

Regular Session, 2013

HOUSE BILL NO. 562

BY REPRESENTATIVE JOHNSON

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

HEALTH CARE/PROVIDERS: Provides a limited exception to certain licensing requirements for home- and community-based service providers

1 AN ACT

2 To amend and reenact R.S. 40:2120.4(B)(6) and to enact R.S. 40:2120.4(E), relative to
3 home- and community-based service provider licensing standards; to provide for a
4 conditional exemption from certain licensing requirements; and to provide for related
5 matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 40:2120.4(B)(6) is hereby amended and reenacted and R.S.
8 40:2120.4(E) is hereby enacted to read as follows:

9 §2120.4. Rules and regulations; licensing standards

10 * * *

11 B. The licensing agency of the department shall prescribe, promulgate, and
12 publish rules, regulations, and licensing standards to include but not be limited to the
13 following:

14 * * *

15 (6) ~~Initial~~ Except as provided in Subsection E of this Section, initial and
16 annual renewal of license, including the requirement of a showing of financial
17 viability not in excess of the requirement for initial licensure.

18 * * *

19 E. For initial issuance or annual renewal of license, the department shall not
20 apply any financial viability standard requiring a line of credit from a lending

1 institution, as prescribed in R.S. 40:2120.2(2)(a), to any home- and community-
2 based service provider that meets all of the following qualifications:

3 (1) Has operated and provided services to functionally impaired adults
4 continuously for over twenty-five years.

5 (2) Provides adult day care, day habilitation, pre-vocational training, or
6 supported employment to a combined total of fewer than one hundred clients.

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)]

Johnson

HB No. 562

Abstract: Provides a limited exception to certain licensing requirements for home- and community-based service providers.

Present law requires DHH to prescribe licensing standards for home- and community-based service providers, and that such standards shall include a requirement for demonstrating "financial viability".

Present law provides that for the purposes of present law, "financial viability" means that the provider seeking a home- and community-based service provider license is able to provide verification and maintenance of:

- (1) A line of credit issued from a federally insured, licensed lending institution in the amount of at least \$50,000.
- (2) General and professional liability insurance of at least \$300,000.
- (3) Worker's compensation insurance.

Proposed law exempts home- and community-based service providers that meet all of the following qualifications from the requirement for a line of credit for initial issuance or renewal of a license:

- (1) Has operated and provided services to functionally impaired adults continuously for over 25 years.
- (2) Provides adult day care, day habilitation, pre-vocational training, or supported employment to a combined total of fewer than 100 clients.

(Amends R.S. 40:2120.4(B)(6); Adds R.S. 40:2120.4(E))