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August 28, 2012

Gov. Jindal Issues Health-Focused Executive Orders to Aid Isaac Response

Baton Rouge – Louisiana Gov. Bobby Jindal today issued two executive orders that will aid the Louisiana Department of Health and Hospitals' response to Hurricane Isaac.

Executive order BJ-2012-11 allows DHH to temporarily suspend the state licensing requirements for emergency medical technicians (EMTs). This will allow people who are licensed EMTs from other states to offer their services in Louisiana immediately in response to Hurricane Isaac, so they can provide medical assistance to those in need.

Surge ambulances and EMT teams are arriving in Louisiana from other states to assist with the State's response to Hurricane Isaac.

Executive order BJ-2012-12 allows DHH, at its discretion, to give licensed nursing home facilities permission to temporarily exceed their licensed bed capacity if they are providing accommodations for nursing home residents who have evacuated from areas affected by Hurricane Isaac.

As of Tuesday morning, Aug. 28, eight nursing homes in the Greater New Orleans and South Central Louisiana regions have reported evacuating residents to other nursing homes away from Isaac's projected path, with more facilities anticipated to evacuate.

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EXECUTIVE ORDER NO. BJ 2012 - 11

DECLARATION OF PUBLIC HEALTH EMERGENCY AND TO TEMPORARILY SUSPEND LICENSURE REQUIREMENTS FOR EMERGENCY MEDICAL TECHNICIANS

WHEREAS, pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, et seq., a state of emergency was declared through Proclamation No. 92 BJ 2012;

WHEREAS, Tropical Storm Isaac is currently located in the Gulf of Mexico, moving northwestward;

WHEREAS, the National Weather Service forecasts Tropical Storm Isaac to strengthen into a hurricane within the next 24 hours and has issued a hurricane watch for southeastern Louisiana;

WHEREAS, this storm poses a threat to citizens and communities across the Gulf Coast and creates conditions which place lives and property in the State in jeopardy;

WHEREAS, there is a need to immediately supplement the number of licensed Emergency Medical Technicians, including the designations of Emergency Medical Technician (EMT), Advanced EMT, Paramedic, EMT-Basic (EMT-B), EMT-Intermediate (EMT-I), and EMT-Paramedic (EMT-P), currently available to this State to respond to this emergency in order to serve those which might be affected by this emergency;

WHEREAS, Emergency Medical Technicians, including the designations of Emergency Medical Technician (EMT), Advanced EMT, Paramedic, EMT-Basic (EMT-B), EMT-Intermediate (EMT-I), and EMT-Paramedic (EMT-P), licensed in states other than Louisiana are available to provide medical aid and assistance to those persons affected by this emergency.

WHEREAS, R.S. 29:724 authorizes the Governor during a declared state of emergency to suspend the provisions of any state regulatory statute prescribing procedures for conducting state business, or the orders, rules or regulations of any State agency, if strict compliance with the provision of any statute, order, rule, or regulation would in any way prevent, hinder, or delay necessary action in coping with the emergency;

WHEREAS, the Secretary of the Department of Health and Hospitals and the State Health Officer have requested that the Louisiana statutes, laws, rules, and regulations related to licensing of Emergency Medical Technicians, including designations of Emergency Medical Technician (EMT), Advanced EMT,

Paramedic, EMT-Basic (EMT-B), EMT-Intermediate (EMT-I), and EMT-Paramedic (EMT-P), be temporarily suspended for those such persons duly licensed to practice in other states who wish to provide their services in Louisiana to those persons needing medical services as a result of this emergency;

NOW THEREFORE, I, BOBBY JINDAL, Governor of the State of Louisiana, by virtue of the authority vested by the Constitution and the laws of the State of Louisiana, do hereby order and direct as follows:

SECTION 1: Pursuant to Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:724, et seq., and more specifically, R.S. 29:766, a state of public health emergency is hereby declared.

SECTION 2: The Louisiana statutes, laws, rules, and regulations regarding the licensure of Emergency Medical Technicians, including designations of Emergency Medical Technician (EMT), Advanced EMT, Paramedic, EMT-Basic (EMT-B), EMT-Intermediate (EMT-I), and EMT-Paramedic (EMT-P), are hereby temporarily suspended for Emergency Medical Technicians duly licensed to practice in other states who wish to provide their services to those persons needing services as a result of this declared emergency. An individual currently licensed and in good standing as an Emergency Medical Technician, including designations of Emergency Medical Technician (EMT), Advanced EMT, Paramedic, EMT-Basic (EMT-B), EMT-Intermediate (EMT-I), and EMT-Paramedic (EMT-P), in another state may practice in Louisiana, subject to the following conditions, qualifications, and parameters:

A. The individual must be duly licensed and in good standing in another state.

B. Prior to practicing in Louisiana pursuant to this Order, the individual shall submit to the State Health Officer (or his designee) a copy of the individual's out-of-state license and photo identification. Such information may be provided by contacting the Office of Public Health, Bureau of EMS at 225-925-7200 or 225-354-3533.

C. The individual shall not exceed the applicable scope of practice applicable to his license, as provided for by applicable law of the state in which he is licensed; the individual must practice in good faith and within the reasonable scope of his/her skills, training, ability, and competency.

D. The individual must cease practicing in Louisiana upon the termination or rescission of this Order or of the declared state of emergency cited herein, or any extension thereof.

SECTION 3: This Order is effective upon signature and shall apply unless amended, modified, rescinded, or terminated by the Governor, or terminated by operation of law.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana, at the Capitol, in the city of Baton Rouge, on this 27th day of August, 2012.

Bobby Jindal
Governor of Louisiana

EXECUTIVE ORDER NO. BJ 2012 – 12

LICENSED BED CAPACITY FOR NURSING HOMES

WHEREAS, pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, et seq., a state of emergency was declared through Proclamation No. 92 BJ 2012;

WHEREAS, Tropical Storm Isaac is currently located in the Gulf of Mexico, moving northwestward;

WHEREAS, the National Weather Service forecasts Tropical Storm Isaac to strengthen into a hurricane within the next 24 hours and has issued a hurricane warning for southeastern Louisiana;

WHEREAS, this storm poses a threat to citizens and communities across the Gulf Coast and creates conditions which place lives and property in the state in jeopardy;

WHEREAS, the State of Louisiana desires to promote and protect the health, safety, and well-being of all Louisiana residents, and specifically those residents in nursing facilities;

WHEREAS, R.S. 40:2116(D)(2) prohibits the Department of Health and Hospitals from approving additional beds in nursing facilities;

WHEREAS, the State of Louisiana desires that residents in nursing facilities be able to temporarily evacuate to safe sheltering locations during an emergency; and

WHEREAS, the State of Louisiana, recognizing the potential significance of Tropical Storm/Hurricane Isaac, desires to minimize the impact of the Tropical Storm/Hurricane on the residents of nursing facilities;

WHEREAS, R.S. 29:724 authorizes the Governor during a declared state of emergency to suspend the provisions of any State regulatory statute prescribing procedures for conducting State business, or the orders, rules or regulations of any State agency, if strict compliance with the provision of any State statute,

order, rule, or regulation would in any way prevent, hinder, or delay necessary action in coping with the emergency;

NOW THEREFORE, I, BOBBY JINDAL, Governor of the State of Louisiana, by virtue of the authority vested by the Constitution and the laws of the State of Louisiana, do hereby order and direct as follows:

SECTION 1: The Secretary of the Department of Health and Hospitals may, at his discretion, establish such protocols, policies, and procedures as to allow a licensed nursing facility which accepts or receives evacuated residents to temporarily exceed its licensed bed capacity in the event of a declared emergency.

SECTION 2: The Secretary of the Department of Health and Hospitals may establish such protocols, policies, and procedures without strict compliance with the requirements and provisions of the Administrative Procedure Act.

SECTION 3: This Order is effective upon signature and shall remain in effect until amended, modified, terminated or rescinded by the Governor, or terminated by operation of law.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana, at the Capitol, in the city of Baton Rouge, on this 27th day of August, 2012.

Bobby Jindal
Governor of Louisiana

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