

ACT No. 691

2024 Regular Session

HOUSE BILL NO. 372

BY REPRESENTATIVES CREWS, CHASSION, AND KNOX

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AN ACT

To enact R.S. 36:259(B)(20) and R.S. 40:1134, relative to the transfer of a patient from a ground ambulance provider to a hospital; to create the Ambulance Patient Offload Delay Collaborative; to provide for legislative intent; to provide for requirements of the bureau of emergency medical services; to provide for requirements of the collaborative; to provide for reporting; to provide for rulemaking; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 36:259(B)(20) is hereby enacted to read as follows:

§259. Transfer of agencies and functions to Louisiana Department of Health

* * *

B. The following agencies are placed within the Louisiana Department of Health and shall exercise and perform their powers, duties, functions, and responsibilities as otherwise provided by law:

* * *

(20) Ambulance Patient Offload Delay Collaborative (R.S. 40:1134).

* * *

Section 2. R.S. 40:1134 is hereby enacted to read as follows:

§1134. Ambulance Patient Offload Delay Collaborative

A. The legislature finds and declares all of the following:

(1) The emergency medical services system (EMS) and hospitals and their emergency departments are critical components of Louisiana's emergency healthcare delivery system.

1 (2) Ambulances throughout the United States and in many other countries
2 are experiencing significant delays in offloading patients into hospital emergency
3 departments.

4 (3) The cause of the delay is multifaceted and may include factors such as
5 high demand on emergency departments, hospital staffing challenges, hospital
6 throughput procedures, and hospital administrative policies.

7 (4) Extended ambulance patient offload times are disruptive to the EMS
8 system by taking the ambulance out of service and decreasing advanced life support
9 services in the community, which increases healthcare costs and can back up the
10 entire continuum of emergency healthcare.

11 (5) Hospitals and EMS personnel are all acting in the best interest of the
12 patient and agree that providing the best possible patient care is the goal despite
13 offload delay challenges.

14 (6) It is imperative that ambulance providers and hospitals collaborate to
15 develop statewide, regional, or local plans to address the problem of ambulance
16 patient offload delays.

17 B. (1) There is hereby created within the Louisiana Department of Health,
18 bureau of emergency medical services, the Ambulance Patient Offload Delay
19 Collaborative which shall analyze and develop solutions to the problem of
20 ambulance patient offload delays.

21 (2) The bureau of emergency medial services shall facilitate discussions and
22 meetings of a statewide collaborative to include the bureau, the Louisiana Hospital
23 Association, the Louisiana Ambulance Alliance, and other appropriate stakeholders
24 as considered necessary by the collaborative.

25 (3) The collaborative shall hold its first meeting on or before October 1,
26 2024, and shall meet as often as is necessary to fulfill the requirement of this Section.

27 (4) The collaborative shall be responsible for all of the following:

1 (a) Reviewing the Emergency Medical Treatment and Active Labor Act
2 (EMTALA) to clearly understand the rights and responsibilities of ambulance service
3 providers and hospitals.

4 (b) Collecting and reviewing currently available data from emergency
5 medical services and hospitals concerning ambulance patient offload times.

6 (c) Developing a set of data collection guidelines and performance measures,
7 as well as a standardized reporting process, to identify and track hospitals that exceed
8 the established industry standards for patient offload delays. These standards should
9 be based on best practices and prioritize patient welfare and safety.

10 (d) Exploring enacted legislation and best practices and policies in other
11 states and countries that have been successful and promising in resolving or
12 improving ambulance patient offload delays through processes that may be
13 implemented locally or on a regional or statewide scale.

14 (e) Exploring and researching options for reducing demand on hospital
15 emergency departments from individuals transported by ambulance services,
16 specifically treatment-in-place ambulance services and ambulance transports to
17 alternative destinations other than hospital emergency departments for low acuity
18 patients utilizing the 911 system. Research shall include payment mechanisms and
19 funding options for services provided to patients which reduce emergency
20 department demands.

21 (f) Proposing a format for facilitating local collaborative communications
22 between ambulance service providers and hospital administrators.

23 C.(1) The collaborative shall prepare a report summarizing its findings and
24 recommendations, including any data collected in accordance with this Section, for
25 submission by the department to the House and Senate committees on health and
26 welfare by February 1, 2025.

27 (2) The collaborative may continue to meet as necessary after submitting the
28 final report required in Paragraph (1) of this Subsection. If the collaborative
29 continues to meet, it shall submit an annual report to the House and Senate
30 committees on health and welfare by February first of each year.

1 D. The department may promulgate rules in accordance with the
2 Administrative Procedure Act to carry out the provisions of this Section.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____