

SENATE BILL NO. 282

BY SENATOR CROWE

1 AN ACT

2 To amend and reenact R.S. 40:2116(K), relative to nursing homes; to provide for certain
3 nursing home beds, which were placed in alternate healthcare use, to be re-licensed
4 as nursing home beds; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 40:2116(K) is hereby amended and reenacted to read as follows:

7 §2116. Facility need review

8 * * *

9 K. The department shall adopt a rule to allow a nursing home located in a
10 service area which has less than ninety-three percent occupancy to temporarily
11 convert a number of licensed beds to an alternate use. The beds may be converted for
12 alternate **health care** use until such time as the average annual occupancy in the
13 service area exceeds ninety-three percent **and an adjoining service area exceeds**
14 **ninety-three percent** based on the department's LTC-2 Report and the facility is
15 notified of the same. The facility shall then either re-license the beds as nursing
16 home beds within one year of receipt of the notice from the department, or the beds
17 will be deemed expired. Nothing herein shall be construed to preclude nursing homes
18 from taking beds out of alternate use at any time and using them as licensed beds
19 unless deemed expired. **The prohibition contained in Paragraph (D)(2) of this**
20 **Section shall not apply to certain nursing beds in alternate use. Any nursing**
21 **home bed in alternate health care use as of August 15, 2006, may be voluntarily**
22 **taken out of alternate use and re-licensed as a nursing home bed, unless those**
23 **beds are otherwise deemed expired, revoked, or surrendered.**

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

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____