



EXECUTIVE DEPARTMENT  
OFFICE OF THE GOVERNOR  
EXECUTIVE ORDER NUMBER JML 24-143

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***STATE OF EMERGENCY  
LICENSED BED CAPACITY FOR NURSING HOMES***

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**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 Executive Order No. JML 24-142.

**WHEREAS**, the National Weather Service has issued a warning that this storm has the potential to become a Category 2 hurricane before making landfall somewhere along the coast of Louisiana, just west of the Atchafalaya River;

**WHEREAS**, the storm could result in flash flooding, ponding in low-lying areas, rises on area rivers, and tropical force winds; there is a possibility of life-threatening inundation over the next 72 hours;

**WHEREAS**, the National Weather Service has issued a Hurricane Warning for Assumption, Coastal Jefferson Parish, Iberville, Lower Lafourche, Lower Terrebonne; Upper Lafourche, and Upper Terrebonne;

**WHEREAS**, the National Weather Service has issued a Tropical Storm Warning for Amite, Central Plaquemines, Central Tangipahoa, East Baton Rouge, East Feliciana, Eastern Ascension, Eastern Orleans, Lower Jefferson, Lower Plaquemines, Lower St. Bernard, Lower Tangipahoa, Northern Livingston, Northern St. Tammany, Northern Tangipahoa, Pointe Coupee, Southeast St. Tammany, Southern Livingston, Southwestern St. Tammany, St. Charles, St. Helena, St. James, St. John The Baptist, Upper Jefferson, Upper Plaquemines, Upper St. Bernard, West Baton Rouge, West Feliciana, Western Ascension, and Western Orleans;

**WHEREAS**, multiple parishes have called for evacuations, including Jefferson, Terrebonne, Cameron, Plaquemine, and Iberia;

**WHEREAS**, the State of Louisiana desires to promote and protect the health, safety, and well-being of evacuees from Tropical Storm Francine and specifically those evacuees needing nursing facility services;

**WHEREAS**, the State of Louisiana desires to ensure the protection of such residents and evacuees in nursing facilities in times of declared emergencies;

**WHEREAS**, R.S. 40:2116.1(B)(1) prohibits the Department of Health from approving additional beds in nursing facilities;

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

**WHEREAS**, the State of Louisiana 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 or disaster 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;

**NOW THEREFORE, I, JEFF LANDRY**, Governor of the State of Louisiana, by virtue of the authority vested by the Constitution and laws of the State of Louisiana, order and direct as follows:

Section 1: The provisions of La. R.S. 40:2116.1(B)(1) are hereby suspended for the purpose of allowing the Secretary of the Department of Health and the Louisiana Surgeon General, at their discretion, to 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/or the Louisiana Surgeon General 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 continue in effect from Tuesday, September 10, 2024, until Thursday, October 10, 2024, unless amended, modified, terminated, or rescinded earlier 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 in the City of Baton Rouge, on this 10<sup>th</sup> day of September, 2024.

  
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JEFF LANDRY  
GOVERNOR OF LOUISIANA

ATTEST BY THE  
SECRETARY OF STATE

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Nancy Landry  
SECRETARY OF STATE