

2016 Regular Session

HOUSE BILL NO. 475

BY REPRESENTATIVE HOFFMANN

CHILDREN/DCFS: Provides for the organization of the Department of Children and Family Services

1 AN ACT

2 To amend and reenact R.S. 15:555(A)(17), R.S. 36:3(4), 9(C)(introductory paragraph),
3 472(A), and 475, and R.S. 46:236.1.1(13) and to enact R.S. 36:476, relative to the
4 organization of the Department of Children and Family Services; to rename the
5 divisions of the department; to authorize a deputy secretary and assistant secretaries;
6 to provide for an effect date; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 15:555(A)(17) is hereby amended and reenacted to read as follows:

9 §555. Sexual Assault Task Force; creation; membership; meetings

10 A. The Louisiana Sexual Assault Task Force is hereby created within the
11 Department of Justice, office of the attorney general. The task force shall consist of
12 twenty-five members as follows:

13 * * *

14 (17) The ~~deputy~~ assistant secretary of ~~programs~~ child welfare of the
15 Department of Children and Family Services, or his designee.

16 * * *

17 Section 2. R.S. 36:3(4), 9(C)(2)(introductory paragraph), 472(A), and 475 are hereby
18 amended and reenacted and R.S. 36:476 is hereby enacted to read as follows:

19 §3. Definitions

20 For the purposes of this Title the following terms shall have the following
21 meanings unless the context clearly indicates otherwise:

22 * * *

1 welfare, and the ~~deputy secretary of operations~~, assistant secretary of family support,
2 each of whom shall be selected and shall perform functions as provided in this Title.

3 * * *

4 §475. Deputy secretaries

5 ~~A. There shall be a deputy secretary of programs and a deputy secretary of~~
6 ~~operations, each of whom shall be appointed by the secretary with consent of the~~
7 ~~Senate and shall serve at the pleasure of the secretary at a salary fixed by the~~
8 ~~secretary, which salary shall not exceed the amount approved for the respective~~
9 ~~position by the legislature while in session. The deputy secretary of programs shall~~
10 ~~serve as acting secretary in the absence of the secretary.~~

11 ~~B. The deputy secretary of programs shall manage the division of programs~~
12 ~~and perform the duties and functions of the department related to program~~
13 ~~development and administration and development of rules and policies to govern the~~
14 ~~various programs of the office of children and family services.~~

15 ~~C. The deputy secretary of operations shall manage the division of~~
16 ~~operations and perform the duties and functions of the department related to the~~
17 ~~program service delivery for the various programs of the office of children and~~
18 ~~family services.~~

19 The secretary may appoint, with consent of the Senate, a deputy secretary of
20 the department who shall serve at the pleasure of the secretary at a salary fixed by
21 the secretary, which salary shall not exceed the amount approved for such position
22 by the legislature while in session. The duties and functions of the deputy secretary
23 shall be determined and assigned by the secretary. If appointed, the deputy secretary
24 shall serve as acting secretary in the absence of the secretary.

25 §476. Assistant secretaries

26 A. There shall be an assistant secretary of child welfare and an assistant
27 secretary of family support, who shall be appointed by the governor with consent of
28 the Senate and who shall serve at the pleasure of the governor at a salary fixed by the

1 governor, which salary shall not exceed the amount approved for such position by
2 the legislature while in session.

3 B. The assistant secretary of child welfare shall manage the division of child
4 welfare and perform the duties and functions of the division related to program
5 development and administration, program service delivery, and development of rules
6 and policy to govern the various programs of the division.

7 C. The assistant secretary of family support shall manage the division of
8 family support and perform the duties and functions of the division related to
9 program development and administration, program service delivery, and
10 development of rules and policy to govern the various programs of the division.

11 Section 3. R.S. 46:236.1.1(13) is hereby amended and reenacted to read as follows:

12 §236.1.1. Family and child support programs; definitions

13 For the purposes of this Subpart, the following items shall mean:

14 * * *

15 (13) "CSE administrator" means the program executive director of the child
16 support enforcement section, division of ~~programs~~, family support, office of children
17 and family services, Department of Children and Family Services.

18 * * *

19 Section 4. This Act shall become effective on July 1, 2016.

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)]

HB 475 Engrossed 2016 Regular Session Hoffmann

Abstract: Provides for the divisions and officers of the Dept. of Children and Family Services (DCFS).

Present law divides DCFS into the division of programs and the division of operations and provides for a deputy secretary for each division.

Proposed law renames the division of programs to the division of child welfare and renames the division of operations to the division of family support. Proposed law further provides for an assistant secretary for each division to be appointed by the governor.

Proposed law authorizes the secretary of DCFS to appoint a single deputy secretary to perform duties and functions determined and assigned by the secretary. Proposed law requires the deputy secretary to serve as acting secretary in the absence of the secretary.

Proposed law updates references to the division of operations and division of programs in present law to either the division of child welfare or the division of family support.

Effective July 1, 2016.

(Amends R.S. 15:555(A)(17), R.S. 36:3(4), 9(C)(2)(intro. para.), 472(A), and 475, and R.S. 46:236.1.1(13); Adds R.S. 36:476)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Health and Welfare to the original bill:

1. Make technical changes.
2. Update references in present law provisions regarding the La. Sexual Assault Task Force and family and child support programs.
3. Change the appointing authority for the assistant secretaries from the secretary of the department to the governor.