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**SENATE COMMITTEE AMENDMENTS**

2018 Regular Session

Amendments proposed by Senate Committee on Finance to Original Senate Bill No. 347 by  
Senator Hewitt

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1 AMENDMENT NO. 1

2 On page 1, line 2, change "R.S. 28:826" to "R.S. 39:100.61"

3 AMENDMENT NO. 2

4 On page 1, line 3, after "provide for" delete the remainder of the line and insert "the  
5 definition of "waiver services"; to provide for the Louisiana Department of Health in  
6 consultation with the Louisiana Developmental Disabilities Council to develop a plan for  
7 appropriations out of the New Opportunities Waiver Fund;"

8 AMENDMENT NO. 3

9 On page 1, line 4, delete "Family Support System Fund;"

10 AMENDMENT NO. 4

11 On page 1, line 6, change "R.S. 28:826" to "R.S. 39:100.61"

12 AMENDMENT NO. 5

13 On page 1, delete lines 7 through 17, on page 2, delete lines 1 through 28, and insert the  
14 following:

15 "§100.61. New Opportunities Waiver Fund

16 A. There is hereby created in the state treasury, as a special fund, the New  
17 Opportunities Waiver Fund, hereinafter referred to as the "fund."

18 B.(1) The source of monies in the fund shall be as follows:

19 (a) In any fiscal year, the state treasurer is directed to deposit twelve percent  
20 of all recurring state general fund revenue, not to exceed fifty million dollars in any  
21 fiscal year, as recognized by the Revenue Estimating Conference in excess of the  
22 Official Forecast at the beginning of the current fiscal year into the New  
23 Opportunities Waiver Fund, and monies in the fund from this Subparagraph shall be  
24 used for appropriation in the ensuing fiscal year.

25 (b) Monies designated for the fund and received by the state treasurer from  
26 donations, gifts, grants, appropriations, or other revenue.

27 (2) Monies in the fund shall be invested in the same manner as monies in the  
28 state general fund. Interest earned on investment of monies in the fund shall be  
29 credited to this fund. Unexpended and unencumbered monies in the fund at the end  
30 of the fiscal year shall remain in the fund.

31 **(3) For the purposes of this Section, "waiver services" means Medicaid**  
32 **services provided under the New Opportunities Waiver, the Children's Choice**  
33 **Waiver, or any other Medicaid home and community based waiver for persons**  
34 **with developmental disabilities as promulgated by rule by the Louisiana**  
35 **Department of Health. The Louisiana Department of Health shall consult with**  
36 **the Louisiana Developmental Disabilities Council to develop a plan for**  
37 **appropriations out of this fund.**

38 C. Subject to an appropriation by the legislature, monies in the New  
39 Opportunities Waiver Fund **fund** shall be used solely to fund the New Opportunities  
40 Waiver program **waiver services, as defined in this Section, to improve the**  
41 **capacity of the state to meet the varying and complex needs of individuals with**  
42 **developmental disabilities, with emphasis on increasing the number of**  
43 **recipients of waiver services, and** administered by the Louisiana Department of  
44 Health. Such funding shall be used for the purpose of adding additional waiver slots

1 ~~and~~ shall not be used to supplant appropriations from the general fund for ~~the New~~  
2 ~~Opportunities Waiver program~~ **waiver services as defined in this Section**. Nothing  
3 contained in this Subpart shall prohibit the legislature from appropriating additional  
4 monies for ~~the New Opportunities Waiver slot program~~ **waiver services as defined**  
5 **in this Section**."