
DIGEST

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HB 958 Reengrossed

2022 Regular Session

Dustin Miller

Abstract: Creates the "Nurse Staffing Agency Licensing Law".

Proposed law authorizes the La. Dept. of Health to promulgate and publish rules and regulations to provide for the licensure and registration of nurse staffing agencies.

Proposed law authorizes the La. Dept. of Health to protect the public's right to high quality health care by assuring that nurse staffing agencies employ, assign, and refer licensed and certified personnel to healthcare facilities.

Proposed law defines "certified nurse aide", "department", "healthcare facility", "licensee", "nurse", "nurse staffing agency", and "secretary".

Proposed law provides requirements for licensure and applicability provisions for prospective agencies.

Proposed law establishes regulations, processes, and grounds for issuance, renewal, and denial of a license.

Proposed law requires the department to establish minimum standards for the operation of nurse staffing agencies.

Proposed law provides that the department may at any time and shall, upon receiving a complaint from any interested person, investigate any entity, person, or persons licensed or applying for a license.

Proposed law gives the department authority to investigate any entity, person, or persons who operate or advertise a nurse staffing agency without being licensed in accordance with proposed law.

Proposed law authorizes the department to examine certain premises when the investigation or survey of a nurse staffing agency is required by proposed law.

Proposed law requires the department to adopt all rules and regulations in accordance with the present law (Administrative Procedure Act) as necessary for the implementation of proposed law and includes additional provisions for the implementation of proposed law.

Proposed law establishes fee provisions for any person, partnership, corporation, unincorporated

association, or legal entity operating or planning to operate a nurse staffing agency, specifically regarding licensure and renewal.

Proposed law adds penalty provisions for the unlicensed operation of a nurse staffing agency.

(Adds R.S. 40:2120.11-2120.24)

Summary of Amendments Adopted by House

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

1. Define "certified nurse aide".
2. Establish fee provisions for any person, partnership, corporation, unincorporated association, or legal entity operating or planning to operate a nurse staffing agency, specifically regarding licensure and renewal.
3. Change the duration of effectiveness for licensure from one year to two years.
4. Provide additional information regarding the department's authority and abilities when conducting a survey or investigation regarding allegations made against a nurse staffing agency.
5. Expand minimum standards for the operation of a nurse staffing agency.
6. Add penalty provisions for the unlicensed operation of a nurse staffing agency.
7. Add provisions for the implementation of the proposed law.
8. Change application for renewal requirements from ninety days to thirty days.
9. Delete the provision relating to the secretary's authority to examine certain premises when an investigation or survey is required by the proposed law and give such authority to the department.
10. Make technical corrections.

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

1. Remove provisions making the nurse staffing agency liable for penalties for operation without a license and instead make the person, partnership, corporation, or entity operating the nurse staffing agency without a license liable for penalties.

2. Remove provisions requiring the nurse staffing agency to submit an initial licensing application pursuant to proposed law and instead require the person, partnership, corporation, or entity operating the nurse staffing agency to submit the application.
3. Make technical changes.