

2025 Regular Session

HOUSE BILL NO. 314

BY REPRESENTATIVE MILLER

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

HEALTH CARE/FACILITIES: Modifies the regulatory authority of the Louisiana Department of Health in relation to hospital classifications

1 AN ACT

2 To amend and reenact R.S. 40:2109(B)(6), relative to establishing classifications of and
3 standards for hospitals; to remove exemptions for certain hospitals to the requirement
4 of maintaining in-house obstetric anesthesia personnel on a twenty-four-hour basis;
5 to provide for an effective date; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. 40:2109(B)(6) is hereby amended and reenacted to read as follows:

8 §2109. Rules, regulations, and minimum standards

9 * * *

10 B. The minimum standards adopted by the secretary governing operation and
11 maintenance of hospitals may contain regulations in relation to:

12 * * *

13 (6) Classification of hospitals and variation of standards so as to ensure
14 realistic, practical, and uniform standards for the hospitals in each classification.
15 ~~However, no rule, regulation, policy, or standard adopted by the secretary shall~~
16 ~~require a hospital located in a parish with a population of two hundred fifty thousand~~
17 ~~people or less to maintain personnel in-house with credentials to administer obstetric~~
18 ~~anesthesia on a twenty-four-hour basis in order to qualify for Medicaid~~
19 ~~reimbursement for Level III, neonatal, or obstetric medical services, or as a~~
20 ~~prerequisite for licensure to provide such services. Personnel with such credentials~~

1 ~~may be required to be on staff and readily available on a twenty-four-hour on-call~~
2 ~~basis and demonstrate ability to provide anesthesia services within twenty minutes.~~

3 * * *

4 Section 2. This Act shall become effective upon signature by the governor or, if not
5 signed by the governor, upon expiration of the time for bills to become law without signature
6 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
7 vetoed by the governor and subsequently approved by the legislature, this Act shall become
8 effective on the day following such approval.

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 314 Original

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Miller

Abstract: Removes an exemption that certain rural hospitals have to maintain a healthcare professional with credentials to administer obstetric anesthesia twenty-four hours a day, seven days a week in order to receive certain Medicaid reimbursements.

Present law authorizes the La. Dept. of Health (LDH) to promulgate rules to establish minimum standards for the operation and maintenance of hospitals including establishing classifications of different types of hospitals.

Present law prohibits LDH from promulgating a rule to require a rural hospital to maintain a healthcare professional with credentials to administer obstetric anesthesia on-call 24 hours a day, seven days a week in order for the hospital to qualify for Level III, neonatal, or obstetric medical services.

Proposed law repeals present law.

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

(Amends R.S. 40:2109(B)(6))