HLS 24RS-208 ORIGINAL

2024 Regular Session

HOUSE BILL NO. 632

1

BY REPRESENTATIVE ORGERON

NURSING HOMES: Provides relative to the moratorium on new or additional nursing facilities

AN ACT

2 To amend and reenact R.S. 40:2116.1(A)(3) and to enact R.S. 40:2116.1(A)(4) and 3 (B)(2)(e), relative to nursing facilities within the South Lafourche Levee District 4 area; to create an exception to the moratorium on any additional nursing facilities; 5 to allow for an additional nursing facility in the area; and to provide for related 6 matters. 7 Notice of intention to introduce this Act has been published 8 as provided by Article III, Section 13 of the Constitution of 9 Louisiana. 10 Be it enacted by the Legislature of Louisiana: 40:2116.1(A)(3) is hereby amended and reenacted and R.S. 11 Section 1. 12 40:2116.1(A)(4) and (B)(2)(e) are hereby enacted to read as follows: 13 §2116.1. Nursing facilities; facility need review; moratorium; exceptions 14 A. 15 16 (3) Except as provided for in Paragraph (4) of this Subsection, No no new 17 facility, service, or bed shall be licensed and certified to participate in the Title XIX 18 program without the approval of the department based upon a determination of a 19 need therefor in accordance with the provisions of this Section. Any person 20 establishing, managing, or operating a new facility, service, or bed without the 21 approval required by this Section shall be prohibited from participating in the Title 22 XIX program.

CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

1	(4) The Louisiana Department of Health shall not require a determination of
2	need to license one additional nursing facility located within the South Lafourche
3	Levee District area.
4	В.
5	* * *
6	(2) The moratorium provided for in Paragraph (1) of this Subsection shall
7	not apply to the following:
8	* * *
9	(e) One additional nursing facility located within the South Lafourche Levee
10	District area.
1	* * *

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 632 Original

2024 Regular Session

Orgeron

Abstract: Creates an exception to the moratorium and facility need review to permit an additional nursing facilities within the South Lafourche Levee District area.

<u>Present law</u> prohibits the La. Dept. of Health from licensing any new nursing facilities or expanding the capacity of any existing nursing facilities except in the following circumstances:

- (1) There is a determination of need for additional nursing facilities by La. Dept. of Health.
- (2) The nursing facility is a replacement facility provided that there is no increase in the existing nursing home beds at the replacement facility.
- (2) The nursing facility is replacing nursing facility beds with adult residential care home beds.
- (3) A nursing facility located in the service area which has less than 93% occupancy that converts a number of licensed beds to an alternative use.

<u>Proposed law</u> retains <u>present law</u> and adds an exception to both the nursing home moratorium and the determination of need to allow one additional nursing facility to be licensed if it is located within the South Lafourche Levee District area.

(Amends R.S. 40:2116.1(A)(3); Adds R.S. 40:2116.1(A)(4) and (B)(2)(e))