

2020 Regular Session

SENATE BILL NO. 53

BY SENATOR MCMATH

FEES/LICENSES/PERMITS. Provides for therapeutic group homes licensed by the Louisiana Department of Health. (gov sig)

1 AN ACT

2 To amend and reenact R.S. 40:2008.10(A)(1)(b) and (2), relative to the Louisiana
3 Department of Health; to make technical corrections to provisions for licensing of
4 therapeutic group homes; to provide for an effective date; and to provide for related
5 matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 40:2008.10(A)(1)(b) and (2) are hereby amended and reenacted to
8 read as follows:

9 §2008.10. Therapeutic group homes licensed by the Louisiana Department of
10 Health; state central registry of child abuse and neglect; criminal
11 background checks

12 A.(1)(a) * * *

13 (b) This Section shall not apply to contractors and other individuals providing
14 a service at the therapeutic group home who are not employees, volunteers, interns,
15 or contracted members of the ~~state~~ **staff** of the therapeutic group home, including but
16 not limited to plumbers, landscapers, or visiting resources.

17 (2) The Louisiana Department of Health shall request, consistent with the

1 provisions of ~~R.S. 15:587.2~~ **R.S. 15:587.1.2**, from the Bureau of Criminal
 2 Identification and Information, information concerning whether or not any of the
 3 persons listed in Paragraph (1) of this Subsection has been arrested for, convicted of,
 4 or pled nolo contendere to any criminal offense.

5 * * *

6 Section 2. This Act shall become effective upon signature by the governor or, if not
 7 signed by the governor, upon expiration of the time for bills to become law without signature
 8 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 9 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 10 effective on the day following such approval.

The original instrument and the following digest, which constitutes no part
 of the legislative instrument, were prepared by Thomas L. Tyler.

DIGEST

SB Original 2020 Regular Session McMath

Present law provides for therapeutic group homes licensed by the Louisiana Department of Health (LDH) and applies to the following persons:

- (1) Any person who owns, operates, or manages a licensed therapeutic group home.
- (2) Any person who has applied for a license to operate a therapeutic group home.
- (3) Any person who is employed by, is contracted by, volunteers at, or interns with a therapeutic group home.
- (4) Any person who has applied to be employed or contracted by a therapeutic group home.
- (5) Any person who has applied to volunteer or intern with a therapeutic group home.

Present law does not apply to contractors and other individuals providing a service at the therapeutic group home who are not employees, volunteers, interns, or contracted members of the state of the therapeutic group home, including but not limited to plumbers, landscapers, or visiting resources. Proposed law makes a technical amendment that present law does not apply to contracted members of the staff of a therapeutic group home.

Present law requires LDH to request information from the Bureau of Criminal Identification and Information as to whether a person to which present law applies has been arrested for, convicted of, or pled nolo contendere to any criminal offense.

Proposed law retains present law and makes a technical correction to the reference for LDH to obtain information to protect children receiving services at a therapeutic group home.

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

(Amend R.S. 40:2008.10(A)(1)(b) and (2))