

2025 Regular Session

HOUSE BILL NO. 130

BY REPRESENTATIVE BILLINGS

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

ADMINISTRATION DIVISION: Provides for powers and duties of the office of the state Americans with Disabilities Act coordinator

1 AN ACT

2 To amend and reenact R.S. 39:1547(A)(1) and (B) and R.S. 46:2592(1) and 2593, relative
3 to executive branch compliance with the Americans with Disabilities Act; to provide
4 for the duties and responsibilities of the office of the state Americans with
5 Disabilities Act coordinator; to provide for definitions; to provide for the return to
6 work program within the office of risk management; to provide for an effective date;
7 and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 39:1547(A)(1) and (B) are hereby amended and reenacted to read as
10 follows:

11 §1547. Return to work program

12 A. There is hereby created within the office of risk management the return
13 to work program. The goal of the program shall be the safe and expedient return of
14 state employees with job-related injuries and illnesses to transitional or regular
15 employment. The office of risk management shall, by rule, design a program that
16 returns workers to gainful employment as soon as is medically possible after a job-
17 related injury or illness. The program shall at a minimum include the following
18 components:

19 (1) A transitional ~~employment~~ return to work program.

20 * * *

1 B. The transitional ~~employment~~ return to work program shall be designed
2 by the office of risk management in conjunction with the ~~Louisiana Department of~~
3 ~~Civil Service~~ office of the state Americans with Disabilities Act coordinator. The
4 program shall have as its objective the development of transitional job descriptions
5 which allow an employee with a job-related injury or illness to return to work as
6 soon as medically possible. The office of risk management, as a part of this program,
7 shall coordinate with all state agencies, boards, and commissions the development
8 of an activity analysis form to be used to summarize the tasks and associated
9 demands of each position found in state government. The form is to be used to
10 communicate the information to physicians to enable them to make return-to-work
11 decisions concerning state workers under their care. Program procedures and forms
12 shall be developed and agreed to by both offices.

* * *

14 Section 2. R.S. 46:2592(1) and 2593 are hereby amended and reenacted to read as
15 follows:

16 §2592. Definitions

17 For purposes of this Chapter, the following terms have the meaning ascribed
18 to them in this Section:

19 (1) "Agency" means a department, office, division, agency, commission,
20 board, committee, or other organizational unit of the executive branch of state
21 government that has fifteen or more employees.

* * *

23 §2593. Powers and duties

24 The office shall have the following functions, powers, and duties:

25 (1) To serve as the coordinating body for ADA compliance for all state
26 agencies within the executive branch of state government.

27 (2) ~~To assist state agencies in updating, strengthening, and enhancing the~~
28 ~~scope of self-evaluation and transition plans to ensure compliance with the ADA~~
29 ~~mandate.~~ To promulgate rules and regulations in accordance with the Administrative

Definitions

Present law provides that for the purposes of present law, "agency" means a department, office, division, agency, commission, board, committee, or other organizational unit of the executive branch of state government.

Proposed law adds that the unit of government must have at least 15 employees.

Powers and Duties

Present law provides that the office of the state Americans with Disabilities Act (ADA) coordinator shall have the following functions, powers, and duties relating to the ADA:

- (1) To serve as the coordinating body for ADA compliance for all state agencies within the executive branch of state government.
- (2) To provide reports and recommendation to the legislature for the adoption of legislation to facilitate compliance with the ADA.
- (3) To offer subject matter expertise for all matters relating to the ADA.
- (4) To conduct general and customized training on ADA topics for state agencies.
- (5) To provide informal technical assistance about the ADA to the general public and collaborate with local ADA support systems.
- (6) To increase public awareness of the ADA for the purpose of helping more citizens to understand the letter and the spirit of the law.

Proposed law retains present law.

Present law additionally requires the ADA coordinator to assist state agencies in updating, strengthening, and enhancing the scope of self-evaluation and transition plans to ensure compliance with the ADA mandate. Proposed law repeals present law.

Proposed law adds the following functions, powers, and duties:

- (1) To provide consultation on state employee accommodations, upon request, including review of applicable medical documentation.
- (2) To administer and ensure compliance by state agencies with the annual plans and reports required by this Chapter.
- (3) To design the transitional return to work program in conjunction with the office of risk management in accordance with proposed law.
- (4) To promulgate rules and regulations in accordance with the Administrative Procedure Act to ensure consistent administration of the ADA and related disability accommodations laws across state agencies.

Return to Work Program

Present law provides for a return to work program created within the office of risk management. Provides as the goal of the program the safe and expedient return of state employees with job related injuries and illnesses to transitional or regular employment. Proposed law retains present law.

Present law additionally provides that one of the components of the program is the transitional employment program.

Proposed law provides for the transitional return to work program instead of the transitional employment program.

Present law requires the office of risk management to design the program in conjunction with the La. Dept. of Civil Service.

Proposed law provides that the program shall be designed by the office of risk management in conjunction with the office of the state ADA coordinator instead of the La. Dept. of Civil Service. Provides that program procedures and forms shall be developed and agreed to by both offices.

Present law requires the office of risk management as part of the program to coordinate with state agencies, boards, and commissions to develop an activity analysis form to be used to communicate information to physicians making return-to-work decisions concerning state workers.

Proposed law repeals present law.

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

(Amends R.S. 39:1547(A)(1) and (B) and R.S. 46:2592(1) and 2593)