

CONFERENCE COMMITTEE REPORT
House Bill No. 720 By Representative Abramson

June 5, 2013

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 720 by Representative Abramson, recommend the following concerning the Reengrossed bill:

1. That Senate Committee Amendments Nos. 1 and 2 proposed by the Senate Committee on Natural Resources and adopted by the Senate on May 23, 2013, be adopted.
2. That Senate Floor Amendments Nos. 1 through 6 proposed by the Legislative Bureau and adopted by the Senate on May 27, 2013, be adopted.
3. That Senate Floor Amendments Nos. 1 through 4 proposed by Senator Mills and adopted by the Senate on May 28, 2013, be adopted.
4. That the set of Senate Floor Amendments, designated as SFAHB720 DUCHARMM 2931, proposed by Senator Morrell and adopted by the Senate on May 28, 2013, be rejected.
5. That the set of Senate Floor Amendments, designated as SFAHB720 TYLERT 2957, proposed by Senator Morrell and adopted by the Senate on May 28, 2013, be rejected.
6. That the following amendments to the reengrossed bill be adopted:

AMENDMENT NO. 1

On page 2, line 28, after "occupied" delete the comma "," and "adding" and insert "over a three-month period, Children's Hospital, New Orleans shall, in good faith, make reasonable efforts to consider and, if appropriate, add additional"

AMENDMENT NO. 2

On page 3, line 8, after "reallocated" delete the remainder of the line and insert the following:

"to purchase equipment for the University Medical Center and such capital outlay funds shall be used first to fund such equipment and at no additional charge to the University Medical Center Management Corporation, provided that University Medical Center Management Corporation or Louisiana Children's Medical Center demonstrate that additional behavioral health services will be provided at the hospital or in the New Orleans area at one of the Louisiana Children's Medical Center affiliates consistent with the provision of this Act. In consideration of this or comparable"

AMENDMENT NO. 3

On page 3, line 9, change "finding" to "funding"

Respectfully submitted,

Representative Neil C. Abramson

Senator John A. Alario, Jr.

Representative Gordon Dove

Senator Conrad Appel

Representative Helena N. Moreno

Senator Jean-Paul J. Morrell

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)]

CONFERENCE COMMITTEE REPORT DIGEST

House Bill No. 720 by Representative Abramson

Keyword and oneliner of the instrument as it left the House

PROPERTY/PUBLIC: Provides for the authority to transfer or lease certain state property in Orleans Parish and St. Martin Parish

Report adopts Senate amendments to:

1. Remove the authorization to transfer or lease state property in St. Martin Parish from the division of administration to the adjacent landowners, including Phyllis and Michael Marks.
2. Make technical changes.

Report rejects Senate amendments which would have:

1. Added that if 90% of the additional beds become reserved or occupied over a 3 month period Children's Hospital must consider adding new beds.

Report amends the bill to:

1. Provide that if 90% of the additional beds become reserved or occupied over a 3 month period Children's Hospital must, in good faith, make reasonable efforts to consider and, if appropriate, add new beds.
2. Provide for reallocating 2012 capital outlay funding for the New Orleans Adolescent Hospital to first purchase equipment for the University Medical Center.
3. Provide that such reallocated capital outlay funds shall be used first to fund such equipment at no additional charge to the University Medical Center Management Corporation, provided that University Medical Center Management Corporation or Louisiana Children's Medical Center demonstrate that additional behavioral health services will be provided at the hospital or in the New Orleans area at one of the Louisiana Children's Medical Center affiliates consistent with the provision of proposed law.
4. Provides that in consideration of receiving comparable capital outlay funds Children's Hospital, New Orleans must, in good faith, make reasonable efforts to consider and provide additional services as provided in proposed law.
5. Make technical changes.

Digest of the bill as proposed by the Conference Committee

Proposed law authorizes the transfer or lease of the New Orleans Adolescent Hospital to Children's Hospital, New Orleans, removes requirement of certain conditions in a lease agreement between the parties, and adds certain requirements.

Present law authorizes the LSU Board of Supervisors and LSU Health Science Center to transfer certain state property in Orleans Parish, known as the New Orleans Adolescent Hospital (NOAH), to the division of administration. Present law authorizes the

commissioner of administration to lease the same state property in Orleans Parish to the Children's Hospital, New Orleans.

Proposed law adds the authorization to transfer the property to Children's Hospital, New Orleans.

Present law requires that any lease entered into by the commissioner under present law contain the following provisions:

- (1) The property shall be administered, managed, and operated as a facility for health care, mental health care, or health care or mental health care education.
- (2) The portion of the property shall be administered, managed, and operated so as to provide mental health care including inpatient and outpatient services consistent with those services formally provided by the NOAH prior to 2010. Such services may be provided by a third party and as more particularly provided for in the lease agreement.

Proposed law repeals the requirement that the property be administered, managed, and operated so as to provide mental health care, including inpatient and outpatient services consistent with those services formally provided by the NOAH prior to 2010.

Present law provides that if the property is not administered, managed, and operated as provided in the conditions provided for in present law, the lease shall terminate, and control of such property shall immediately revert to and vest in the state.

Present law requires the lease to Children's Hospital to be executed by Feb. 1, 2013, or after Children's Hospital refuses to enter a lease, whichever is sooner, the division of administration may offer to lease the property to the highest bidder. Proposed law repeals present law.

Present law provides that if the property is not leased after being offered to the highest bidder by Aug. 1, 2013, or six months if Children's Hospital refuses to enter a lease, whichever is sooner, the property shall revert to the LSU Board of Supervisors and LSU HSC. Proposed law repeals present law.

Provides that present law shall be the exclusive authority and procedure to transfer the property in present law. Proposed law retains present law.

Proposed law requires Children's Hospital to open the following:

- (1) A minimum of an additional 16 pediatric or adolescent behavior health care beds, and, in good faith, make reasonable efforts to consider adding beds if the 16 beds reach 90% occupancy for a 3 month period.
- (2) Behavioral health care services for children under five years of age.
- (3) Expansion of the Autism Center at Children's Hospital Campus.
- (4) Inpatient-to-outpatient behavioral transition care.

Proposed law provides for consolidation and reallocation of capital outlay funding to NOAH in Act No. 23 of the 2012 R.S. to purchase equipment for the University Medical Center.

Proposed law provides that such reallocated capital outlay funds shall be used first to fund such equipment at no additional charge to the University Medical Center Management Corporation, provided that University Medical Center Management Corporation or Louisiana Children's Medical Center demonstrate that additional behavioral health services will be provided at the hospital or in the New Orleans area at one of the Louisiana Children's Medical Center affiliates consistent with the provision of proposed law.

Proposed law provides that in consideration of the reallocated capital outlay or comparable funding, Children's Hospital, New Orleans shall make reasonable, good faith efforts to consider and provide services for substance abuse, longer term inpatients, juvenile justice, and day treatment. Consideration of these services shall be in consultation with stakeholders.

Proposed law requires Children's Hospital and the Dept. of Health and Hospitals to seek the most advantageous utilization of the increased bed capacity and the development of an inpatient-out-patient behavioral transition care program.

Proposed law provides that except as otherwise provided in proposed law, the services provided for in proposed law may be located in the city of New Orleans after holding a public hearing with an opportunity for public comment.

Proposed law requires Children's Hospital, New Orleans to submit a report to the Speaker, the President, and the House and Senate Committees on Health and Welfare on the behavioral mental health services provided for in proposed law on February 1st of each year until 2018 or until the obligations are met under proposed law, whichever occurs first.

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

(Amends §3, 4, and 5(A) of Act No. 867 of the 2012 R.S.; Repeals §6 of Act No. 867 of the 2012 R.S.)