparedness manager who shall serve as the chairperson of the~~  
25          ~~committee.~~

26          ~~(5) Five persons appointed by the secretary of the Louisiana Department of~~  
27          ~~Health who are directors or managers of the parish or local emergency preparedness~~  
28          ~~offices.~~

1           ~~(6) The secretary of the Department of Transportation and Development or~~  
2           ~~his designee.~~

3           ~~(7) The executive director of the Louisiana Nursing Home Association.~~

4           ~~(8) The executive director of the Gulf States Association of Homes and~~  
5           ~~Services for the Aging.~~

6           ~~(9) Two persons appointed by the secretary of the Louisiana Department of~~  
7           ~~Health who are either owners or administrators of nursing homes from the parishes~~  
8           ~~listed in Subsection A of this Section.~~

9           ~~(10) The nursing home ombudsman from the governor's office of elderly~~  
10          ~~affairs or his designee.~~

11          ~~(11) The chair of the emergency preparedness committee of the Louisiana~~  
12          ~~Nursing Home Association.~~

13          ~~(12) The executive director of the Advocacy Center or his designee.~~

14          ~~G. All members of the committee shall serve without compensation.~~

15          ~~H. Any rule recommended or proposed by the committee shall be subject to~~  
16          ~~the review and approval of the secretary, and if approved, shall be promulgated by~~  
17          ~~the Louisiana Department of Health in accordance with the Administrative Procedure~~  
18          ~~Act.~~

19          A. As used in this Section, the following terms have the meaning ascribed  
20          to them in this Subsection:

21                 (1) "Department" means the Louisiana Department of Health.

22                 (2) "Local office of emergency preparedness" means a parish office of  
23                 homeland security and emergency preparedness established pursuant to R.S. 29:727.

24                 (3) "Nursing home" means a nursing home or nursing facility as defined in  
25                 R.S. 40:2009.2 which is licensed by the Louisiana Department of Health in  
26                 accordance with the requirements of R.S. 40:2009.3.

27                 B. Each nursing home shall continue to utilize its emergency preparedness  
28                 plan that was in effect on March 1, 2022, until the process provided for in Subsection  
29                 C or D of this Section, whichever is applicable, has been completed. However,

1 during this period, if a nursing home updates or amends its emergency preparedness  
2 plan pursuant to nursing home licensing rules in effect at the time, then the nursing  
3 home shall utilize the updated emergency preparedness plan until the process  
4 provided for in Subsection C or D of this Section, whichever is applicable, has been  
5 completed.

6 C.(1) The provisions of this Subsection shall apply to each nursing home  
7 located in the parishes of Acadia, Ascension, Assumption, Calcasieu, Cameron,  
8 Iberia, Jefferson, Jefferson Davis, Lafayette, Lafourche, Orleans, Plaquemines, Saint  
9 Bernard, Saint Charles, Saint James, Saint John the Baptist, Saint Martin, Saint  
10 Mary, Saint Tammany, Tangipahoa, Terrebonne, and Vermilion.

11 (2) Each nursing home located in a parish listed in Paragraph (1) of this  
12 Subsection shall develop an emergency preparedness plan that comports with the  
13 requirements of this Subsection. Each such plan shall include and identify, at a  
14 minimum, all of the following:

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

18 (b) Proof of transportation or a contract with a transportation company,  
19 verified by a written transportation agreement or contract.

20 (c) Staffing patterns for evacuation, including contact information for facility  
21 staff.

22 (d) Detailed provisions which address supply of emergency electrical power  
23 in instances when primary electrical power in the nursing home is lost but evacuation  
24 from the nursing home is not required.

25 (e) Any data, other information, documentation, or other content required by  
26 administrative rules of the department.

27 (3) Each nursing home located in a parish listed in Paragraph (1) of this  
28 Subsection shall submit a copy of its full, updated emergency preparedness plan to  
29 the department in electronic format. The emergency preparedness plan shall be

1 signed by the nursing home's owner or owners, or any designee of such parties, and  
2 its administrator.

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

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

9 (i) The office of state fire marshal.

10 (ii) The Governor's Office of Homeland Security and Emergency  
11 Preparedness.

12 (iii) The Department of Transportation and Development.

13 (iv) The Louisiana Emergency Response Network.

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

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

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

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

27 (a) A letter of preliminary approval of the nursing home's emergency  
28 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. The department shall not  
28           issue a license to or renew a license of a nursing home that has received a letter of  
29           rejection of its emergency preparedness plan.

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

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

13           D.(1) The provisions of this Subsection shall apply to each nursing home  
14          located in the parishes of Allen, Avoyelles, Beauregard, Bienville, Bossier, Caddo,  
15          Caldwell, Catahoula, Claiborne, Concordia, DeSoto, East Baton Rouge, East Carroll,  
16          East Feliciana, Evangeline, Franklin, Grant, Iberville, Jackson, LaSalle, Lincoln,  
17          Livingston, Madison, Morehouse, Natchitoches, Ouachita, Pointe Coupee, Rapides,  
18          Red River, Richland, Sabine, Saint Helena, Saint Landry, Tensas, Union, Vernon,  
19          Washington, Webster, West Baton Rouge, West Carroll, West Feliciana, and Winn.

20           (2) Each nursing home located in a parish listed in Paragraph (1) of this  
21          Subsection shall develop an emergency preparedness plan that comports with the  
22          requirements of this Subsection. Each such plan shall include and identify, at a  
23          minimum, all of the following:

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

27           (b) Proof of transportation or a contract with a transportation company,  
28          verified by a written transportation agreement or contract.



1           (c) Staffing patterns for evacuation, including contact information for facility  
2           staff.

3           (d) Detailed provisions which address supply of emergency electrical power  
4           in instances when primary electrical power in the nursing home is lost but evacuation  
5           from the nursing home is not required.

6           (e) Any data, other information, documentation, or other content required by  
7           administrative rules of the department.

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

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

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

19               (i) The office of state fire marshal.

20               (ii) The Governor's Office of Homeland Security and Emergency  
21               Preparedness.

22               (iii) The Department of Transportation and Development.

23               (iv) The Louisiana Emergency Response Network.

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

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

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

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

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

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

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

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

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

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

25          (8) Within fifteen days of receipt by the nursing home of an electronic  
26          notification from the department that requires changes, amendments, or revisions to  
27          the nursing home's emergency preparedness plan, the nursing home shall update and  
28          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 (9) 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 not  
10 issue a license to or renew a license of a nursing home that has received a letter of  
11 rejection of its emergency preparedness plan.

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

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

24 E.(1)(a) On or before October 31, 2023, and annually thereafter, each  
25 nursing home located in a parish listed in Paragraph (C)(1) of this Section shall  
26 review its emergency preparedness plan. In conducting the review required by this  
27 Subparagraph, a nursing home shall consider any changes in state licensing rules and  
28 regulations and any changes in federal rules and regulations for nursing homes  
29 adopted since the date of its last review of its emergency preparedness plan.

1           (b) On or before October 31, 2024, and annually thereafter, each nursing  
2           home located in a parish listed in Paragraph (D)(1) of this Section shall review its  
3           emergency preparedness plan. In conducting the review required by this  
4           Subparagraph, a nursing home shall consider any changes in state licensing rules and  
5           regulations and any changes in federal rules and regulations for nursing homes  
6           adopted since the date of its last review of its emergency preparedness plan.

7           (2) If a nursing home conducts a review in accordance with Paragraph (1)  
8           of this Subsection and determines that no changes, modifications, or amendments to  
9           its emergency preparedness plan are necessary, then the nursing home shall notify  
10          all of the following entities of this determination on or before November first:

11          (a) The local office of emergency preparedness of the parish in which the  
12          nursing home is located.

13          (b) The local office of emergency preparedness of any parish in which a  
14          sheltering site, alternative sheltering site, or evacuation site, as identified in the  
15          nursing home's emergency preparedness plan, is located.

16          (c) The office of state fire marshal.

17          (d) The department.

18          (3)(a) Each notification required by Paragraph (2) of this Subsection shall  
19          be in the form of a written attestation signed by the owner or owners, or any designee  
20          of such parties, and the administrator of the nursing home submitting the  
21          notification. A nursing home may submit an attestation provided for in this  
22          Paragraph for no more than four consecutive years.

23          (b) If a nursing home has submitted an attestation provided for in  
24          Subparagraph (a) of this Paragraph for four consecutive years, then, in the year  
25          following its last submission, the nursing home shall furnish a full emergency  
26          preparedness plan in accordance with the procedures provided in Paragraphs (4)  
27          through (12) of this Subsection.

28          (4)(a) If a nursing home conducts a review in accordance with Paragraph (1)  
29          of this Subsection and determines that any changes, modifications, or amendments

1 to its emergency preparedness plan are necessary, or if a nursing home is required  
2 by Subparagraph (3)(b) of this Subsection to furnish a full emergency preparedness  
3 plan, then the nursing home shall submit its full emergency preparedness plan,  
4 inclusive of any updates and revisions, to the department on or before November  
5 first. The full emergency preparedness plan shall be signed by the nursing home's  
6 owner or owners, or any designee of such parties, and its administrator.

7 (b) Each emergency preparedness plan shall include and identify, at a  
8 minimum, the following:

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

12 (ii) Proof of transportation or a contract with a transportation company,  
13 verified by written transportation agreement or contract.

14 (iii) Staffing patterns for evacuation, including contact information for  
15 facility staff.

16 (iv) Detailed provisions which address supply of emergency electrical power  
17 in instances when primary electrical power in the nursing home is lost but evacuation  
18 from the nursing home is not required.

19 (v) Any data, other information, documentation, or other content required by  
20 administrative rules of the department.

21 (5) The department shall conduct a review of each nursing home emergency  
22 preparedness plan submitted to it in accordance with Subparagraph (4)(a) of this  
23 Subsection.

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

27 (i) The office of state fire marshal.

28 (ii) The Governor's Office of Homeland Security and Emergency  
29 Preparedness.

1           (iii) The Department of Transportation and Development.

2           (iv) The Louisiana Emergency Response Network.

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

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

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

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

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

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

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

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

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

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

3           (9) Within fifteen days of receipt by the nursing home of an electronic  
4           notification from the department that requires changes, amendments, or revisions to  
5           the nursing home's emergency preparedness plan, the nursing home shall update and  
6           revise its emergency preparedness plan to incorporate the required changes,  
7           amendments, or revisions, and shall return a copy of the updated and revised  
8           emergency preparedness plan to the department.

9           (10) Upon receipt of a nursing home's updated and revised emergency  
10          preparedness plan, the department shall confirm that all required changes,  
11          amendments, or revisions have been incorporated into the updated and revised  
12          emergency preparedness plan, and shall issue an approval letter to the nursing home  
13          for the emergency preparedness plan. If the required changes, amendments, or  
14          revisions have not been incorporated, the department shall issue a letter of rejection  
15          of the emergency preparedness plan to the nursing home. The department shall issue  
16          the approval letter or rejection letter required by this Paragraph on or before May  
17          fifteenth. The department shall not issue a license to or renew a license of a nursing  
18          home that has received a letter of rejection of its emergency preparedness plan.

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

28          (12) The review and approval of nursing home emergency preparedness  
29          plans by the department and each entity listed in Subparagraph (5)(b) of this

1        Subsection shall be performed pursuant to the department's and those entities'  
2        respective areas of knowledge, expertise, or jurisdiction.

3                F. With respect to emergency preparedness among nursing homes, the  
4        department shall do all of the following:

5                (1) After considering any recommendations provided by the Nursing Home  
6        Emergency Preparedness Review Committee, prescribe and publish, in accordance  
7        with the Administrative Procedure Act, rules pertaining to emergency preparedness  
8        by nursing homes. The rules shall include but not be limited to all of the following:

9                (a) Requirements for nursing homes relating to emergency preparedness.

10               (b) Requirements for the content of nursing home emergency preparedness  
11        plans.

12               (c) Requirements for the process by which the department reviews nursing  
13        home emergency preparedness plans.

14               (d) Procedures for addressing situations wherein a nursing home makes  
15        changes to its emergency preparedness plan on a schedule which deviates from that  
16        provided in Subsection E of this Section.

17               (e) Minimum requirements for nursing homes which serve as evacuation  
18        sites for other nursing homes.

19               (f) Minimum requirements for nonlicensed sheltering sites identified in  
20        nursing home emergency preparedness plans.

21               (g) Any rule recommended or proposed by the Nursing Home Emergency  
22        Preparedness Review Committee and approved by the secretary of the department.

23               (2) Review and approve nursing home emergency preparedness plans in  
24        accordance with its duly adopted rules and the applicable requirements of this  
25        Section.

26               (3) Prepare findings based upon its review of nursing home emergency  
27        preparedness plans, including any summaries of after-action reports as the secretary  
28        of the department deems appropriate, to present to the Nursing Home Emergency  
29        Preparedness Review Committee.



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

3           G.(1) The legislature hereby creates within the department the Nursing  
4           Home Emergency Preparedness Review Committee, referred to hereafter in this  
5           Subsection as the "committee." The committee shall be composed as provided in  
6           Paragraph (2) of this Subsection and shall convene at least annually. The purposes  
7           and duties of the committee shall include reviewing the findings of the department  
8           with respect to nursing home emergency preparedness plans submitted to the  
9           department in accordance with the requirements of this Section. From its review of  
10           such findings and summaries of after-action reports, the committee shall develop and  
11           provide to the department recommendations for licensing regulations which address  
12           risks and threats; manpower issues for loading, transporting, and unloading residents;  
13           evacuation site locations; and evacuation site staffing in order to promote the health,  
14           safety, and welfare of nursing home residents.

15           (2) The committee shall be composed of the following members, all of  
16           whom shall serve on the committee without compensation:

17           (a) The secretary of the department or his designee.

18           (b) The undersecretary of the department or his designee.

19           (c) The state health officer or his designee.

20           (d) The emergency preparedness manager of the health standards section of  
21           the department, who shall serve as the chairperson of the committee.

22           (e) Five members appointed by the secretary of the department who are  
23           directors or managers of parish or municipal offices of emergency preparedness.

24           (f) The secretary of the Department of Transportation and Development or  
25           his designee.

26           (g) The executive director of the Louisiana Nursing Home Association.

27           (h) The chairperson of the emergency preparedness committee of the  
28           Louisiana Nursing Home Association.

29           (i) The executive director of LeadingAge Gulf States.

1           (j) Six members appointed by the secretary of the department who are  
2           owners or administrators of nursing homes. The secretary shall select such members  
3           in a manner that provides for geographic diversity among the facilities represented  
4           by this member cohort.

5           (k) The long-term care ombudsman of the governor's office of elderly affairs  
6           or his designee.

7           (l) The executive director of Disability Rights Louisiana or his designee.

8           (m) The director of the Governor's Office of Homeland Security and  
9           Emergency Preparedness or his designee.

10          (n) The director of the Louisiana Medicaid program of the department or his  
11          designee.

12          (o) The assistant secretary of the office of aging and adult services of the  
13          department or his designee.

14          (3) Any rule recommended or proposed by the committee shall be subject  
15          to review by and approval of the secretary of the department. If approved by the  
16          secretary, the department shall promulgate the rule in accordance with the  
17          Administrative Procedure Act.

18          H.(1) Each nursing home's emergency preparedness plan shall identify at a  
19          minimum a primary evacuation site location and a secondary evacuation site location  
20          for emergencies or disasters. Such evacuation site locations may include the  
21          premises of other licensed nursing homes, nonlicensed sheltering sites, or both.

22          (2)(a) The local office of emergency preparedness of the parish in which a  
23          nonlicensed sheltering site is located shall inspect the site prior to October 15, 2022,  
24          and annually thereafter. The office shall inspect any new nonlicensed sheltering site  
25          identified after May 31, 2023, in a nursing home emergency preparedness plan  
26          within thirty days of receiving the plan and annually thereafter. The office may  
27          inspect the nonlicensed sheltering site at such other times as the director of the office  
28          deems necessary or appropriate.

1           (b) On an annual basis, and whenever requested by the secretary of the  
2           department, the office of state fire marshal shall inspect each nonlicensed sheltering  
3           site identified in a nursing home emergency preparedness plan to determine the  
4           suitability and capacity of the site. The office of state fire marshal may inspect the  
5           nonlicensed sheltering site at other times as it deems necessary or appropriate.

6           (c) On an annual basis, the department shall inspect and survey nonlicensed  
7           sheltering sites identified in nursing home emergency preparedness plans. The  
8           purpose of such inspections and surveys shall be to determine the appropriateness  
9           and suitability of the site and whether it can comply with requirements for nursing  
10          home evacuations before, during, and after an evacuation. Any refusal by a  
11          nonlicensed sheltering site to allow an inspection or survey of the site by the  
12          department may result in disqualification of the nonlicensed sheltering site. If such  
13          a refusal to allow an inspection or survey occurs when nursing home residents are  
14          being sheltered at the site, the department may revoke the license of the nursing  
15          home that evacuated residents to the site.

16          (d) Any nursing home that decides to evacuate residents to a nonlicensed  
17          sheltering site shall notify the department of this decision within one hour of the  
18          decision being made. Upon receipt of such notification, the department's licensing  
19          section and the office of public health shall conduct a site visit at the nonlicensed  
20          sheltering site unless time, weather conditions, or other factors do not allow for such  
21          visit. The department may conduct onsite inspections of the nonlicensed shelter site  
22          at any time deemed necessary or appropriate by the secretary of the department. Such  
23          authority of the department shall be in addition to its authority to conduct onsite  
24          surveys of the licensed nursing home, regardless of location.

25          (e) If any non-licensed sheltering site is located outside of Louisiana, the  
26          office of state fire marshal and the department shall coordinate with their state  
27          agency counterparts in the state in which the site is located for inspection, review,  
28          approval, and surveys of the site.

1           I.(1) Neither the state, the department, the Department of Transportation and  
2           Development, the office of state fire marshal, nor the Governor's Office of Homeland  
3           Security and Emergency Preparedness nor, except in the case of willful misconduct,  
4           any employee or representative of such entities and offices, engaged in the  
5           emergency preparedness activities and responsibilities as established in this Section  
6           or in the rules and regulations promulgated pursuant to the provisions of this Section,  
7           shall be liable for the death of or any injury to persons or damage to property as a  
8           result of such activity. The state, the department, and employees and representatives  
9           of the state and the department shall be immune from any claim based upon the  
10           exercise or performance of, or the failure to exercise or perform, the duties as  
11           established in this Section or in the rules and regulations promulgated pursuant to the  
12           provisions of this Section.

13           (2) Except in the case of willful misconduct, no member of the Nursing  
14           Home Emergency Preparedness Review Committee engaged in the emergency  
15           preparedness activities and responsibilities as established in this Section or in the  
16           rules and regulations promulgated pursuant to the provisions of this Section shall be  
17           liable for the death of or any injury to persons or damage to property as a result of  
18           such activity. The members of the Nursing Home Emergency Preparedness Review  
19           Committee shall be immune from any claim based upon the exercise or performance  
20           of, or the failure to exercise or perform, the duties as established in this Section or  
21           in the rules and regulations promulgated pursuant to the provisions of this Section.

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

1 to exercise or perform, the duties as established in this Section or in the rules and  
2 regulations promulgated pursuant to the provisions of this Section.

3 (4)(a) For purposes of this Paragraph, "LERN" means the Louisiana  
4 Emergency Response Network established and provided for in Chapter 34 of this  
5 Title.

6 (b) Neither LERN nor the LERN board, nor, except in the case of willful  
7 misconduct, any board member, employee or representative of LERN or the LERN  
8 board, engaged in the emergency preparedness activities and responsibilities as  
9 established in this Section or in the rules and regulations promulgated pursuant to the  
10 provisions of this Section, shall be liable for the death of or any injury to persons or  
11 damage to property as a result of such activity. LERN, the LERN board, and the  
12 employees and representatives of LERN and the LERN board shall be immune from  
13 any claim based on the exercise or performance of, or the failure to exercise or  
14 perform, the duties as established in this Section or in the rules and regulations  
15 promulgated pursuant to the provisions of this Section.

16 J.(1) Nothing in this Section shall be construed to prohibit the department  
17 from taking action against a nursing home for a deficiency cited during an  
18 emergency or disaster.

19 (2) Implementation and execution of an emergency preparedness plan shall  
20 be the duty and responsibility of the nursing home.

21 ~~† K.~~ The provisions of this Section shall be in addition to all other licensing  
22 and certification laws, standards, rules, and regulations for nursing homes.

23 Section 2. R.S. 36:259(B)(28) and R.S. 40:2009.1 are hereby repealed in their  
24 entirety.

25 Section 3.(A) Each licensed nursing home located in the parishes of Acadia,  
26 Ascension, Assumption, Calcasieu, Cameron, Iberia, Jefferson, Jefferson Davis, Lafayette,  
27 Lafourche, Orleans, Plaquemines, Saint Bernard, Saint Charles, Saint James, Saint John the  
28 Baptist, Saint Mary, Saint Martin, Saint Tammany, Tangipahoa, Terrebonne, and Vermilion

1 shall develop the emergency preparedness plan required by the provisions of R.S.  
2 40:2009.25(C)(2), as enacted by Section 1 of this Act, on or before August 30, 2022.

3 (B) Each licensed nursing home located in a parish listed in Subsection (A) of this  
4 Section shall submit copies of its emergency preparedness plan in accordance with the  
5 requirements of R.S. 40:2009.25(C)(3), as enacted by Section 1 of this Act, on or before  
6 September 1, 2022.

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

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

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

17 Section 4.(A) Each licensed nursing home located in the parishes of Allen,  
18 Avoyelles, Beauregard, Bienville, Bossier, Caddo, Caldwell, Catahoula, Claiborne,  
19 Concordia, DeSoto, East Baton Rouge, East Carroll, East Feliciana, Evangeline, Franklin,  
20 Grant, Iberville, Jackson, LaSalle, Lincoln, Livingston, Madison, Morehouse, Natchitoches,  
21 Ouachita, Pointe Coupee, Rapides, Red River, Richland, Sabine, Saint Helena, Saint Landry,  
22 Tensas, Union, Vernon, Washington, Webster, West Baton Rouge, West Carroll, West  
23 Feliciana, and Winn shall develop the emergency preparedness plan required by the  
24 provisions of R.S. 40:2009.25(D)(2), as enacted by Section 1 of this Act, on or before  
25 August 30, 2023.

26 (B) Each licensed nursing home located in a parish listed in Subsection (A) of this  
27 Section shall submit copies of its emergency preparedness plan in accordance with the  
28 requirements of R.S. 40:2009.25(D)(3), as enacted by Section 1 of this Act, on or before  
29 September 1, 2023.

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

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

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

11 Section 5. The Louisiana Department of Health may initially promulgate any rules  
12 required by the provisions of Section 1 of this Act as emergency rules in accordance with  
13 R.S. 49:953.1.

14 Section 6. Any employees required by the Louisiana Department of Health for the  
15 implementation and execution of the provisions of this Act shall be filled utilizing existing  
16 department vacancies and associated funding.

17 Section 7. This Act shall become effective upon signature by the governor or, if not  
18 signed by the governor, upon expiration of the time for bills to become law without signature  
19 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
20 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
21 effective on the day following such approval.

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#### DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HB 933 Reengrossed

2022 Regular Session

Stagni

**Abstract:** Effects a comprehensive revision of laws relating to emergency preparedness by and among state-licensed nursing homes.

Proposed law repeals and replaces present law addressing emergency preparedness by and among nursing homes licensed by the La. Department of Health (LDH).

Proposed law requires nursing homes to continue to utilize the emergency preparedness plans that were in effect on March 1, 2022, until the process for creation of new emergency preparedness plans provided for in proposed law has been completed. Provides, however, that if a nursing home updates or amends its emergency preparedness plan pursuant to present administrative rule, then the nursing home shall utilize the updated emergency preparedness plan until the process for creation of its new emergency preparedness plan provided for in proposed law has been completed.

Proposed law establishes the following schedule for creation of new emergency preparedness plans by licensed nursing homes located in the parishes of Acadia, Ascension, Assumption, Calcasieu, Cameron, Iberia, Jefferson, Jefferson Davis, Lafayette, Lafourche, Orleans, Plaquemines, Saint Bernard, Saint Charles, Saint James, Saint John the Baptist, Saint Mary, Saint Martin, Saint Tammany, Tangipahoa, Terrebonne, and Vermilion:

- (1) On or before August 30, 2022: Each nursing home located in one of the 22 parishes listed above shall develop a new emergency preparedness plan.
- (2) On or before September 1, 2022: Each nursing home located in a listed parish shall submit its new emergency preparedness plan to LDH.
- (3) On or before March 1, 2023: LDH shall transmit to each nursing home in a listed parish from which it received an emergency preparedness plan a notification letter communicating either final approval of the plan or requirements for revisions to the plan.
- (4) On or before May 15, 2023: LDH shall transmit to each nursing home in a listed parish from which it received a revised emergency preparedness plan a letter approving or rejecting the revised plan.
- (5) On or before May 31, 2023: Each nursing home located in a listed parish shall transmit to the office of state fire marshal and the applicable local office or office of emergency preparedness either of the following
  - (a) Its final, approved emergency preparedness plan and a copy of the LDH approval letter.
  - (b) Its letter of rejection of its emergency preparedness plan received from LDH.

Proposed law prohibits LDH from issuing a license or renewing a license of a nursing home that has received a letter of rejection of its emergency preparedness plan.

Proposed law establishes the following schedule for creation of new emergency preparedness plans by licensed nursing homes located in the parishes of Allen, Avoyelles, Beauregard, Bienville, Bossier, Caddo, Caldwell, Catahoula, Claiborne, Concordia, DeSoto, East Baton Rouge, East Carroll, East Feliciana, Evangeline, Franklin, Grant, Iberville, Jackson, LaSalle, Lincoln, Livingston, Madison, Morehouse, Natchitoches, Ouachita, Pointe Coupee, Rapides, Red River, Richland, Sabine, Saint Helena, Saint Landry, Tensas, Union, Vernon, Washington, Webster, West Baton Rouge, West Carroll, West Feliciana, and Winn:

- (1) On or before August 30, 2023: Each nursing home located in one of the 42 parishes listed above shall develop a new emergency preparedness plan.
- (2) On or before September 1, 2023: Each nursing home located in a listed parish shall submit its new emergency preparedness plan to LDH.
- (3) On or before March 1, 2024: LDH shall transmit to each nursing home in a listed parish from which it received an emergency preparedness plan a notification letter



- communicating either final approval of the plan or requirements for revisions to the plan.
- (4) On or before May 15, 2024: LDH shall transmit to each nursing home in a listed parish from which it received a revised emergency preparedness plan a letter approving or rejecting the revised plan.
  - (5) On or before May 31, 2024: Each nursing home located in a listed parish shall transmit to the office of state fire marshal and the applicable local office or office of emergency preparedness either of the following
    - (a) Its final, approved emergency preparedness plan and a copy of the LDH approval letter.
    - (b) Its letter of rejection of its emergency preparedness plan received from LDH.

Proposed law prohibits LDH from issuing a license or renewing a license of a nursing home that has received a letter of rejection of its emergency preparedness plan.

Proposed law establishes a schedule, procedures, and requirements relative to production of future versions of a nursing home's emergency preparedness plan after its first plan required by proposed law is fully developed.

Proposed law stipulates that review and approval of nursing home emergency preparedness plans by LDH and other state and local agencies with which LDH consults regarding such plans shall be performed pursuant to the department's and those agencies' respective areas of knowledge, expertise, or jurisdiction.

Proposed law prohibits LDH from issuing a license or renewing a license of a nursing home that has received a letter of rejection of its emergency preparedness plan.

Proposed law requires LDH to promulgate administrative rules relative to emergency preparedness by nursing homes. Provides that such rules shall include but not be limited to all of the following:

- (1) Requirements for nursing homes relating to emergency preparedness.
- (2) Requirements for the content of nursing home emergency preparedness plans.
- (3) Requirements for the process by which the department reviews nursing home emergency preparedness plans.
- (4) Procedures for addressing situations wherein a nursing home makes changes to its emergency preparedness plan on a schedule which deviates from that provided in proposed law.
- (5) Minimum requirements for nursing homes which serve as evacuation sites for other nursing homes.
- (6) Minimum requirements for nonlicensed sheltering sites identified in nursing home emergency preparedness plans.
- (7) Any rule recommended or proposed by the Nursing Home Emergency Preparedness Review Committee and approved by the secretary of the department.

Proposed law authorizes LDH to initially promulgate any rules required by proposed law as emergency rules in accordance with present law relative to emergency rulemaking (R.S. 49:953.1).

Proposed law revises the membership of the 17-member Nursing Home Emergency Preparedness Review Committee provided for in present law by adding to the committee the following seven members:

- (1) Four members appointed by the secretary of LDH who are owners or administrators of nursing homes.
- (2) The director of the Governor's Office of Homeland Security and Emergency Preparedness or his designee.
- (3) The director of the La. Medicaid program or his designee.
- (4) The assistant secretary of the LDH office of aging and adult services or his designee.

Proposed law provides requirements and standards relative to nonlicensed sheltering sites that nursing homes identify in emergency preparedness plans. Authorizes and provides for inspections of such sites by LDH, the office of state fire marshal, and local offices of emergency preparedness.

Proposed law stipulates that any refusal by a nonlicensed sheltering site to allow an inspection or survey of the site by LDH may result in disqualification of the site. Provides that if such a refusal to allow an inspection or survey occurs when nursing home residents are being sheltered at the site, then LDH may revoke the license of the nursing home that evacuated residents to the site.

Proposed law requires any nursing home that decides to evacuate residents to a nonlicensed sheltering site to notify LDH of this decision within one hour of the decision being made. Provides that upon receipt of such notification, the LDH licensing section and office of public health shall conduct a site visit at the site unless time, weather conditions, or other factors do not allow for such visit. Authorizes LDH to conduct onsite inspections of the site at any time deemed necessary or appropriate by the secretary of the department.

Proposed law provides, except in cases of willful misconduct, a limitation of liability for the state, LDH, the Dept. of Transportation and Development, the state fire marshal, the Governor's Office of Homeland Security and Emergency Preparedness, the La. Emergency Response Network, and employees of such entities, local offices of emergency preparedness, and members of the Nursing Home Emergency Preparedness Review Committee associated with engaging in the activities and responsibilities provided for in proposed law.

Proposed law provides that implementation and execution of an emergency preparedness plan shall be the duty and responsibility of the nursing home.

Proposed law repeals present law creating and providing for an 11-member nursing home advisory committee within LDH.

Proposed law requires that any employees required by LDH for the implementation and execution of proposed law be filled utilizing existing department vacancies and associated funding.

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

(Amends R.S. 40:2009.25; Repeals R.S. 36:259(B)(28) and R.S. 40:2009.1)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Health and Welfare to the original bill:

1. Revise the procedures and schedules for creation of new emergency preparedness plans by licensed nursing homes; for review of such plans by local offices of emergency preparedness and other agencies; and for review and approval of such plans by LDH.
2. Delete proposed law exempting certain material from disclosure pursuant to present law relative to public records (R.S. 44:1 et seq.).
3. Stipulate that review and approval of nursing home emergency preparedness plans by LDH and other state and local agencies with which LDH consults regarding such plans shall be performed pursuant to the department's and those agencies' respective areas of knowledge, expertise, or jurisdiction.
4. Provide that implementation and execution of an emergency preparedness plan shall be the duty and responsibility of the nursing home.
5. Require LDH to implement a program for electronic submission of nursing home emergency preparedness plans no later than Sept. 1, 2023.

The Committee Amendments Proposed by House Committee on Appropriations to the engrossed bill:

1. Add provision requiring each emergency preparedness plan adopted pursuant to proposed law to address the supply of emergency electrical power in instances when primary power in the nursing home is lost but evacuation from the nursing home is not required.
2. Add provision prohibiting LDH from issuing or renewing a license of a nursing home that has received a letter of rejection of its emergency preparedness plan.
3. Require emergency preparedness plans adopted after initial implementation of proposed law to contain the same information as the initial plan adopted pursuant to proposed law.
4. Add provision requiring the fire marshal to coordinate with out-of-state counterparts for inspection, review, approval, and surveys under proposed law of out-of-state non-licensed sheltering sites identified in proposed emergency preparedness plans.
5. Add waivers of liability the Dept. of Transportation and Development, the office of state fire marshal, the Governor's Office of Homeland Security and Emergency Preparedness, and the La. Emergency Response Network, and employees of such entities, for emergency preparedness activities and responsibilities pursuant to proposed law in the event of death or injury or damage to property as a result of such activities.
6. Add requirement that any employees needed by LDH for the implementation and execution of proposed law shall be filled utilizing existing department vacancies and associated funding.
7. Remove provisions requiring the rules of the dept. to include requirements, timelines, and procedures for after-action reports.