

2025 Regular Session

HOUSE BILL NO. 265

BY REPRESENTATIVE MENA

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

EMERGENCY MED TECH: Provides with respect to prohibitions regarding the employment of ambulance drivers convicted of certain offenses

1 AN ACT

2 To amend and reenact R.S. 40:1203.3(A)(introductory paragraph), (1), and (3) and to enact
3 R.S. 40:1203.3(F), relative to ambulance personnel; to remove prohibitions on hiring
4 individuals with a criminal record; to prohibit hiring individuals with a criminal
5 record in certain circumstances; to establish hiring criteria; and to provide for related
6 matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 40:1203.3(A)(introductory paragraph), (1), and (3) are hereby
9 amended and reenacted and R.S. 40:1203.3(F) is hereby enacted to read as follows:

10 §1203.3. Refusal to hire or contract; termination of employment; exceptions to
11 hiring prohibition; appeal procedure; waiver

12 A. Except as otherwise provided in R.S. 40:1203.2(C) and ~~Subsection~~
13 Subsections E and F of this Section, no employer shall hire any licensed ambulance
14 personnel or nonlicensed person when the results of a criminal history check reveal
15 that the licensed ambulance personnel or nonlicensed person has been convicted of
16 any of the following offenses:

17 (1) R.S. 14:28.1, 30, 30.1, 31, 32.6, 32.7, 32.12, 34, ~~34.1~~, 34.7, 35.2, ~~37~~,
18 37.1, 37.4, 38.1, 42, 42.1, 43, 43.1, 43.2, 43.3, 43.5, 44, 44.1, 46.2, ~~51~~, 60, 64, ~~64.1~~,
19 64.4, ~~66~~, ~~67~~, ~~67.16~~, 89, 89.1, 93.3, 93.4, 93.5, 283.3 or distribution or possession with

1 ~~the intent to distribute~~ of controlled dangerous substances as listed in Schedules I
2 through V of the Uniform Controlled Dangerous Substances Act.

3 * * *

4 (3) The felony offense involving theft, pursuant to R.S. 14:67~~(B)(1)~~, or theft
5 of assets of an aged person or person with a disability, pursuant to R.S. 14:67.21, in
6 excess of five hundred dollars or in any case in which the offender has been
7 previously convicted of theft, pursuant to R.S. 14:67, or theft of assets of an aged
8 person or person with a disability, pursuant to R.S. 14:67.21, regardless of the value
9 of the instant theft.

10 * * *

11 F.(1) Except as otherwise provided in R.S. 40:1203.2(C) and Subsections A,
12 B, and E of this Section, a person shall not be disqualified, or held ineligible as a
13 licensed ambulance personnel or nonlicensed person solely or partly because of a
14 prior criminal record except in cases in which a conviction directly relates to the
15 position of employment sought or to the specific occupation for which employment
16 is sought.

17 (2) In determining whether a conviction directly relates to the position of
18 employment sought, or to the specific occupation, trade, or profession for which the
19 license, permit, or certificate is sought, an employer or licensing entity shall consider
20 all of the following:

21 (a) The nature and seriousness of the offense.

22 (b) The nature of the specific duties and responsibilities of the position of
23 employment sought, and, if applicable, the specific duties and responsibilities for
24 which the license, permit, or certificate is required.

25 (c) The amount of time that has passed since the conviction.

26 (d) Facts relevant to the circumstances of the offense including any
27 aggravating or mitigating circumstances or social conditions surrounding the
28 commission of the offense.

- 1 (e) Evidence of rehabilitation or treatment undertaken by the person since
2 the conviction.
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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 265 Engrossed

2025 Regular Session

Mena

Abstract: Establishes criteria for hiring ambulance personnel with a criminal history.

Present law prohibits employers from hiring a licensed ambulance personnel or nonlicensed person when he has been convicted of certain criminal offenses enumerated in present law including first degree murder, second degree murder, first degree feticide, second degree feticide, aggravated battery, aggravated assault, and first degree rape.

Proposed law removes aggravated arson, first degree robbery, extortion, identity theft where the value is between \$200-\$1,000, and possession with intent to distribute controlled dangerous substances from the list of criminal offenses.

Proposed law states that a licensed ambulance personnel or nonlicensed person shall not be disqualified or held ineligible solely or partly on basis of a criminal conviction except where that conviction relates directly to the position of employment or occupation sought.

Proposed law provides that when considering whether a criminal conviction relates directly to the position of employment or occupation sought, an employer or a licensing authority shall consider the seriousness of the offense, the duties and responsibilities required by the license, the amount of time that has passed since the conviction, mitigating or aggravating circumstances related to the offense, and evidence of rehabilitation.

(Amends R.S. 40:1203.3(A)(intro. para.), (1), and (3); Adds R.S. 40:1203.3(F))

Summary of Amendments Adopted by House

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

1. Remove from the list of convictions: aggravated arson, first degree robbery, extortion, identity theft where the value is between \$200 to \$1,000, and possession with intent to distribute controlled dangerous substances.
2. Require that no employer shall hire any licensed ambulance personnel or nonlicensed person when the results of a criminal history check reveal that the licensed ambulance personnel or nonlicensed person has been convicted of the felony offense involving theft, pursuant to R.S. 14:67(B)(1).
3. Make technical changes.