

2023 Regular Session

HOUSE BILL NO. 123

BY REPRESENTATIVE STAGNI

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

NURSING HOMES: Provides relative to nursing home requirements and standards for emergency preparedness plans

1 AN ACT

2 To amend and reenact R.S. 40:2009.25(C)(9), (D)(9), and (E)(10), relative to nursing homes
3 licensed by the Louisiana Department of Health; to provide requirements and
4 standards for nursing home emergency preparedness plans; to authorize the
5 Louisiana Department of Health to take certain actions with nursing homes; and to
6 provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 40:2009.25(C)(9), (D)(9), and (E)(10) are hereby amended and
9 reenacted to read as follows:

10 §2009.25. Emergency preparedness plans for nursing homes; requirements; Nursing
11 Home Emergency Preparedness Review Committee; rules and regulations

12 * * *

13 C.

14 * * *

15 (9) Upon receipt of a nursing home's updated and revised emergency
16 preparedness plan, the department shall confirm that all required changes,
17 amendments, or revisions have been incorporated into the updated and revised
18 emergency preparedness plan, and shall approve the emergency preparedness plan
19 and issue an approval letter to the nursing home. If the required changes,
20 amendments, or revisions have not been incorporated, the department shall reject the

1 emergency preparedness plan and issue a letter of rejection to the nursing home. The
2 department ~~shall not issue a license to or renew~~ may revoke or deny renewal of a
3 license ~~of to~~ a nursing home that has received a letter of rejection of its emergency
4 preparedness plan.

5 * * *

6 D.

7 * * *

8 (9) Upon receipt of a nursing home's updated and revised emergency
9 preparedness plan, the department shall confirm that all required changes,
10 amendments, or revisions have been incorporated into the updated and revised
11 emergency preparedness plan, and shall approve the emergency preparedness plan
12 and issue an approval letter to the nursing home. If the required changes,
13 amendments, or revisions have not been incorporated, the department shall reject the
14 emergency preparedness plan and issue a letter of rejection to the nursing home. The
15 department ~~shall not issue a license to or renew~~ may revoke or deny renewal of a
16 license ~~of to~~ a nursing home that has received a letter of rejection of its emergency
17 preparedness plan.

18 * * *

19 E.

20 * * *

21 (10) 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 approve the emergency preparedness plan
25 and issue an approval letter to the nursing home. If the required changes,
26 amendments, or revisions have not been incorporated, the department shall reject the
27 emergency preparedness plan and issue a letter of rejection to the nursing home. The
28 department shall issue the approval letter or rejection letter required by this
29 Paragraph on or before May fifteenth. The department shall not issue a license to or

1 renew a license of a nursing home that has received a letter of rejection of its
2 emergency preparedness plan. The department ~~shall not issue a license to or renew~~
3 may revoke or deny renewal of a license ~~of to~~ a nursing home that has received a
4 letter of rejection of its emergency preparedness plan.

5 * * *

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)]

HB 123 Original

2023 Regular Session

Stagni

Abstract: Permits the Louisiana Department of Health (LDH) to revoke or deny renewal of a license to a nursing home that has failed to correct a rejected emergency preparedness plan.

Present law requires nursing homes to submit an emergency preparedness plan to LDH for approval. If LDH rejects the plan, it sends a rejection letter and provides an opportunity for the nursing home to amend the plan. LDH must not issue or renew a license of a nursing home that has received a letter of rejection.

Proposed law changes present law by allowing LDH to exercise discretion to revoke or deny renewal of a license to a nursing home if the nursing home fails to incorporate required changes into an emergency preparedness plan that was previously rejected by LDH.

(Amends R.S. 40:2009.25(C)(9), (D)(9), and (E)(10))