

Regular Session, 2014

SENATE BILL NO. 456

BY SENATOR ALLAIN

ETHICS. Provides relative to application of nepotism provisions to certain hospital service districts. (gov sig)

1 AN ACT

2 To amend and reenact R.S. 42:1119(B)(2)(b)(i), relative to the Code of Governmental
3 Ethics; to provide for the applicability of the nepotism provisions to hospital service
4 districts; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 42:1119(B)(2)(b)(i) is hereby amended and reenacted to read as
7 follows:

8 §1119. Nepotism

9 * * *

10 B. * * *

11 (2) Notwithstanding the provisions of Paragraph (1) of this Subsection:

12 * * *

13 (b)(i) Any hospital service district ~~with a population of one hundred thousand~~
14 ~~persons or less as of the most recent federal decennial census~~ or hospital public trust
15 authority located in such a district may enter into an initial recruiting contract with
16 or employ as a health care provider, a licensed physician, a registered nurse, or an
17 allied health professional who is a member of the immediate family of any district

1 board, authority, or parish governing authority member or of the chief executive of
 2 the district or authority provided that such family member is the only qualified
 3 applicant who has applied for the position after it has been advertised for at least
 4 thirty days in the official journal of the parish and in all newspapers of general
 5 circulation in the parish where the hospital is located. The chief executive and any
 6 member of a board of a hospital service district or hospital public trust authority
 7 which enters into an initial recruiting contract with or employs such physician,
 8 registered nurse, or allied health professional shall recuse himself from any decision
 9 involving the promotion, discipline, discharge, or assignment of any such employee
 10 who is a member of his immediate family.

11 * * *

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

The original instrument and the following digest, which constitutes no part
 of the legislative instrument, were prepared by Jerry J. Guillot.

DIGEST

Allain (SB 456)

Present law, relative to nepotism in the Code of Governmental Ethics, provides that no member of the immediate family of a member of a governing authority or the chief executive of a governmental entity shall be employed by the governmental entity.

Present law contains exceptions to this prohibition, including permitting any hospital service district with a population of 100,000 persons or less as of the most recent federal decennial census or hospital public trust authority located in such a district to enter into an initial recruiting contract with or employ as a health care provider, a licensed physician, a registered nurse, or an allied health professional who is a member of the immediate family of any district board, authority, or parish governing authority member or of the chief executive of the district or authority provided that such family member is the only qualified applicant who has applied for the position after it has been advertised for at least 30 days in the official journal of the parish and in all newspapers of general circulation in the parish where the hospital is located. Requires that the chief executive and any member of a board of a hospital service district or hospital public trust authority which enters into an initial recruiting contract with or employs such physician, registered nurse, or allied health professional recuse himself from any decision involving the promotion, discipline, discharge, or assignment of any such employee who is a member of his immediate family.

Proposed law provides that the exception in present law is applicable to any hospital service district. Otherwise retains present law.

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

(Amends R.S. 42:1119(B)(2)(b)(i))