

2026 Regular Session

SENATE BILL NO. 273

BY SENATOR ABRAHAM

HEALTH SERVICES. Provides relative to inpatient licensed facilities. (8/1/26)

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AN ACT

To enact R.S. 40:2009.26, relative to inpatient licensed facilities; to provide for hospice care; to provide for legislative intent; to provide for definitions; to provide for patient care plans; to provide for facility requirements; to provide for Louisiana Department of Health oversight; to provide for violations; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 40:2009.26 is hereby enacted to read as follows:

**§2009.26. Hospice care in inpatient licensed facilities**

**A. The Legislature finds and declares that:**

**(1) Patients receiving hospice care are among the most medically vulnerable residents of the state.**

**(2) If hospice services are provided to a patient in a licensed facility other than an inpatient hospice facility, there may be multiple providers sharing responsibility for the patient which can create potential confusion regarding accountability, communication, and care coordination.**

**(3) Families play an essential role in safeguarding patient dignity and ensuring proper communication between providers.**

1           **(4) When patients in licensed facilities are receiving hospice care, there**  
2           **must be additional patient protections implemented to protect the hospice**  
3           **patient from neglect, miscommunication, or loss of continuity of care,**  
4           **particularly when patients are transferred between one or more licensed**  
5           **facilities.**

6           **B. For purposes of this Section:**

7           **(1) "Hospice provider" means any licensed hospice agency operating**  
8           **within the state in accordance with R.S. 40:2181 et seq.**

9           **(2) "Facility" means a nursing facility, assisted living facility, or licensed**  
10           **residential care setting providing inpatient care.**

11           **C. Patients receiving hospice care in a facility shall have the right to:**

12           **(1) Comfort-focused care consistent with medical judgment.**

13           **(2) Respectful communication among providers and families.**

14           **(3) Clear explanation of care decisions affecting hydration, nutrition, or**  
15           **visitation.**

16           **D.(1) When a patient in a facility is enrolled in hospice care, a patient**  
17           **specific written care plan shall be completed and maintained in the patient**  
18           **record identifying, at a minimum:**

19           **(a) The patient's hospice provider.**

20           **(b) The provider that controls medical orders.**

21           **(c) The provider responsible for daily hydration, nutrition, and routine**  
22           **care.**

23           **(d) The authorized point of contact for the patient's family or patient's**  
24           **authorized representative.**

25           **(2) The care plan shall be made available to the patient and the patient's**  
26           **authorized family member or patient's authorized representative upon request.**

27           **E.(1) If a hospice patient is transferred or relocated from one facility to**  
28           **another, the transferring facility shall notify the patient's hospice provider and**  
29           **the patient's family or patient's authorized representative as soon as**

1           practicable.

2                   (2) The notification shall include the patient's current care plan and a  
3                   notice that a new care plan shall be developed within twenty-four hours of the  
4                   patient being transferred to the receiving facility.

5                   (3) Failure to execute the notice provisions of Paragraph (1) of this  
6                   Subsection shall constitute a reportable incident that the transferring facility  
7                   submits to the department.

8                   (4) Failure to execute the new care plan provisions of Paragraph (1) of  
9                   this Subsection shall constitute a reportable incident that the receiving facility  
10                   submits to the department.

11                   F.(1) Every facility with a patient receiving hospice care shall maintain  
12                   a detailed patient log of the following:

13                           (a) Offers of food and fluid.

14                           (b) Patient acceptance or refusal of the offer of food and fluid.

15                           (c) The provider issuing a directive or order and his clinical justification  
16                   for hydration or nutrition being withheld from a hospice patient.

17                   (2) The patient log required by Paragraph (1) of this Subsection shall be  
18                   made available to the patient's hospice provider and to the patient's family or  
19                   patient's authorized representative, upon request.

20                   G.(1) A facility shall not retaliate against or restrict access to a patient's  
21                   family or patient's authorized representative because concerns were raised  
22                   regarding patient care.

23                   (2) Any facility restriction on visitation or access to a hospice patient  
24                   shall be ordered by a provider who is identified, clinically justified, documented  
25                   in writing, and communicated to the patient's family or patient's authorized  
26                   representative prior to the restriction being implemented.

27                   H. If the Louisiana Department of Health receives a complaint alleging  
28                   a violation of this Section, the department may conduct a complaint survey that  
29                   may include a review of the facility's care plans. The provider shall issue a plan

1            **of correction to any deficiencies cited by the department. The department may**  
 2            **issue directed plans of correction or assess administrative penalties as**  
 3            **determined by the department.**

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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Senate Legislative Services. The keyword, summary, 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)]

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## DIGEST

SB 273 Engrossed

2026 Regular Session

Abraham

Proposed law provides legislative intent for requiring additional patient protections to protect patients receiving hospice services in a licensed facility other than an inpatient hospice facility.

Proposed law defines "facility" as a nursing facility, assisted living facility, or licensed residential care setting providing inpatient care.

Proposed law establishes patient rights for patients receiving hospice care in a facility other than an inpatient hospice facility.

Proposed law requires a patient specific written care plan for any patient enrolled in hospice that is receiving care in a facility other than an inpatient hospice facility and requires that the plan be made available to the patient and the patient's authorized family member or patient's authorized representative upon request.

Proposed law requires every facility with a patient receiving hospice care to maintain a detailed patient log including information specified in proposed law and requires the log to be made available to the patient and the patient's authorized family member or patient's authorized representative upon request.

Proposed law requires that when a hospice patient is transferred or relocated from one facility to another, the transferring facility shall notify the patient's hospice provider and the patient's family or patient's authorized representative and requires the notification to include the patient's current care plan and a notice that a new care plan will be developed within 24 hours of the patient being transferred to the receiving facility.

Proposed law prohibits a facility from retaliating against or restricting access to a patient's family or patient's authorized representative because concerns were raised regarding patient care and requires any facility restriction on visitation or access to a hospice patient to be ordered by a provider who is identified, clinically justified, documented in writing, and communicated to the patient's family or patient's authorized representative prior to the restriction being implemented.

Proposed law requires the La. Dept. of Health to ensure compliance with proposed law and authorizes the department to issue corrective action plans and assess administrative penalties as determined by the department.

Effective August 1, 2026.

(Adds R.S. 40:2009.26)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Health and Welfare to the original bill

1. Makes terminology changes.
2. Changes the timeframe for notification to the patient's family or authorized representative and for development of a plan of care when a patient is transferred to another facility.
3. Makes changes to process for the La. Dept. of Health to receive and respond to violations of proposed law.