



State of Louisiana
Louisiana Department of Health
Office of the Secretary

March 10, 2026

Via Statutorily Prescribed Email

To: The Honorable Patrick McMath, Chairman, Senate Health & Welfare Committee
The Honorable Dustin Miller, Chairman, House Health & Welfare Committee

From: Bruce D. Greenstein
Secretary

A blue ink signature of Bruce D. Greenstein, consisting of a stylized "B" and "G" followed by a long horizontal line.

Re: Second Report to Proposed Amendments to LAC 48:I.9323, 9479, and 9501 –
Hospitals Licensing Standards

Pursuant to the Louisiana Administrative Procedure Act, the Louisiana Department of Health, Health Standards Section, submits its second report regarding the Hospitals – Licensing Standards, LAC 48:I.9323, 9479, and 9501.

A Notice of Intent on the proposed amendments was published in the September 20, 2025 issue of the *Louisiana Register* (LR 51:1494). Written comments were received, which the Department reviewed and determined substantive revisions were needed to the published Notice of Intent. An Item of Potpourri was published in the December 20, 2025 issue of the *Louisiana Register* (LR 51:2177) announcing a public hearing on the substantive revisions. A public hearing was held on February 4, 2026, with LDH employees and no members of the public in attendance.

Unless otherwise directed, the Department anticipates adopting the September 20, 2025 Notice of Intent, with substantive changes of the Potpourri included, when it is published as a final rule in the April 20, 2026 issue of the *Louisiana Register*.

Please contact Cynthia York, at Cynthia.York@la.gov, if you have any questions or require additional information about this matter.

Cc: Cecile Castello, Interim HSS Deputy Assistant Secretary, LDH
Kimberly Humbles, Assistant Counsel, LDH
Bethany Blackson, Director of External Affairs and Governmental Relations, LDH
Andrea Trantham, Editor, *Louisiana Administrative Code*, Office of the State Register

NOTICE OF INTENT

Department of Health Health Standards Section

Hospitals Licensing Standards
(LAC 48:I.9323, 9479, and 9501)

The Department of Health, Health Standards Section (the department), proposes to amend LAC 48:I.9323, §9479, and §9501 as authorized by R.S. 36:254 and R.S. 40:2100 – 2115. This proposed Rule is promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq.

The department proposes to amend provisions governing the licensing of hospitals to update hospital administrator requirements, and to clarify requirements of the director of nursing and registered nurse manager.

Title 48

PUBLIC HEALTH-GENERAL

Part I. General Administration

Subpart 3. Licensing and Certification

Chapter 93. Hospitals

Subchapter B. Hospital Organization and Services

§9323. Administration

A. In accordance with the hospital policy, there shall be a full-time administrator who is responsible for hospital operations. The administrator shall be given power by the governing body. Beginning June 1, 2025, no administrator shall be administrator of more than one licensed hospital.

1. The administrator may be an administrator of one additional licensed hospital, if the following terms are met:

- a. the additional hospital shall also be licensed for less than 50 beds; and
- b. the additional hospital shall not be under a settlement agreement with LDH.

B. - G.5. ...

AUTHORITY NOTE: Promulgated in accordance with R.S.36:254 and R.S. 40:2100-2115.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Office of the Secretary, LR 13:246 (April 1987), amended by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 21:177 (February 1995), LR 29:2407 (November 2003), amended by the Department of Health, Health Standards Section, LR 50:1481 (October 2024), LR 51:958 (July 2025), LR 51:

Subchapter P. Rehabilitation Services (Optional)

§9479. Organization and Staffing

A. - C. ...

D. A general hospital rehabilitation unit shall have a registered nurse (RN) as unit manager. The RN shall have at least one year of clinical nursing experience providing rehabilitative nursing care. The clinical nursing experience shall be in an acute care hospital's rehabilitation unit, or in a rehabilitation hospital. The unit shall provide:

1. 24-hour RN coverage; and
2. an adequate number of licensed nurses and rehabilitative workers to provide the nursing care necessary under each patient's active treatment program.

E. In a rehabilitation hospital, the director of nursing (DON) services shall be a full-time RN. The DON shall have three years clinical nursing experience. At least one year of clinical nursing experience shall be in providing rehabilitative nursing care in an acute care hospital's rehabilitation unit, or in a rehabilitation hospital. The hospital shall provide:

1. 24-hour RN coverage; and
2. an adequate number of licensed nurses and rehabilitative workers to provide the nursing care necessary under each patient's active treatment program.

F. - J.12. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and R.S. 40:2100-2115.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing LR 21:177 (February 1995), amended LR 29:2423 (November 2003), amended by the Department of Health, Health Standards Section, LR 50:1490 (October 2024), LR 51:

Subchapter R. Psychiatric Services (Optional)

§9501. Staffing

A. - B. ...

C. In a psychiatric hospital, the DON shall be a full-time RN.

1. A DON hired or promoted prior to May 31, 2026, shall meet the following criteria for education and experience:

a. - b. ...

c. a bachelor's, associate degree, or diploma in nursing with documented evidence of educational programs focused on treating psychiatric patients. The educational programs shall have occurred at intervals sufficient enough to keep the nurse current on psychiatric nursing techniques. In addition, the nurse shall have:

i. at least five years of nursing experience, three years of which were providing nursing care to the mentally ill:

- (a). in an acute care hospital's psychiatric unit; or
- (b). in a psychiatric hospital; or

ii. receive regular, documented supervision/consultation from a master's prepared psychiatric nurse.

2. A DON hired or promoted on or after June 1, 2026, shall meet the following criteria for education and experience:

a. ...

b. at least three years clinical RN experience in providing psychiatric nursing care. The psychiatric nurse care shall have been provided:

(i). in an acute care hospital's psychiatric unit; or

(ii). in a psychiatric hospital; and

c. on-going training in psychiatric nursing. A master's degree in psychiatric nursing equals on-going training. Training documentation shall be kept in the personnel file for the DON.

D. - I.3.c. ...

AUTHORITY NOTE: Promulgated in accordance with R.S.36:254 and R.S. 40:2100-2115.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 29:2426 (November 2003). amended by the Department of Health and Hospitals, Bureau of Health Services

Family Impact Statement

Pursuant to Act 1183 of the 1999 Regular Session of the Louisiana Legislature, the proposed Rule's impact on families has been considered. This proposed Rule is not expected to impact the family as described in R.S. 49:972.

Poverty Impact Statement

Pursuant to Act 854 of the 2012 Regular Session of the Louisiana Legislature, consideration has been given to the proposed Rule's impact on poverty. This proposed Rule is not expected to impact poverty or community asset development under R.S. 49:973.

Small Business Analysis

In compliance with the Small Business Protection Act, the economic impact of this proposed Rule on small businesses has been considered. It is anticipated that implementation of this proposed Rule may have an indeterminable impact in direct or indirect costs/savings for hospitals in FY 26, FY 27, and FY 28. Hospitals that choose to utilize the same administrator for more than one hospital may realize a cost savings in employee salaries. By complying with the proposed Rule change, hospitals may be required to pay a higher salary to employ RNs with specialized experience in certain types of positions.

Provider Impact Statement

In compliance with House Concurrent Resolution (HCR) 170 of the 2014 Regular Session of the Louisiana Legislature, the provider impact of this proposed Rule has been considered. It is anticipated that implementation of this proposed Rule may have an indeterminable impact in direct or indirect costs/savings for hospitals in FY 26, FY 27, and FY 28. Hospitals that choose to utilize the same administrator for more than one hospital may realize a cost savings in employee salaries. By complying with the proposed Rule change, hospitals may be required to pay a higher salary to employ RNs with specialized experience in certain types of positions.

Public Comments

Interested persons may submit written comments to Steffan W. Rutledge, Esq., Health Standards Section, P.O. Box 3767, Baton Rouge, LA 70821. Mr. Rutledge is responsible for responding to inquiries regarding this proposed Rule. The deadline for submitting written comments is at 4:30 p.m. on October 30, 2025.

Public Hearing

Interested persons may submit a written request to conduct a public hearing. The request may be mailed to the Office of the Secretary ATTN: LDH Rulemaking Coordinator, Post Office Box 629, Baton Rouge, LA 70821-0629. Such request must be received no later than 4:30 p.m. on October 10, 2025. If the criteria set forth in R.S. 49:953(A)(2)(a) are satisfied, LDH will conduct a public hearing. The public hearing shall be at 9:30 a.m. on October 28, 2025. The hearing shall be held in Room 118 of the Bienville Building 628 North Fourth Street, Baton Rouge, LA. To confirm whether or not a public hearing will be held, call Allen Enger at (225) 342-1342 after October 10, 2025. If a public hearing is to be held, all interested persons are invited to attend. Attendees may present data, views, comments, or arguments, orally or in writing.

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: Hospitals Licensing Standards

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

It is anticipated that implementation of this proposed Rule will have no programmatic fiscal impact to the state or local governmental units other than the cost of promulgation in FY 26. It is anticipated that \$648 SGR will be expended in FY 26 for the state's administrative expense for promulgation of this proposed Rule and the final Rule.

The department proposes to amend the provisions governing the licensing of hospitals in order to update hospital administrator requirements, and to clarify existing requirements for clinical nursing experience of the director of nursing and registered nurse (RN) manager.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

It is anticipated that implementation of this proposed Rule will have no impact on state or local revenue collections. This is a licensing Rule that does not add any licensing fees.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

It is anticipated that implementation of this proposed Rule may have an indeterminable impact in direct or indirect costs/savings for hospitals in FY 26, FY 27, and FY 28. Hospitals that choose to utilize the same administrator for more than one hospital may realize a cost savings in employee salaries. By complying with the proposed Rule change, hospitals may be required to pay a higher salary to employ RNs with specialized experience in certain types of positions.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

It is anticipated that this proposed Rule may have an indeterminable impact on the staffing level requirements or qualifications required to provide the same level of service. In certain situations, hospitals may utilize the same administrator for more than one hospital. Additionally, requiring a specific type of clinical RN experience may limit the hospitals' pool of candidates for certain positions.

Steffan W. Rutledge, Esq.
Medicaid Program Manager
2509#047

Alan M. Boxberger
Legislative Fiscal Officer
Legislative Fiscal Office

SUMMARY OF PUBLIC COMMENTS
NOI – Hospitals (LAC 48:I. 9323, 9479, 9501)
NOI Published September 20, 2025

Comments Received October 29, 2025

Paul Salles
President & CEO

La. Hospital Association

1) §9479. *Administration*. Stated that administrative structures utilized by the industry, particularly by our larger health systems, continually strive to eliminate duplication and unnecessary administrative costs while continuing to provide the highest quality care. While we support the requirement that a single individual be responsible for the operation of the facility, we do not believe that the regulation should prohibit an individual from serving as CEO or administrator of more than one licensed facility.

Proposed action: remove language – “no administrator shall be administrator of more than one licensed hospital”.

2) §9479. *Organization and Staffing*. Stated that the proposed rule greatly limits the candidates who can serve as a DON at a rehabilitation hospital to those who have experience in one of two narrow settings. A smaller candidate pool means it will be very difficult for rehabilitation hospitals to quickly replace DONs who separate from employment. This is exacerbated by the current nursing workforce shortage in Louisiana. As a result, rehabilitation hospitals will likely struggle to meet the requirements of this proposed rule, and over time, could be forced to make operational decisions that would ultimately reduce access to crucial rehabilitative care in Louisiana.

Proposed action: remove the limitation on clinical experience and broaden the language to include experience from any appropriate setting, which may include, but is not limited to: hospitals, comprehensive inpatient rehabilitation units, long-term care facilities, home healthcare agencies, skilled nursing facilities, clinics, community and governmental agencies, insurance companies, health maintenance organizations, schools and universities, and private practice.

Comments Received October 30, 2025

Matthew Wallace
CHRISTUS Health

1) Stated that the Internal Revenue Services and the Department of Labor ruled that nurses and nursing assistants working through Nurse Staffing Agencies are NOT Independent Contractors. If changes in Rule occurs, Nursing Homes and Hospitals would be liable for up to half of back wages, overtime wages, non-withholding of employee taxes, penalties, and interest assessments in addition to violating these workers’ right to receive healthcare under the Affordable Care Act due to the fact that these agencies would all fall under the large employer category whereby they are required to offer health insurance if they have 50 FTEs. Nurses, nursing assistants and other health care workers ARE NOT independent contractors.

Comments Received November 5, 2025

Andrew Baird
Encompass Health

1) §9479. *Organization and Staffing*. Stated that the new requirements for the director of nursing of a rehabilitation hospital will greatly limit the pool of candidates for that position.

SUMMARY OF PUBLIC COMMENTS

Potpourri – Hospitals (LAC 48:I. 9323, 9479, 9501)

Potpourri Published 12/20/25

Hearing date: December 4, 2025

No comments.

POTPOURRI
Department of Health
Health Standards Section

Notice of Public Hearing
Substantive Changes to Proposed Rule
Hospitals—Licensing Standards (LAC 48:1.9323 and 9479)

In accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the Department of Health, Health Standards Section (the department), published a Notice of Intent in the September 20, 2025 edition of the *Louisiana Register* (LR 51:1494-1495) to amend LAC 48:1.9323, §9479, and §9501 as authorized by R.S. 36:254. This Notice of Intent proposed to amend provisions governing the licensing of hospitals to update hospital administrator requirements, and to clarify requirements of the director of nursing and registered nurse manager.

As a result of comments received in response to the proposed Rule, the department determined that additional, non-technical revisions were necessary to the provisions of the September 20, 2025 Notice of Intent.

Taken together, these revisions will closely align the proposed Rule with the department's original intent and the concerns brought forth during the comment period for the Notice of Intent as originally published.

Title 48

PUBLIC HEALTH—GENERAL

Part I. General Administration

Subpart 3. Licensing and Certification

Chapter 93. Hospitals

Subchapter B. Hospital Organization and Services

§9323. Administration

A. In accordance with the hospital policy, there shall be a full-time administrator or administrator designee, who is responsible for hospital operations. The administrator or administrator designee shall be given power by the governing body.

1. - 1.b.Repealed.

B. - G.5....

AUTHORITY NOTE: Promulgated in accordance with R.S.36:254 and R.S. 40:2100-2115.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Office of the Secretary, LR 13:246 (April 1987), amended by the Department of Health and Hospitals,

Office of the Secretary, Bureau of Health Services Financing, LR 21:177 (February 1995), LR 29:2407 (November 2003), amended by the Department of Health, Health Standards Section, LR 50:1481 (October 2024), LR 51:958 (July 2025), LR 52:

Subchapter P. Rehabilitation Services (Optional)

§9479. Organization and Staffing

A. - C. ...

D. A general hospital rehabilitation unit shall have a registered nurse (RN) as unit manager. The RN shall have at least one year of clinical nursing experience providing rehabilitative nursing care. The unit shall provide:

1. - 2. ...

E. In a rehabilitation hospital, the director of nursing (DON) services shall be a full-time RN. The DON shall have three years clinical nursing experience. At least one year of clinical nursing experience shall be in providing rehabilitative nursing care. In addition to the DON services, the hospital shall provide:

E.1. - J.12....

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and R.S. 40:2100-2115.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing LR 21:177 (February 1995), amended LR 29:2423 (November 2003), amended by the Department of Health, Health Standards Section, LR 50:1490 (October 2024), LR 52:

Public Hearing

Interested persons may submit written comments to Cecile Castello, RN, Health Standards Section, P.O. Box 3767, Baton Rouge, LA 70821. Ms. Castello is responsible for responding to inquiries regarding this proposed Rule. A public hearing on the substantive changes to the proposed Rule is scheduled for February 4, 2026 at 9:30 a.m. in Room 118, Bienville Building, 628 North Fourth Street, Baton Rouge, LA. At that time all interested persons will be afforded an opportunity to submit data, views, or arguments either orally or in writing. The deadline for receipt of all written comments is February 5, 2026 at 4:30 p.m.

Bruce D. Greenstein
Secretary

2512#050



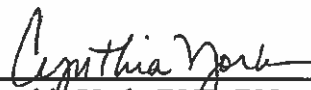
State of Louisiana
Louisiana Department of Health
Health Standards Section

PUBLIC HEARING CERTIFICATION
February 4, 2026
9:30 a.m.

RE: Hospitals Licensing Standards
Docket #02042026-01
Department of Health, Health Standards Section
State of Louisiana

CERTIFICATION

In accordance with LA R.S. 49:950 et seq., the attached public hearing agenda together with one digital recording of the public hearing conducted on February 4, 2026 in Baton Rouge, Louisiana constitute the official record of the above-referenced public hearing.



Cynthia York, DNP, RN
Health Standards Section

February 4, 2026

Date

LDH/HEALTH STANDARDS SECTION PUBLIC HEARING

Hospitals
Licensing Standards
Potpourri

February 4, 2026

PERSONS IN ATTENDANCE

Name	Address	Telephone Number	AGENCY or GROUP you represent
1. <i>Chmshu</i> <i>Pobenton</i>	628 N. 4th St	225-342-4020	LDH <i>Leard</i>
2. William Whetten	3rd Floor BREVILLE	225-342-6096	HSS
3. <i>Jenny Singh</i>	628 N. 4th 3rd floor	225-342-2471	HSS
4. Jennifer Hines	628 N. 4th St. 3rd floor	225-342-9340	HSS
5. Decie Castello	628 N 4th St 3rd floor	225 342 4997	HSS
6. Cynthia York	628 N 4th 2nd floor	225-342-9049	HSS

Jeff Landry
GOVERNOR



Bruce D. Greenstein
SECRETARY

State of Louisiana
Louisiana Department of Health
Health Standards Section

November 21, 2025

Mr. Paul Salles
President & CEO
Louisiana Hospital Association

Via email: psalles@lhaonline.org

RE: Notice of Intent for Hospitals – Licensing Standards (LAC 48:I.9323, 9479, 9501)

Dear Mr. Salles:

This letter is in response to your communication regarding the Notice of Intent (NOI) for hospitals licensing standards, which was published in the September 20, 2025 edition of the *Louisiana Register*.

The NOI revisions proposed to update the hospital administrator requirements, and to clarify requirements of the director of nursing and registered nurse manager. After thorough review and consideration, the Department has made the decision to amend the NOI and publish the updated version as a Potpourri in an upcoming edition of the *Louisiana Register*.

We appreciate your willingness to provide comments regarding amendments to the licensing provisions for hospitals, and hope that you will continue to work with us as we strive to improve healthcare outcomes for Louisiana citizens.

Should you have any questions or comments regarding Health Standards Section (HSS) administrative rulemaking activity, you may contact Dr. Cynthia York, HSS Rulemaking Liaison at 225-342-9049 or by email to Cynthia.york@la.gov.

Sincerely,

Signed by:

A handwritten signature in cursive that reads "Cecile Castello".

Cecile Castello, RN

Interim, Deputy Assistant Secretary
LDH HSS

cc: Kimberly Humbles, Esq.
Christina Robertson, Esq.

Jeff Landry
GOVERNOR



Bruce D. Greenstein
SECRETARY

State of Louisiana
Louisiana Department of Health
Health Standards Section

November 21, 2025

Mr. Andrew Baird
SVP, Public Policy, Legislation & Regulations
Encompass Health

Via email: encompasshealth.com

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Sincerely,
Signed by:

Handwritten signature of Cecile Castello in blue ink.

Cecile Castello, RN

Interim, Deputy Assistant Secretary
LDH HSS

cc: Kimberly Humbles, Esq.
Christina Robertson, Esq.

Jeff Landry
GOVERNOR



Bruce D. Greenstein
SECRETARY

State of Louisiana
Louisiana Department of Health
Health Standards Section

November 21, 2025

Mr. Matthew Wallace
CHRISTUS Health

Via email: matthew.wallace@christushealth.org

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Cecile Castello, RN

Interim, Deputy Assistant Secretary
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cc: Kimberly Humbles, Esq.
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State of Louisiana
Louisiana Department of Health
Health Standards Section

November 21, 2025

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SVP, Public Policy, Legislation & Regulations
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Via email: encompasshealth.com

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State of Louisiana
Louisiana Department of Health
Health Standards Section

November 21, 2025

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CHRISTUS Health

Via email: matthew.wallace@christushealth.org

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