

Regular Session, 2011

HOUSE RESOLUTION NO. 69

BY REPRESENTATIVE TEMPLET

A RESOLUTION

To authorize and direct the Louisiana State Law Institute to study and make recommendations for the revision of laws regarding criminal history background checks for individuals who provide personal care or other health-related services to adults.

WHEREAS, Louisiana has many provisions of law to protect the most vulnerable members of our society; and

WHEREAS, the Louisiana Legislature has enacted laws to increase criminal penalties for crimes committed against children, the elderly, and adults with a physical or intellectual disability; and

WHEREAS, Louisiana law provides for criminal history background information to be collected on individuals who have direct access or control over children; and

WHEREAS, Louisiana law requires criminal history background checks to be performed on licensed or unlicensed individuals who provide personal care or other health-related services to an adult person, whether the service is provided in the adult person's residence or in the residence of the adult person's family member, and to residents in a nursing facility, intermediate care facility, or an adult residential care facility; and

WHEREAS, the law regarding criminal history background checks should be uniform and consolidated to provide a uniform and simple procedure for all individuals who wish to provide personal care or other health-related services, either for compensation or as a volunteer, and for their employers.

THEREFORE, BE IT RESOLVED that the House of Representatives of the Legislature of Louisiana does hereby direct the Louisiana State Law Institute to study and make recommendations for the revision of laws regarding criminal history background checks for individuals who provide personal care or other health-related services to adults.

BE IT FURTHER RESOLVED that the Louisiana State Law Institute work in conjunction with and request information from the Louisiana Department of Health and Hospitals, the Louisiana Assisted Living Association, the Louisiana Nursing Home Association, the Gulf State Association of Homes and Services for the Aging, the Homecare Association of Louisiana, the Louisiana District Attorneys Association, the Louisiana Public Defender Board, the Louisiana Sheriffs' Association, the Louisiana State Police, the Louisiana Commission of Law Enforcement and the Administration of Criminal Justice, and any other agencies or associations deemed appropriate by the committee regarding this study.

BE IT FURTHER RESOLVED that a suitable copy of this Resolution be transmitted to the director of the Louisiana State Law Institute and that the Louisiana State Law Institute report its findings and recommendations to the Legislature of Louisiana on or before January 1, 2013.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES