HLS 15RS-445 ENGROSSED

2015 Regular Session

1

HOUSE BILL NO. 177

BY REPRESENTATIVE WHITNEY

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

EXCEP PERSON/DEV DISABLE: Provides relative to roles of human services authorities and districts in implementation of the Developmental Disability Law

AN ACT

2	To amend and reenact R.S. 28:451.2(2) and (15)(introductory paragraph), 451.3(A) and (C)
3	through (G), 451.4(B), and 455.2(B), to enact R.S. 28:915(B)(9), and to repeal R.S.
4	28:451.2(23), relative to implementation of the Developmental Disabilities Law; to
5	provide for responsibilities of human services authorities and districts within the
6	developmental disabilities services system; to provide for functions of advisory
7	committees of human services authorities and districts; to delete outdated references
8	to regional offices and state developmental centers of the office for citizens with
9	developmental disabilities within the Department of Health and Hospitals; and to
10	provide for related matters.
11	Be it enacted by the Legislature of Louisiana:
12	Section 1. R.S. 28:451.2(2) and (15)(introductory paragraph), 451.3(A) and (C)
13	through (G), 451.4(B), and 455.2(B) are hereby amended and reenacted and R.S.
14	28:915(B)(9) is hereby enacted to read as follows:
15	§451.2. Definitions
16	As used in this Chapter, the following words, terms, and phrases shall have
17	the meaning ascribed to them in this Section, except when the context clearly
18	indicates a different meaning:
19	* * *

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CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

1	(2) "Administrative units" means developmental centers, regional offices and
2	any other unit established under the administration and supervision of the office.
3	* * *
4	(15) "Human services authority or district" means a regional or other
5	locally-based agency established by state law with special authority or district
6	provided for in Chapter 21 of this Title that has assigned powers, duties, and
7	functions regarding the delivery of mental health, developmental disabilities, and
8	addictive disorders services funded by appropriations from the state and provided
9	through memoranda of agreement with the program offices of the department.
10	Human In addition to any other duties prescribed in this Title, human services
11	authorities and districts are responsible for all of the following:
12	* * *
13	§451.3. Administration of the provisions of this Chapter; regional advisory
14	committees; state advisory committee; responsibilities of human services
15	authorities and districts; advisory committees
16	A. The provisions of this Chapter shall be administered and coordinated by
17	the office according to regulations promulgated by the office in accordance with the
18	Administrative Procedure Act with input from state and regional local advisory
19	committees. These rules shall be applicable to all public and private providers of
20	developmental disabilities services. The office, through regional offices and human
21	services authorities and districts, shall serve as the single point of entry into the
22	system.
23	* * *
24	C. The human services authorities and districts authorized by state law shall
25	be responsible for meeting the requirements assigned to the office by this Chapter
26	for regional local developmental disabilities services delivery, development, and
27	implementation in the area of their geographic assignment.
28	D. The office shall establish regional advisory committees.

1	(1) Human services authorities and districts shall maintain advisory
2	<u>committees</u> . These advisory committees shall perform <u>all of</u> the following <u>functions</u> :
3	(a) Provide public input into the regional authority or district planning
4	process and comment on regulations proposed by the office.
5	(b) Receive timely information on the budget of the office budgets of their
6	respective human services authorities and districts, in addition to information on
7	implementation of all services and quality assurance reports by the office those
8	authorities and districts, and advise the regional offices and human services
9	authorities and districts.
10	(c) Collaborate with the regional offices and human services authorities and
11	districts to develop outreach plans for each region geographic area. Such outreach
12	plans shall provide for public dissemination of information regarding developmental
13	disabilities and the services available through the regional offices and human
14	services authorities and districts.
15	(2) These advisory committees Each advisory committee shall be composed
16	of a minimum of twelve members who represent positions and philosophies held by
17	various groups and advocates for persons with developmental disabilities and. The
18	membership of each advisory committee shall include, but not be limited to:
19	(a) Persons with developmental disabilities.
20	(b) Parents and family members representing a cross section of
21	developmental disabilities services.
22	(c) Private providers.
23	(d) Representatives of advocacy organizations and community stakeholders
24	representing a cross section of developmental disabilities services.
25	(e) Public providers and administrators of regional administrative units and
26	human services authorities and districts, who may be appointed as ad hoc, non-voting
27	members of regional advisory committees the advisory committee.
28	E. The regional local authority, organized as either a regional office or a
29	human services authority or district, shall discharge the following duties:

1	(1) Appoint the committee members from names submitted by consumer,
2	provider, and advocacy groups, with the approval of the assistant secretary of the
3	office, who shall ensure that committee composition is in compliance with the state
4	law.
5	(2) Sixty Ensure that at least sixty percent of the membership shall be of
6	each committee is composed of persons with developmental disabilities and parents
7	and family members representing a cross section of developmental disabilities
8	services.
9	F.(1) The office shall establish a state advisory committee which shall be
10	organized as follows:
11	(a) Provide public input to the office regarding proposed regulations and the
12	development of state planning and budget.
13	(b) (a) The state advisory committee shall consist of at least two people from
14	each region, authority, human services authority or district advisory committee.
15	(c) Sixty (b) At least sixty percent of the membership shall be comprised of
16	persons with developmental disabilities and parents and family members
17	representing a cross section of developmental disabilities services.
18	(2) (c) The membership of the state advisory committee shall include at a
19	minimum, but not be limited to the following:
20	(a) (i) Persons with developmental disabilities.
21	(b) (ii) Parents and family members representing persons who receive a cross
22	section of developmental disabilities services.
23	(c) (iii) Private providers.
24	(d) (iv) A representative of the American Federation of State, County, and
25	Municipal Employees Council #17.
26	$\frac{(e)}{(v)}$ Representatives of advocacy organizations representing a cross section
27	of developmental disabilities services.

1	(f) (vi) Public providers and administrators of regional local administrative
2	units and human services authorities and districts, who may be appointed as ad hoc,
3	non-voting members of the state advisory committee.
4	(3) (2) The assistant secretary of the office shall appoint the committee
5	members, with the approval of the secretary of the department, from names
6	submitted by the regional advisory committees.
7	(4) (3)(a) The state advisory committee shall coordinate with all regional
8	human services authority and district advisory committees, and shall use data
9	provided by the regional advisory those committees in the deliberations of the
10	committee.
11	(b) The state advisory committee shall provide public input to the office
12	regarding proposed regulations and the development of state planning and budget.
13	G. The regulations promulgated by the office pursuant to this Section shall:
14	(1) Promote coordination among the office, human services authorities and
15	districts, and state and regional local advisory committees.
16	(2) Promote responsiveness by the office and human services authorities and
17	districts to input from persons who receive developmental disabilities services and
18	family members and providers regarding the delivery of services.
19	* * *
20	§451.4. State developmental centers; office for citizens with developmental
21	disabilities
22	* * *
23	B. Pinecrest Supports and Services Center, Northwest Supports and Services
24	Center, and North Lake Supports and Services Center are is continued as an
25	administrative units unit of this office.
26	* * *
27	§455.2. Assurances of consistency with regional local and state planning
28	* * *

1	B. The office shall promptly review the application and may approve it
2	according to its consistency with the state and regional local planning and review for
3	approval of the program model for the population to be served. The provider shall
4	submit the finding of the office as an attachment to its initial request for licensure to
5	the department.
6	* * *
7	§915. Districts; functions, powers, and duties
8	* * *
9	B. In addition to the functions as provided in Subsection A of this Section,
10	the district shall have the following powers and duties:
11	* * *
12	(9) To carry out responsibilities relative to developmental disabilities
13	services delivery provided in R.S. 28:451.3.
14	* * *
15	Section 2. R.S. 28:451.2(23) is hereby repealed in its entirety.
16	Section 3. This Act shall become effective upon signature by the governor or, if not
17	signed by the governor, upon expiration of the time for bills to become law without signature
18	by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
19	vetoed by the governor and subsequently approved by the legislature, this Act shall become
20	effective on the day following such approval.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 177 Engrossed

2015 Regular Session

Whitney

Abstract: Provides relative to roles of human services authorities and districts in implementation of the Developmental Disability Law and deletes references to regional offices and state developmental centers of the Dept. of Health and Hospitals that are no longer in operation.

<u>Present law</u> known as the "Developmental Disability Law" (R.S. 28:451.1 et seq.) provides for a statewide system of services to be administered by the office for citizens with developmental disabilities of the Department of Health and Hospitals (DHH).

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CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

Proposed law makes the following revisions to present law:

(1) Clarifies roles and responsibilities of human services authorities and districts within the developmental disabilities services system.

- (2) Deletes references to regional offices and state developmental centers of DHH that are no longer in operation.
- (3) Deletes the defined term "regional office" and its corresponding definition.
- (4) Amends provisions referring to certain advisory committees and planning processes to specify that such groups and functions are local instead of regional.
- (5) Makes technical changes.

<u>Proposed law</u> otherwise retains <u>present law</u>.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 28:451.2(2) and (15)(intro. para.), 451.3(A) and (C)-(G), 451.4(B), and 455.2(B); Adds R.S. 28:915(B)(9); Repeals R.S. 28:451.2(23))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by <u>House Committee on Health and Welfare</u> to the original bill:

1. Make a grammatical correction.