

CONFERENCE COMMITTEE REPORT

SB 61

2015 Regular Session

Buffington

June 11, 2015

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

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning Senate Bill No. 61 by Senator Buffington, recommend the following concerning the Reengrossed bill:

1. That House Committee Amendments Nos. 1 and 2 proposed by the House Committee on Health and Welfare and adopted by the House of Representatives on June 4, 2015, be adopted.
2. That House Committee Amendment No. 3 proposed by the House Committee on Health and Welfare and adopted by the House of Representatives on June 4, 2015, be rejected.
3. That Legislative Bureau Amendments Nos. 1 and 2 proposed by the Legislative Bureau and adopted by the House of Representatives on June 4, 2015, be adopted.
4. That House Floor Amendments Nos. 1 and 2 proposed by Representative Hensgens and adopted by the House of Representatives on June 8, 2015, be rejected.
5. That the following amendments to the reengrossed bill be adopted:

AMENDMENT NO. 1

On page 2, line 16, after "census" delete the comma and insert "or"

AMENDMENT NO. 2

On page 2, line 18, after "census" delete the remainder of the line and delete lines 19 and 20

AMENDMENT NO. 3

On page 2, line 21, delete "census"

AMENDMENT NO. 4

On page 2, between lines 23 and 24, insert the following:

**"(2) If a hospital service district does not grant approval to another hospital service district for operation of a licensed nursing home as provided in Paragraph (1) of this Subsection, then the hospital service district refusing to grant approval shall be prohibited from operating a licensed nursing home outside of its district boundaries.**

**"(3) If a hospital service district specified in Paragraph (1) of this Subsection is unable to lease or operate a licensed nursing home, then nothing in this Chapter shall limit a hospital service district within the state of Louisiana from operating a licensed nursing home in that parish in accordance with the provisions of Subsection A of this Section.**

**(4) If a hospital service district located in a parish identified in this Subsection has not operated a licensed nursing home by August 1, 2020, then the provisions of this Subsection shall not apply to that hospital service district and the provisions of Subsection A of this Section shall apply.**

Respectfully submitted,

Senators:

Representatives:

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Senator Sherri Smith Buffington

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Representative Jeffery "Jeff" J. Arnold

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Senator David Heitmeier

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Representative Bob Hensgens

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Senator Ben Nevers

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Representative Scott M. Simon

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The legislative instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by J. W. Wiley.

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## CONFERENCE COMMITTEE REPORT DIGEST

SB 61

2015 Regular Session

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### Keyword and summary of the bill as proposed by the Conference Committee

HEALTH SERVICES. Provides relative to hospital service districts. (gov sig)

#### Report adopts House amendments to:

1. Make technical changes.

#### Report rejects House amendments which would have:

1. Added a provision stipulating that if a hospital service district does not grant approval to another hospital service district for operation of a nursing home as provided in proposed law, then the hospital service district refusing to grant approval shall be prohibited from operating a nursing home outside of its district boundaries.
2. Removed provision of proposed law that prohibited a hospital service district from operating a licensed nursing home in any parish having a population of not less than 110,000 and not more than 115,000 according to the latest federal decennial census unless certain conditions are met.

#### Report amends the bill to:

1. Remove provision of proposed law that prohibited a hospital service district from operating a licensed nursing home in any parish having a population of not less than 219,000 and not more than 228,000 according to the latest federal decennial census unless certain conditions are met.
2. Add a provision stipulating that if a hospital service district does not grant approval to another hospital service district for operation of a nursing home as provided in proposed law, then the hospital service district refusing to grant approval shall be prohibited from operating a nursing home outside of its district boundaries.
3. Add a provision stipulating that if a certain hospital service district is unable to lease or operate a licensed nursing home, then nothing in proposed law will limit a hospital service district from operating a licensed nursing home in that parish in accordance with proposed law.
4. Add a provision that if a hospital service district located in a parish identified in proposed law has not operated a licensed nursing home by August 1, 2020, then the provisions of proposed law will not apply to that hospital service district and other provisions of proposed law will apply.

#### Digest of the bill as proposed by the Conference Committee

Proposed law provides a hospital service district created pursuant to present law may lease and operate a licensed nursing home as defined in present law that is located within the boundaries of that hospital service district or outside the boundaries of that hospital service district but within the boundaries of the state.

Proposed law provides if a hospital service district determines to lease and operate a licensed nursing home within 35 miles of a hospital service district hospital in an adjoining hospital service district, then the hospital service district shall provide a 60-day written prior notice to the governing authority of the parish in which the licensed nursing home is located.

Proposed law provides if the governing authority of the parish in which the licensed nursing home is located does not provide written notice of objection to the hospital service district within the required 60 days, then the hospital service district may lease and operate the licensed nursing home.

Proposed law provides if the governing authority in which the licensed nursing home is located objects in writing within the 60 days of providing notice as described in proposed law, and after a good-faith effort is made to reach an agreement between the governing authority of the parish and the licensed nursing home, and an agreement is not reached, then the hospital service district may lease and operate the licensed nursing home located outside of the boundaries of its hospital service district.

Proposed law provides a hospital service district shall not operate a licensed nursing home in any parish having a population of not less than 430,000 and not more than 435,000 according to the latest federal decennial census or in any parish having a population of not less than 110,000 and not more than 115,000 according to the latest federal decennial census without either being the service district hospital where the licensed nursing home is located or receiving the approval of the hospital service district where the licensed nursing home is located.

Proposed law provides that if a hospital service district does not grant approval to another hospital service district for operation of a licensed nursing home as provided in proposed law, then the hospital service district refusing to grant approval shall be prohibited from operating a licensed nursing home outside of its district boundaries.

Proposed law provides that if a certain hospital service district is unable to lease or operate a licensed nursing home, then nothing in proposed law will limit a hospital service district from operating a licensed nursing home in that parish in accordance with proposed law.

Proposed law provides that if a hospital service district located in a parish identified in proposed law has not operated a licensed nursing home by August 1, 2020, then the provisions of proposed law will not apply to that hospital service district and other provisions of proposed law will apply.

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

(Adds R.S. 46:1069.1)