

2016 Regular Session

SENATE BILL NO. 107

BY SENATOR BARROW

HEALTH/HOSPITALS DEPT. Provides for the re-creation of the Department of Health and Hospitals and to change the name to Department of Health. (See Act)

1 AN ACT

2 To amend and reenact R.S. 36:251(A), (B), and (C)(1), to enact R.S. 49:191(9)(b), and to  
3 repeal R.S. 49:191(6)(d), relative to the Department of Health and Hospitals; to  
4 provide for the name change of the department to the Department of Health; to  
5 provide for the re-creation of the Department of Health and the statutory entities  
6 made a part of the department by law; to provide for the effective termination date  
7 for all statutory authority for the existence of such statutory entities; and to provide  
8 for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 36:251(A), (B), and (C)(1) are hereby amended and reenacted to read  
11 as follows:

12 CHAPTER 6. DEPARTMENT OF HEALTH ~~AND HOSPITALS~~

13 §251. Department of Health ~~and Hospitals~~; creation; domicile; composition; purpose  
14 and functions

15 A. The Department of Health ~~and Hospitals~~ is created and shall be a body  
16 corporate with the power to sue and be sued. The domicile of the department shall  
17 be in Baton Rouge where it shall maintain its principal offices, but the secretary may

1 maintain branch offices if he deems it in the best interest of the efficient  
2 administration of the department; however, the principal offices of the office of  
3 public health may be located and maintained in the parish of Orleans.

4 B. The Department of Health ~~and Hospitals~~, through its offices and officers,  
5 shall be responsible for the development and providing of health and medical  
6 services for the prevention of disease for the citizens of Louisiana. The Department  
7 of Health ~~and Hospitals~~ shall provide health and medical services for the uninsured  
8 and medically indigent citizens of Louisiana. The secretary and the chancellor of the  
9 Louisiana State University Health Sciences Center shall provide for coordination in  
10 the delivery of services provided by the Louisiana State University Health Sciences  
11 Center with those services provided by the Department of Health ~~and Hospitals~~, local  
12 health departments, and federally qualified health centers, including but not limited  
13 to the following:

14 (1) Services for any of the following persons:

15 (a) Persons with mental illness.

16 (b) Persons with intellectual disabilities.

17 (c) Persons with developmental disabilities.

18 (d) Persons with addictive disorders.

19 (2) Public health services.

20 (3) Services provided under the medical assistance program (Medicaid).

21 C.(1) The Department of Health ~~and Hospitals~~ shall be composed of the  
22 executive office of the secretary, the office of management and finance, the office  
23 of public health, the office of behavioral health, the office for citizens with  
24 developmental disabilities, the office of aging and adult services, and such other  
25 offices as shall be created by law.

26 \* \* \*

27 Section 2. Pursuant to R.S. 49:193, the Department of Health and the statutory  
28 entities made a part of the department by law shall be re-created effective June 30, 2016, and  
29 all statutory authority therefor is continued in accordance with the provisions of Part XII of

1 Chapter 1 of Title 49 of the Louisiana Revised Statutes of 1950.

2 Section 3. Notwithstanding any provision of any previous Act of the legislature, all  
3 statutory authority for the existence of the Department of Health and the statutory entities  
4 made a part of the department as re-created by Section 2 of this Act, shall cease as of July  
5 1, 2021, pursuant to R.S. 49:191. However, the Department of Health and the statutory  
6 entities made a part of the department may be re-created prior to such date in accordance  
7 with the provisions of Part XII of Chapter 1 of Title 49 of the Louisiana Revised Statutes of  
8 1950.

9 Section 4. The provisions of R.S. 49:193 are hereby superseded to the extent that  
10 those provisions are in conflict with the provisions of this Act.

11 Section 5. R.S. 49:191(9)(b) is hereby enacted to read as follows:

12 §191. Termination of legislative authority for existence of statutory entities;  
13 phase-out period for statutory entities; table of dates

14 Notwithstanding any termination dates set by any previous Act of the  
15 legislature, the statutory entities set forth in this Section shall begin to terminate their  
16 operations on July first of each of the following years, and all legislative authority  
17 for the existence of any statutory entity, as defined in R.S. 49:190, shall cease as of  
18 July first of the following year, which shall be the termination date:

19 \* \* \*

20 (9) July 1, 2020:

21 \* \* \*

22 **(b) The Department of Health and all statutory entities made a part of**  
23 **the department by law.**

24 Section 6. R.S. 49:191(6)(d) is hereby repealed in its entirety.

25 Section 7. The Louisiana State Law Institute is hereby directed to change all  
26 references to the "Department of Health and Hospitals" to the "Department of Health"  
27 throughout the Louisiana Revised Statutes of 1950.

28 Section 8. Sections 1 and 7 of this Act shall become effective upon signature by the  
29 governor or, if not signed by the governor, upon expiration of the time for bills to become

1 law without signature by the governor, as provided in Article III, Section 18 of the  
2 Constitution of Louisiana. If this Act is vetoed by the governor and subsequently approved  
3 by the Legislature, Sections 1 and 7 of this Act shall become effective on the day following  
4 such approval.

5 Section 9. Sections 2, 3, 4, 5, and 6 of this Act shall become effective on June 30,  
6 2016. If this Act is vetoed by the governor and subsequently approved by the legislature,  
7 Sections 2, 3, 4, 5, and 6 of this Act shall become effective on June 30, 2016, or on the day  
8 following such approval by the legislature, whichever is later.

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The original instrument and the following digest, which constitutes no part  
of the legislative instrument, were prepared by Christine Arbo Peck.

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DIGEST

SB 107 Engrossed

2016 Regular Session

Barrow

Proposed law changes the name of the Department of Health and Hospitals to the Department of Health and re-creates the department and the statutory entities within the department.

Sections 1 and 7 effective upon signature of the governor or upon lapse of time for gubernatorial action.

Sections 2, 3, 4, 5, and 6 effective June 30, 2016.

(Amends R.S. 36:251(A), (B), and (C)(1); adds R.S. 49:191(9)(b); repeals R.S. 49:191(6)(d))