

2016 Regular Session

HOUSE BILL NO. 699

BY REPRESENTATIVE STOKES

FEES/LICENSES/PERMITS: Revises fee amounts for facilities and providers licensed by the Dept. of Health and Hospitals

1 AN ACT

2 To amend and reenact R.S. 28:35(B), R.S. 40:1135.4, 2006(A)(1), (2)(introductory

3 paragraph), (c), (i), and (k), (B)(1), (2)(introductory paragraph), (c), and (d), (C),

4 (E)(1), (2)(introductory paragraph), (i), and (j), 2120.4(D), 2120.34(F), 2139(A),

5 2166.5(C), and 2198.13, to enact R.S. 40:2006(A)(2)(r) through (y), (B)(2)(i)

6 through (m), (E)(2)(t) through (x), and (F), and to repeal R.S. 28:34(C) and 36(B)

7 and R.S. 40:2006(A)(2)(e), (E)(2)(e), and 2107(A), relative to license fees for

8 healthcare facilities and providers licensed by the Department of Health and

9 Hospitals; to increase license fees for certain facilities and providers; to increase

10 additional bed fees for certain facilities and providers; and to provide for related

11 matters.

12 Be it enacted by the Legislature of Louisiana:

13 Section 1. R.S. 28:35(B) is hereby amended and reenacted to read as follows:

14 §35. License issuance; application; on-site inspection

15 * * *

16 B. Each application for licensure shall be accompanied by a nonrefundable

17 license fee in the amount set by the licensing agency in accordance with ~~R.S. 28:34~~

18 R.S. 40:2006.

19 * * *

1 Section 2. R.S. 40:1135.4, 2006(A)(1), (2)(introductory paragraph), (c), (i), and (k),
2 (B)(1), (2)(introductory paragraph), (c), and (d), (C), (E)(1), (2)(introductory paragraph), (i),
3 and (j), 2120.4(D), 2120.34(F), 2139(A), 2166.5(C), and 2198.13 are hereby amended and
4 reenacted and R.S. 40:2006(A)(2)(r) through (y), (B)(2)(i) through (m), (E)(2)(t) through (x),
5 and (F) are hereby enacted to read as follows:

6 §1135.4. Ambulance services; fees

7 Any person, partnership, corporation, unincorporated association, or other
8 legal entity currently operating or planning to operate an ambulance service shall pay
9 the following fees to the department, as applicable:

10 ~~(1) An initial licensing fee of one hundred fifty dollars, to be submitted with~~
11 ~~the initial application for a license.~~

12 ~~(2) An annual license renewal fee of one hundred dollars, to be submitted~~
13 ~~with each annual application for renewal of a license.~~

14 ~~(3) A delinquent fee of one hundred dollars for failure to timely pay an~~
15 ~~annual license renewal fee. Such delinquent fee shall be assessed and shall become~~
16 ~~due and payable at 12:01 a.m. on the thirty-sixth day following the date of the~~
17 ~~invoice by which the department bills the applicant or licensee for the annual license~~
18 ~~renewal fee.~~

19 ~~(4) A a vehicle inspection fee of seventy-five dollars for each ambulance or~~
20 ~~emergency medical response vehicle, which shall be submitted with the initial~~
21 ~~application for a license, with each annual application for renewal of a license, and~~
22 ~~with each application for a permit for a vehicle added to service by the applicant.~~

23 ~~(5) A delinquent fee of one hundred dollars for each ambulance and~~
24 ~~emergency medical response vehicle, for failure to timely pay a vehicle inspection~~
25 ~~fee. Such delinquent fee shall be assessed and shall become due and payable at~~
26 ~~12:01 a.m. on the thirty-sixth day following the date of the invoice by which the~~
27 ~~department bills the applicant or licensee for the vehicle inspection fee.~~

28 ~~(6) A change of address fee of ten dollars for each change of address.~~

1 to the laws, rules, regulations, and standards that are applicable to the individual
2 facilities.

3 * * *

4 E.(1) Any person, partnership, corporation, unincorporated association, or
5 other legal entity, currently operating or planning to operate any of the facilities
6 listed in this Subsection, and who is licensed by the Department of Health and
7 Hospitals shall be assessed a delinquent fee of one hundred dollars for failure to
8 timely renew its license ~~and/or~~ or any subsidiary license ~~or registration~~. This fee
9 shall be in addition to any renewal or other fee applicable according to the laws,
10 rules, regulations, and standards that are applicable to the individual facilities. The
11 delinquent fee described in this Subsection shall be assessed and shall become due
12 and payable to the Department of Health and Hospitals at 12:01 a.m. on the first day
13 following the expiration date of the license or subsidiary license ~~or registration~~.

14 (2) This Subsection shall apply to any of the following licensed facilities and
15 providers:

16 * * *

- 17 (i) Nursing ~~home~~ facility.
- 18 (j) Intermediate care facility for ~~people with developmental disabilities~~
19 ~~(ICF/DD)~~ individuals with intellectual disabilities (ICF/IID).

20 * * *

- 21 (t) Crisis receiving center.
- 22 (u) Adult residential care provider.
- 23 (v) Therapeutic group home.
- 24 (w) Forensic supervised transitional residential and aftercare facility.
- 25 (x) Ambulance service.

26 F. Each state-owned facility shall be exempt from fees for application for
27 and renewal of a license.

28 * * *

1 §2120.4. Rules and regulations; licensing standards

2 * * *

3 D. The secretary of the department is further authorized to ~~set and~~ collect
4 fees for the licensure of home- and community-based service providers pursuant to
5 the provisions of R.S. 40:2006; however, no fees shall be collected from any council
6 on aging pursuant to this Section. ~~The license fees shall not exceed the cost of~~
7 ~~licensure and shall not exceed the following:~~

8 (1) ~~Six hundred dollars per year for the base license for home- and~~
9 ~~community-based service providers who provide in-home services.~~

10 (2) ~~An additional two hundred dollars per year for home- and~~
11 ~~community-based service providers who provide adult day care services.~~

12 (3) ~~An additional two hundred dollars per year for home- and~~
13 ~~community-based service providers who provide out-of-home respite care.~~

14 * * *

15 §2120.34. Licensing; applications; provisional licenses; fees

16 * * *

17 F. There shall be an ~~annual~~ initial license fee and an annual license renewal
18 fee to be ~~set~~ collected by the department ~~not to exceed two hundred fifty dollars in~~
19 accordance with the provisions of R.S. 40:2006 for any license issued in accordance
20 with the provisions of this Part. Monies collected for annual fees shall be used for
21 the investigation and enforcement of the provisions of this Part.

22 * * *

23 §2139. Fees and limitations

24 A. The application by any person for a license or renewal of a license to
25 operate an ambulatory surgical center shall be accompanied by a fee ~~of five hundred~~
26 ~~dollars~~ authorized by R.S. 40:2006 which is hereby levied as the license fee for
27 operation of an ambulatory surgical center for a period of one year; ~~provided~~
28 ~~ambulatory surgical centers subject to the licensing requirements of this Part which~~
29 ~~are owned and operated by the state of Louisiana shall be exempt from payment of~~

intermediate care facilities for individuals with intellectual disabilities (ICF/IID); end stage renal disease facilities; outpatient abortion facilities; psychiatric residential treatment facilities; children's respite care centers; pediatric day healthcare facilities.

Proposed law institutes a licensure fee of \$1,000 for the following facilities and providers: Pain management clinics; therapeutic group homes; crisis receiving centers; adult brain injury facilities; forensic supervised transitional residential and aftercare facilities; ambulance services; adult residential care providers; home- and community-based service providers.

Proposed law increases the additional fee per bed provided in present law from \$5 to \$10, payable to DHH, for the following facilities and providers: Hospices; hospitals; nursing homes; intermediate care facilities for individuals with intellectual disabilities (ICF/IID); behavioral health services providers; psychiatric residential treatment facilities; children's respite care centers; end stage renal disease facilities.

Proposed law institutes an additional fee per bed of \$10 for the following facilities and providers: Adult residential care providers; therapeutic group home; forensic supervised transitional residential and aftercare facility; adult brain injury facilities; crisis receiving centers.

Proposed law exempts state-owned health facilities from fees for applications for and renewal of licenses.

Proposed law makes technical and conforming changes in present law to address the increased fee amounts provided in proposed law.

(Amends R.S. 28:35(B), R.S. 40:1135.4, 2006(A)(1), (2)(intro. para.), (c), (i), and (k), (B)(1), (2)(intro. para.), (c), and (d), (C), (E)(1), (2)(intro. para.), (i), and (j), 2120.4(D), 2120.34(F), 2139(A), 2166.5(C), and 2198.13; Adds R.S. 40:2006(A)(2)(r) - (y), (B)(2)(i) - (m), (E)(2)(t) - (x), and (F); Repeals R.S. 28:34(C) and 36(B) and R.S. 40:2006(A)(2)(e), (E)(2)(e), and 2107(A))