
HOUSE COMMITTEE AMENDMENTS

2016 Regular Session

Substitute for Original House Bill No. 718 by Representative Hunter as proposed by the House Committee on Health and Welfare

This document reflects the content of a substitute bill but is not in a bill form; page numbers in this document DO NOT correspond to page numbers in the substitute bill itself.

To enact Part I-A of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2061, relative to licensed healthcare facilities; to require certain facilities to install and maintain backup power sources or standby power sources; to provide for annual verification of compliance by the Department of Health and Hospitals; to authorize fines for noncompliance; to provide for enforceability; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Part I-A of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:2061, is hereby enacted to read as follows:

PART I-A. EMERGENCY PREPAREDNESS REQUIREMENTS

§2061. Licensed facilities; standby power sources

A.(1) The following licensed healthcare facilities shall cause a standby power source to be installed and maintained in accordance with NFPA 99 and NFPA 70 in each facility:

- (a) Adult brain injury facilities.
- (b) Adult day care facilities.
- (c) Adult day health care facilities.
- (d) Crisis receiving centers.
- (e) End stage renal disease facilities.
- (f) Forensic supervised transitional residential and aftercare facilities.
- (g) Inpatient hospice facilities.
- (h) Level four adult residential care providers.
- (i) Pediatric day health care facilities.
- (j) Psychiatric residential treatment facilities.

(k) Rural health clinics.

(l) Therapeutic group homes.

(2) Each standby power source installed pursuant to the requirements of this Subsection shall be equivalent to that prescribed for healthcare occupancies in the NFPA 101 Life Safety Code.

B.(1) Facilities listed in NEC Article 517.25, NEC Article 708.1, and those defined in NEC Article 708.2 as "Designated Critical Operations Areas" require backup sources of power. In addition to the facilities listed in these articles, the following licensed facilities shall also have backup sources of power:

(a) Ambulatory surgical centers.

(b) Center-based respite facilities.

(c) Outpatient abortion clinics in which there is a procedure room onsite.

(d) Pain management clinics in which there is a procedure room onsite.

(2) The backup power systems required by this Subsection shall be in compliance with all codes found in NEC Article 517, particularly NEC Article 517.18, which require emergency electrical circuits and normal electrical circuits at patient bed locations in general patient care areas of healthcare facilities, including patient bedrooms and treatment areas.

C. The requirements of this Part are in addition to the requirements of any other applicable state-adopted codes, laws, or rules.

D. The Department of Health and Hospitals shall verify annually that each licensed facility to which the requirements of this Part apply is operating in compliance with the provisions of this Part. Any licensed facility found to be operating without the equipment required by this Section shall be assessed a fine of five thousand dollars.

Section 2. The provisions of R.S. 40:2061, as enacted by Section 1 of this Act, which require installation of backup power sources or standby power sources in healthcare facilities shall become enforceable on June 1, 2017.

Section 3. This Act shall become effective on July 1, 2016; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on July 1, 2016, or on the day following such approval by the legislature, whichever is later.

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)]

HB Draft

2016 Regular Session

Abstract: Requires certain healthcare facilities to install and maintain backup power sources or standby power sources.

Proposed law requires the following licensed healthcare facilities to install in each facility a standby power source in accordance with applicable National Fire Protection Association codes:

- (1) Adult brain injury facilities.
- (2) Adult day care facilities.
- (3) Adult day health care facilities.
- (4) Crisis receiving centers.
- (5) End stage renal disease facilities.
- (6) Forensic supervised transitional residential and aftercare facilities.
- (7) Inpatient hospice facilities.
- (8) Level four adult residential care providers.
- (9) Pediatric day health care facilities.
- (10) Psychiatric residential treatment facilities.
- (11) Rural health clinics.
- (12) Therapeutic group homes.

Proposed law provides that each standby power source installed pursuant to proposed law shall be equivalent to that prescribed for healthcare occupancies in the NFPA 101 Life Safety Code.

Proposed law provides that in addition to the facilities required to have backup sources of power by certain articles of the National Electrical Code, the following licensed facilities shall also have backup sources of power:

- (1) Ambulatory surgical centers.
- (2) Center-based respite facilities.
- (3) Outpatient abortion clinics in which there is a procedure room onsite.

(4) Pain management clinics in which there is a procedure room onsite.

Proposed law provides that the backup power systems required by proposed law shall be in compliance with National Electrical Code provisions requiring emergency electrical circuits and normal electrical circuits at patient bed locations in general patient care areas of healthcare facilities, including patient bedrooms and treatment areas.

Proposed law stipulates that its requirements are in addition to the requirements of any other applicable state-adopted codes, laws, or rules.

Proposed law requires the Department of Health and Hospitals to verify annually that each facility to which the requirements of proposed law applies is operating in compliance with proposed law. Provides that any licensed facility found to be operating without the equipment required by proposed law shall be assessed a fine of \$5,000.

Proposed law requiring installation of backup power sources or standby power sources in healthcare facilities becomes enforceable on June 1, 2017.

Effective July 1, 2016.

(Adds R.S. 40:2061)