

2022 Regular Session

SENATE BILL NO. 116

BY SENATORS BARROW, BOUDREAUX, MCMATH, MIZELL AND POPE AND REPRESENTATIVES LANDRY, MOORE AND SCHLEGEL

HEALTH DEPARTMENT. Creates the office on women's health within the Louisiana Department of Health. (gov sig)

1 AN ACT

2 To amend and reenact R.S. 36:251(C)(1) and to enact R.S. 36:258(E) and R.S. 46:2527,  
3 relative to the office on women's health; to establish and provide for the office on  
4 women's health within the Louisiana Department of Health; to provide for an  
5 assistant secretary and staff of the office on women's health; to provide for the  
6 purposes, duties, and functions of the office on women's health; to provide for an  
7 effective date; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 36:251(C)(1) is hereby amended and reenacted and R.S. 36:258(E)  
10 is hereby enacted to read as follows:

11 §251. Louisiana Department of Health; creation; domicile; composition; purpose  
12 and functions

13 \* \* \*

14 C.(1) The Louisiana Department of Health shall be composed of the  
15 executive office of the secretary, the office of management and finance, the office  
16 of public health, the office of behavioral health, the office for citizens with  
17 developmental disabilities, the office of aging and adult services, **the office on**

1 **women's health**, and such other offices as shall be created by law.

2 \* \* \*

3 §258. Offices; purposes and functions

4 \* \* \*

5 **E. The office on women's health shall be responsible for leading and**  
6 **coordinating efforts across the state that are intended to improve women's**  
7 **health outcomes through policy, education, evidence-based practices, programs,**  
8 **and services. The office on women's health shall serve as a clearinghouse,**  
9 **coordinating agency, and resource center for women's health data and**  
10 **strategies and initiatives that address women's health-related concerns.**

11 \* \* \*

12 Section 2. R.S. 46:2527 is hereby enacted to read as follows:

13 **§2527. Office on women's health; assistant secretary; duties and functions**

14 **A. The office on women's health is hereby created in the Louisiana**  
15 **Department of Health. The office shall perform the duties and functions**  
16 **assigned to it in Subsection C of this Section or as otherwise provided by law**  
17 **with a focus on all of the following:**

- 18 **(1) Health needs throughout a woman's life.**
- 19 **(2) Chronic conditions that significantly affect women, such as heart**  
20 **disease, cancer, and osteoporosis.**
- 21 **(3) Access to health care for women.**
- 22 **(4) The impact of poverty on women's health.**
- 23 **(5) The leading causes of morbidity and mortality for women.**
- 24 **(6) Health disparities of women.**

25 **B. The office on women's health shall be under the immediate**  
26 **supervision of an assistant secretary appointed by the governor in accordance**  
27 **with the provisions of R.S. 36:257. The assistant secretary shall employ**  
28 **necessary staff to carry out the duties and functions of the office as provided in**  
29 **this Section or as otherwise provided by law.**

1           **C. In carrying out its purposes as provided for in R.S. 36:258, the office**  
2           **on women's health may do any of the following:**

3           **(1) Collect, classify, and analyze relevant information and data resulting**  
4           **from research conducted or compiled by the Louisiana Department of Health**  
5           **or other collaborative entities.**

6           **(2) Prepare educational or informative materials regarding women's**  
7           **health for publication and dissemination to the public.**

8           **D. The office on women's health shall coordinate the activities and**  
9           **programs of the office on women's health with other entities that focus on**  
10           **women's health or women's issues.**

11           **E. The office on women's health shall provide an annual report to the**  
12           **governor, legislature, and secretary of the Louisiana Department of Health**  
13           **recommending priorities and areas of improvement for women's health in**  
14           **Louisiana. The report shall be issued no later than April first of each year.**

15           **F. No person employed by the office on women's health or officially**  
16           **representing the office of women's health, by contract or otherwise, shall**  
17           **require or recommend that any woman have an abortion or promote abortion.**  
18           **This paragraph shall not apply to a doctor of medicine, currently licensed by**  
19           **the Louisiana State Board of Medical Examiners pursuant to R.S. 37:1261 et**  
20           **seq., who is acting to save or preserve the life of a pregnant woman. No**  
21           **activities of the office of women's health shall promote abortion.**

22           **G. No public funds made available to the office of women's health,**  
23           **whether such funds are made available by the government of the United States,**  
24           **the state of Louisiana, or a local governmental subdivision, or from any other**  
25           **public source, shall be used in any way for, to assist in, to promote, or to provide**  
26           **facilities for an abortion, except for any of the following:**

27           **(1) Whenever the abortion is necessary to save the life of the mother.**

28           **(2) Whenever the abortion is being sought to terminate a pregnancy**  
29           **resulting from an alleged act of rape and all of the requirements of R.S.**

- 1           **40:1061.18(A) are met.**
- 2                       **(3) Whenever the abortion is being sought to terminate a pregnancy**
- 3           **resulting from an alleged act of crime against nature as defined by R.S.**
- 4           **14:89(A)(2) and all of the requirements of R.S. 40:1061.18(B) are met.**

5           Section 3. This Act shall become effective upon signature by the governor or, if not

6           signed by the governor, upon expiration of the time for bills to become law without signature

7           by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If

8           vetoed by the governor and subsequently approved by the legislature, this Act shall become

9           effective on the day following such approval.

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The original instrument was prepared by Brandi Cannon. The following digest, which does not constitute a part of the legislative instrument, was prepared by Martha Hess.

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DIGEST

SB 116 Reengrossed

2022 Regular Session

Barrow

Proposed law creates the office on women's health within the La. Department of Health to lead, consolidate, and coordinate efforts across the state to improve women's health outcomes through policy, education, evidence-based practices, programs, and services.

Proposed law provides for the assistant secretary, staff, and duties and functions of the office.

Proposed law specifies that the office shall not engage in any activities or expend any funds to assist in or promote abortion to any woman.

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

(Amends R.S. 36:251(C)(1); adds R.S. 36:258(E) and R.S. 46:2527)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Finance to the engrossed bill

1. Adds the requirement that the office not engage in any activities or expend any funds to assist in or promote abortion to any woman.