2015 Regular Session

HOUSE BILL NO. 177

1

## BY REPRESENTATIVE WHITNEY

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 Disability 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7	committees of human services authorities and districts; to delete outdated references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	* * *
20	(2) "Administrative units" means developmental centers, regional offices and
21	any other unit established under the administration and supervision of the office.
22	* * *

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CODING: Words in struck through type are deletions from existing law; words  $\underline{\text{underscored}}$  are additions.

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(15) "Human services authority or district" means a regional or other locally-based agency established by state law with special authority or district provided for in Chapter 21 of this Title that has assigned powers, duties, and functions regarding the delivery of mental health, developmental disabilities, and addictive disorders services funded by appropriations from the state and provided through memoranda of agreement with the program offices of the department. Human In addition to any other duties prescribed in this Title, human services authorities and districts are responsible for all of the following:

\* \* \*

§451.3. Administration of the provisions of this Chapter; regional advisory committees; state advisory committee; responsibilities of human services authorities and districts; advisory committees

A. The provisions of this Chapter shall be administered and coordinated by the office according to regulations promulgated by the office in accordance with the Administrative Procedure Act with input from state and regional <u>local</u> advisory committees. These rules shall be applicable to all public and private providers of developmental disabilities services. The office, through regional offices and human services authorities and districts, shall serve as the single point of entry into the system.

\* \* \*

C. The human services authorities and districts authorized by state law shall be responsible for meeting the requirements assigned to the office by this Chapter for regional <u>local</u> developmental disabilities services delivery, development, and implementation in the area of their geographic assignment.

- D. The office shall establish regional advisory committees.
- (1) <u>Human services authorities and districts shall maintain advisory</u> committees. These advisory committees shall perform all of the following functions:
- (a) Provide public input into the regional authority or district planning process and comment on regulations proposed by the office.

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

office, who shall ensure that committee composition is in compliance with the state

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law.

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1	(2) Sixty Ensure that at least sixty percent of the membership shall be of
2	each committee is composed of persons with developmental disabilities and parents
3	and family members representing a cross section of developmental disabilities
4	services.
5	F.(1) The office shall establish a state advisory committee which shall be
6	organized as follows:
7	(a) Provide public input to the office regarding proposed regulations and the
8	development of state planning and budget.
9	(b) (a) The state advisory committee shall consist of at least two people from
10	each region, authority, human services authority or district advisory committee.
11	(c) Sixty (b) At least sixty percent of the membership shall be comprised of
12	persons with developmental disabilities and parents and family members
13	representing a cross section of developmental disabilities services.
14	(2) (c) The membership of the state advisory committee shall include at a
15	minimum, but not be limited to the following:
16	(a) (i) Persons with developmental disabilities.
17	(b) (ii) Parents and family members representing persons who receive a cross
18	section of developmental disabilities services.
19	(c) (iii) Private providers.
20	(d) (iv) A representative of the American Federation of State, County, and
21	Municipal Employees Council #17.
22	(e) $(v)$ Representatives of advocacy organizations representing a cross section
23	of developmental disabilities services.
24	(f) (vi) Public providers and administrators of regional local administrative
25	units and human services authorities and districts, who may be appointed as ad hoc,
26	non-voting members of the state advisory committee.
27	(3) (2) The assistant secretary of the office shall appoint the committee
28	members, with the approval of the secretary of the department, from names
29	submitted by the regional advisory committees.

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1	(4) (3)(a) The state advisory committee shall coordinate with all regional
2	human services authority and district advisory committees, and shall use data
3	provided by the regional advisory those committees in the deliberations of the
4	committee.
5	(b) The state advisory committee shall provide public input to the office
6	regarding proposed regulations and the development of state planning and budget.
7	G. The regulations promulgated by the office pursuant to this Section shall:
8	(1) Promote coordination among the office, human services authorities and
9	districts, and state and regional local advisory committees.
10	(2) Promote responsiveness by the office and human services authorities and
11	districts to input from persons who receive developmental disabilities services and
12	family members and providers regarding the delivery of services.
13	* * *
14	§451.4. State developmental centers; office for citizens with developmental
15	disabilities
16	* * *
17	B. Pinecrest Supports and Services Center, Northwest Supports and Services
18	Center, and North Lake Supports and Services Center are is continued as an
19	administrative units unit of this office.
20	* * *
21	§455.2. Assurances of consistency with regional <u>local</u> and state planning
22	* * *
23	B. The office shall promptly review the application and may approve it
24	according to its consistency with the state and regional local planning and review for
25	approval of the program model for the population to be served. The provider shall
26	submit the finding of the office as an attachment to its initial request for licensure to
27	the department.
28	* * *
29	§915. Districts; functions, powers, and duties
30	* * *

1 B. In addition to the functions as provided in Subsection A of this Section, 2 the district shall have the following powers and duties: 3 4 (9) To carry out responsibilities relative to developmental disabilities services delivery provided in R.S. 28:451.3. 5 6 7 Section 2. R.S. 28:451.2(23) is hereby repealed in its entirety. 8 Section 3. This Act shall become effective upon signature by the governor or, if not 9 signed by the governor, upon expiration of the time for bills to become law without signature 10 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If 11 vetoed by the governor and subsequently approved by the legislature, this Act shall become 12 effective on the day following such approval. SPEAKER OF THE HOUSE OF REPRESENTATIVES PRESIDENT OF THE SENATE GOVERNOR OF THE STATE OF LOUISIANA

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APPROVED: \_\_\_\_