

SENATE BILL NO. 53

BY SENATOR MCMATH

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AN ACT

To enact R.S. 40:1203.2(C)(3), relative to the employment of nonlicensed persons by certain health care providers; to provide for an exemption from the criminal history and security check requirement for certain rehired persons; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 40:1203.2(C)(3) is hereby enacted to read as follows:

§1203.2. Employment of nonlicensed persons and licensed ambulance personnel; training program enrollment of nonlicensed persons; mandatory criminal history and security checks; temporary employment; notice to applicants

* * *

C. * * *

(3) Notwithstanding any other provision of law to the contrary, any adult day health care provider and any home- and community-based service provider providing adult day care services may make an offer of employment to a nonlicensed person without conducting the criminal history and security check required pursuant to this Part if all of the following conditions are met:

(a) The nonlicensed person was employed by the provider on March 22, 2020.

(b) The provider was required to temporarily cease operations pursuant to Proclamation Number 33 JBE 2020, or any subsequent proclamation declaring the existence of a statewide COVID-19 public health emergency.

(c) The nonlicensed person is no longer employed by the provider as a result of the temporary closure mandated pursuant to Proclamation Number

