



**State of Louisiana**  
Louisiana Department of Health  
Health Standards Section

**April 20, 2017**

**Memo to LDH-HSS Licensed Health Care Providers:**

In accordance with Act 311 of the 2016 Regular Legislative Session and consistent with the Louisiana Department of Health (LDH) Legal Services, the LDH-Health Standards Section (HSS) is issuing this notice to all applicable HSS licensed health care providers:

Effective June 2, 2016, Act 311 amended *La RS 40:1203.1-2* requiring that licensed health care providers shall request that a criminal history and security check be conducted on the non-licensed person, prior to any employer making an offer to employ or to contract with a non-licensed person or any licensed ambulance personnel to provide nursing care, health-related services, medic services, or supportive assistance to any individual and in accordance with *La RS 40:1203.1-5*.

*"Non-licensed person" means any person who provides for compensation nursing care or other health-related services directly related to patient care to residents in or patients of a nursing facility, intermediate care facility for people with developmental disabilities, adult residential care facility or provider, pediatric day healthcare facility, adult day healthcare center, psychiatric residential treatment facility, end stage renal disease facility, behavioral health services provider, home health agency, hospice agency, provider of ambulance services, hospital, adult brain injury facility, crisis receiving center, pain management clinic, outpatient abortion facility, rural health clinic, ambulatory surgical center, therapeutic group home, forensic supervised transitional residential and aftercare facility, case management provider, or home- and community-based service provider and who is not a licensed health provider. "Non-licensed person" also means any person who provides such services to individuals in their own homes as an employee or contract provider of a home health agency, hospice, or home- and community-based service provider. "Non-licensed person" also means any other direct service worker as defined in R.S. 40:2179 and 2179.1.*

The following links are provided for your information:

April 20, 2017

<http://legis.la.gov/Legis/Law.aspx?d=964762>

<http://legis.la.gov/Legis/BillInfo.aspx?s=16RS&b=ACT311&sbi=y>

<http://legis.la.gov/Legis/ViewDocument.aspx?d=1015324>

From this date forward, the department expects providers to be in compliance with *La RS 40:2013.1-5* for any employees hired after the **date of this notice**. If you have **any** questions regarding your responsibility related to this notice, please contact the LDH-HSS Program Desk for your provider type at (225) 342-0138 or 1(800) 798-8675.

Thank you.

Cecile Castello, BSN, RN  
Director, LDH-HSS