



LNHA Regulatory Update: August 2025

Final Rule

The Louisiana Department of Health (LDH) Health Standards Section (the department) published a Notice of Intent in the February 20, 2025, edition of the *Louisiana Register* to amend LAC 48:I.9701 and §9759 as authorized by R.S. 36:254 and R.S. 40:2009.1–2116.2. This Notice of Intent proposed to amend the licensing provisions for nursing facilities to require nursing facilities to verify certified nurse aides (CNAs) against the 1) [Louisiana certified nurse aide registry \(LCNAR\)](#), 2) the [Louisiana Adverse Actions List](#) and 3) the Office of Inspector General's (OIG) [List of Excluded Individuals and Entities](#) (LEIE) **prior to hire and on a monthly basis thereafter**. These checks are intended to ensure that no prospective, current or contracted CNA has a finding.

The proposed rule has been properly promulgated in accordance with the Administrative Procedures Act and is effective immediately. The rule can be found starting on page 53 of the [PDF](#). The text is as follows:

§9701. Definitions

Direct Service Worker Registry—the Louisiana adverse actions list maintained by the department, or its designee, of unlicensed persons who have a finding placed against them of abuse, neglect, misappropriation, exploitation, or extortion while employed, or contracted as a direct service worker (DSW) at a licensed healthcare facility or entity, who is ineligible to be employed, contracted, or continue to be employed or contracted as a DSW.

§9759 Criminal History Provisions and Screening

- A. ...
- B. Prior to hire and then monthly thereafter, the nursing facility (NF) shall access the Louisiana certified nurse aide registry (LCNAR), the Louisiana adverse actions list, and the Office of Inspector General's (OIG) list of excluded individuals and entities (LEIE) to determine if there is a finding that a prospective hire or currently employed or contracted CNA has been determined to have committed exploitation, extortion, abuse or neglect of an individual in the care of the CNA, or there has been a misappropriation of the individual's property or funds. If there is such a finding on either database, the prospective employee shall not be hired as a CNA nor shall a current or contracted CNA have continued employment with the NF.
- C. - D. ...

Questions

If you have comments or concerns regarding this update, contact LNHA Legal and Policy Director Wes Hataway at whataway@lnha.org.