

2022 Regular Session

HOUSE CONCURRENT RESOLUTION NO. 38

BY REPRESENTATIVES DAVIS, AMEDEE, BUTLER, CORMIER, DEVILLIER,  
EDMONDS, EDMONSTON, EMERSON, GAROFALO, GOUDEAU, HILFERTY,  
HODGES, HORTON, PIERRE, SELDERS, ST. BLANC, STEFANSKI, AND  
THOMPSON

EXCEPTIONAL PERSONS: Forms a working group to study the unique needs of  
individuals with intellectual and developmental disabilities and co-occurring  
behavioral health conditions

1 A CONCURRENT RESOLUTION

2 To urge and request the Louisiana Department of Health to facilitate a working group to  
3 study the unique needs of individuals with intellectual and developmental disabilities  
4 and co-occurring behavioral health conditions and to report findings and  
5 recommendations of the working group to the legislative committees on health and  
6 welfare.

7 WHEREAS, a recent study by the United States Centers for Disease Control and  
8 Prevention found that nearly seventeen million five hundred thousand persons with  
9 disabilities in this country experience frequent mental distress, which is nearly five times as  
10 often as persons without a disability; and

11 WHEREAS, many vulnerable individuals with a co-occurring developmental  
12 disability and behavioral health condition are served by the state Medicaid program and the  
13 office for citizens with developmental disabilities and office of behavioral health of the  
14 Louisiana Department of Health; and

15 WHEREAS, within the last fifteen years, the two residential units in this state that  
16 were best equipped to serve this population, known as the developmental neuropsychiatric  
17 unit (DNP) and stabilization unit, were closed; and

1           WHEREAS, the closures of the DNP and the stabilization unit imposed hardships  
2 on families who now struggle on their own to care for loved ones with difficult-to-manage  
3 conditions; and

4           WHEREAS, these closures have negatively impacted the state's disability services  
5 system and other health systems because individuals now reach crisis levels before receiving  
6 treatment, which results in this state sometimes paying to send Medicaid enrollees out of  
7 state to receive needed care or admitting individuals into the state-run Pinecrest Supports and  
8 Services Center, where care for an institutionalized client costs over two hundred thousand  
9 dollars per year; and

10           WHEREAS, individuals with intellectual and developmental disabilities and  
11 co-occurring behavioral health conditions and the families of such persons need access  
12 across the continuum of care and benefit significantly from the following:

13           (1) Access to community-based mental health treatment, including intensive,  
14 evidence-based options.

15           (2) Crisis services including therapeutic respite.

16           (3) Residential or inpatient treatment when indicated; and

17           WHEREAS, due to the abundance of specialized expertise among staff in the office  
18 for citizens with developmental disabilities and office of behavioral health of the Louisiana  
19 Department of Health, this department is uniquely qualified to facilitate an effort to study  
20 means by which to improve services for individuals with intellectual and developmental  
21 disabilities and co-occurring behavioral health conditions.

22           THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby  
23 urge and request the Louisiana Department of Health to facilitate a working group to study  
24 the unique needs of individuals with intellectual and developmental disabilities and  
25 co-occurring behavioral health conditions and to develop a report of the group's findings and  
26 recommendations.

27           BE IT FURTHER RESOLVED that the working group shall be composed of the  
28 following members:

29           (1) The executive director of The Arc of Louisiana or his designee.

1           (2) Three parents of minor or adult children with disabilities appointed by the  
2 executive director of The Arc of Louisiana.

3           (3) A deputy assistant secretary with the office for citizens with developmental  
4 disabilities appointed by the assistant secretary of the office.

5           (4) The clinical director of the office for citizens with developmental disabilities or  
6 his designee.

7           (5) The medical director of the office of behavioral health or his designee.

8           (6) The chief executive officer of Magellan of Louisiana or his designee.

9           (7) Two representatives of Medicaid managed care organizations appointed by the  
10 Medicaid director of the Louisiana Department of Health.

11           (8) Three professionals with expertise in serving individuals with intellectual and  
12 developmental disabilities and co-occurring behavioral health conditions appointed by the  
13 secretary of the Louisiana Department of Health.

14           (9) A person who previously worked as a professional staff member at the  
15 developmental neuropsychiatric unit or stabilization unit appointed by the assistant secretary  
16 of the office for citizens with developmental disabilities.

17           (10) The executive director of the Governor's Office of Disability Affairs or his  
18 designee.

19           (11) The chief executive officer of Louisiana United Methodist Children and Family  
20 Services or his designee.

21           (12) The executive director of People First of Louisiana or his designee.

22           (13) The chief executive officer of Easterseals Louisiana or his designee.

23           BE IT FURTHER RESOLVED that the Louisiana Department of Health shall  
24 convene the first meeting of the working group no later than August 31, 2022.

25           BE IT FURTHER RESOLVED that in its deliberations, the working group shall  
26 consider all of the following:

27           (1) Potential sources of funding to reopen a developmental neuropsychiatric unit,  
28 a stabilization unit, or both types of units, as well as suitable locations for the unit or units.

29           (2) Psychiatric residential treatment facilities as options for serving the target  
30 population.

1           (3) Options for implementing community-based behavioral health services for the  
2 target population within existing systems and funding of such services through existing  
3 programs.

4           (4) Approaches for engaging all of Louisiana's Medicaid managed care organizations  
5 in delivering services for the target population.

6           (5) Means for ensuring all of the following:

7           (a) Appropriate levels of bed availability for both adults and adolescents.

8           (b) That no statement of approval or similar certification is made contingent upon  
9 bed availability.

10          (c) Access to a residential treatment program to serve the needs of individuals with  
11 intellectual and developmental disabilities and co-occurring behavioral health conditions.

12          (6) Integration of evidence-based approaches to serving individuals with intellectual  
13 and developmental disabilities into the state's community-based crisis intervention services.

14          (7) Any other programs and best practices for coordinating and delivering services  
15 for individuals with intellectual and developmental disabilities and co-occurring behavioral  
16 health conditions.

17           BE IT FURTHER RESOLVED that on or before February 1, 2023, the Louisiana  
18 Department of Health shall submit to the House Committee on Health and Welfare, the  
19 Senate Committee on Health and Welfare, and the David R. Poynter Legislative Research  
20 Library a report of the working group's findings and recommendations.

21           BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the  
22 secretary of the Louisiana Department of Health, the executive director of The Arc of  
23 Louisiana, the chief executive officer of Magellan of Louisiana, the executive director of the  
24 Louisiana Managed Medicaid Association, the executive director of the Governor's Office  
25 of Disability Affairs, the chief executive officer of Louisiana United Methodist Children and  
26 Family Services, the executive director of People First of Louisiana, and the chief executive  
27 officer of Easterseals Louisiana.

---

**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)]

---

HCR 38 Reengrossed

2022 Regular Session

Davis

Urges and requests the La. Department of Health (LDH) to facilitate a working group to study the unique needs of individuals with intellectual and developmental disabilities and co-occurring behavioral health conditions. Requests that LDH report findings and recommendations of the working group to the legislative committees on health and welfare on or before Feb. 1, 2023.

**Summary of Amendments Adopted by House****The House Floor Amendments to the engrossed bill:**

1. Add the chief executive officer of Easterseals Louisiana or his designee as a member of the working group.