

2026 Regular Session

SENATE BILL NO. 190

BY SENATOR MIZELL

NURSING HOMES. Provides relative to nursing home licenses. (8/1/26)

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AN ACT

To enact R.S. 40:2009.10.2, relative to nursing facilities; to provide for the Centers for Medicare and Medicaid Services Special Focus Facility Program; to provide for state requirements for nursing facilities; to provide for the duties and responsibilities of the Louisiana Department of Health; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 40:2009.10.2 is hereby enacted to read as follows:

§2009.10.2. Special Focus Facility Program; state requirements

A. Any nursing facility licensed by the Louisiana Department of Health that is selected for participation in the Centers for Medicare and Medicaid Services Special Focus Facility Program shall be subject to enhanced state oversight.

B. Any nursing facility identified in Subsection A of this Section shall:

(1) Provide notice to both prospective and current residents that the facility is in the Special Focus Facility Program due to the scope and severity of noncompliance with state and federal requirements.

(2) Provide current residents the opportunity to transfer to another

1 available facility if the resident can be transferred safely and there is an
2 alternative nursing facility with availability that meets the resident's
3 geographical, physical health, and mental health needs.

4 (3) Comply with the following state requirements in addition to any
5 requirements imposed by the Centers for Medicare and Medicaid Services:

6 (a) Attend an in-person meeting with the Louisiana Department of
7 Health within forty-five days of being selected to participate in the Special
8 Focus Facility Program to discuss increased state monitoring and other
9 state-imposed requirements.

10 (b) Enter into an agreement with the Louisiana Department of Health to
11 address the noncompliance of the nursing facility. At the discretion of the
12 department, the agreement may include any of the following requirements for
13 the nursing facility:

14 (i) Being subject to additional state monitoring, including additional
15 in-person unannounced inspections at the expense of the nursing facility.

16 (ii) Implementing directed plans of correction.

17 (iii) Implementing directed, in-service trainings.

18 (iv) Hiring consultants or subject matter experts, subject to approval by
19 the department, at the expense of the nursing facility.

20 (v) Being subject to a root cause analysis to determine the basis for the
21 noncompliance.

22 (vi) Engaging with a Quality Improvement Organization approved by
23 the Centers for Medicare and Medicaid Services.

24 (vii) Being subject to an owner or license holder analysis to identify a
25 pattern of poor performance.

26 (viii) Implementing staffing adjustments and increases as directed by the
27 department to address deficiencies.

28 (ix) Being subject to fines and penalties.

29 (x) Complying with alternate remedies or other provisions intended to

1 deter noncompliance, correct deficiencies, and address quality, health, safety,
 2 and welfare issues, imposed by the department.

3 C. If a nursing facility is selected for the Special Focus Facility Program
 4 and fails to meet the requirements for graduation from the program and the
 5 additional requirements imposed by the department in accordance with
 6 Subsection B of this Section within eighteen months, the Louisiana Department
 7 of Health shall revoke the facility's license. However, nothing in this Section
 8 shall prohibit the department from issuing a license revocation to a nursing
 9 facility prior to the expiration of the eighteen-month period, if the nursing
 10 facility violates the provisions of the settlement agreement and the violations or
 11 noncompliance with federal or state regulations has placed residents at risk for
 12 serious harm or death.

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)]

DIGEST

SB 190 Reengrossed

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Mizell

Proposed law establishes state requirements to correspond with the federal requirements established by the Centers for Medicare and Medicaid Services (CMS) Special Focus Facility (SFF) Program which focuses on nursing homes that have a history of serious quality issues.

Proposed law requires the nursing facilities to notify prospective and current residents of participation in the program and give the residents an opportunity to transfer to another nursing facility.

Proposed law requires any nursing facility licensed by the La. Dept. of Health that is selected for participation in the SFF Program to be subject to enhanced state monitoring and other state-imposed requirements.

Proposed law requires the La. Dept. of Health to revoke the license of any nursing facility that fails to meet the requirements for graduation from the program and additional requirements imposed by the department within 18 months.

Proposed law authorizes the La. Dept. of Health to revoke the license of any nursing facility prior to 18 months if the facility is noncompliant with federal requirements or the additional requirements imposed by the department.

Effective August 1, 2026.

(Adds R.S. 40:2009.10.2)

Summary of Amendments Adopted by SenateCommittee Amendments Proposed by Senate Committee on Health and Welfare to the original bill

1. Removes candidates for the Special Focus Facility Program from the requirements of proposed law.
2. Changes requirements for staffing increases required for nursing facilities in the program.
3. Removes prohibition on nursing facilities being allowed to enter the program more than once.
4. Removes provisions relative to nursing facilities that graduate from the program and continue to have performance issues.

Senate Floor Amendments to engrossed bill

1. Changes state requirements for a nursing facility in the program.
2. Authorizes the La. Dept. of Health to take action against a noncompliant nursing facility before 18 months.