HLS 23RS-576 ENGROSSED

2023 Regular Session

HOUSE BILL NO. 123

1

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

AN ACT

| 2 | To amend and reenact R.S. 40:2009.25(C)(9), (D)(9), and (E)(10), relative to nursing homes |
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| 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 relative to nursing homes; |
| 6 | and to 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 |

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CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

| 1 | emergency preparedness plan and issue a letter of rejection to the nursing home. The |
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| 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. |
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19 E. * * * *

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

renew a license of a nursing home that has received a letter of rejection of its

emergency preparedness plan. The department shall not issue a license to or renew

may revoke or deny renewal of a license of to a nursing home that has received a

letter of rejection of its emergency preparedness plan.

* * *

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 Engrossed

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.

<u>Present law</u> 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.

<u>Proposed law</u> changes <u>present law</u> 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))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by <u>House Committee on Health and Welfare</u> to the original bill:

- 1. Make technical corrections.
- 2. Repeal <u>present law</u> that provides that LDH shall not issue a license to or renew a license of a nursing home that has received a letter of rejection of its emergency preparedness plan.