

DIGEST

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SB 151 Reengrossed

2019 Regular Session

Luneau

Present law provides for the Special School District (SSD) within the Dept. of Education (DOE), which includes the La. special schools and Special School Programs. Designates the La. Special Education Center (LSEC) as a special school within the SSD. Proposed law provides for the transfer of the LSEC from the SSD within (DOE) to the La. Department of Health (LDH) and renames the center as the Central La. Supports and Services Center (CLSSC).

Present law authorizes LDH facility administrators to develop policies and procedures necessary for the operation of state developmental centers which provide developmental disabilities services. Proposed law provides that facility administrators shall make recommendations on policy and procedures to the secretary of LDH and that such policies and procedures shall not be implemented until approved by the secretary.

With respect to the transfer of LSEC to LDH, proposed law provides as follows:

- (1) Requires transfer process to begin by Aug. 1, 2019, and conclude by Jan. 31, 2020.
- (2) Requires the State Bd. of Elementary and Secondary Education (BESE), DOE, and SSD to fully cooperate with LDH to effect the transfer.
- (3) Requires the assets, funds, facilities, property, equipment, books, documents, records, obligations, programs, and functions of LSEC to be transferred to LDH on the transfer's effective date.
- (4) Prior to such effective date, BESE, DOE, and SSD shall not:
 - (a) Sell, transfer, or otherwise remove any asset or thing of value attributable to or owned by LSEC.
 - (b) Incur, transfer, or assign any debt or other responsibility or obligation to LSEC that is not properly attributable to it.
 - (c) Reduce or reallocate the level of funding, staffing, or support that would otherwise be allocated to the center.
 - (d) Impose any budget reductions or changes in funding without the prior approval of the Joint Legislative Committee on the Budget.
 - (e) Take any personnel action with regard to any administrative, instructional, or noninstructional employee of LSEC without LDH approval.
- (5) Requires LDH, to the extent possible, to provide for the transfer of employees without loss of status, salary, and related benefits.

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

(Amends R.S. 17:43, 46(A)(1)(c), 81.9(A)(1)(b), 240(A)(1), 348(A), 419.2(A), 421.4, 422.6(B), and 1945(B)(1), R.S. 28:451.4, R.S. 39:98.3(C)(2) and 362(F), and R.S. 49:121(E); Adds R.S. 28:22.8(A)(4) and R.S. 36:259(C)(8); Repeals R.S. 17:348(B))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Health and Welfare to the original bill

1. Provides that all policies and procedures relative to the operation of office for citizens with developmental disabilities' facilities shall be approved by the secretary of LDH.
2. Provides that the LSEC as a unique entity shall not effectuate certain acts or omissions in the course of the transfer.
3. Provides that the prohibition on reducing or reallocating funding and support during the transfer also applies to a prohibited reduction of staffing.
4. Provides that LDH shall align the operation of LSEC with the operation of the other LDH operated 24 hour facilities as it relates to the transfer of LSEC employees.

Senate Floor Amendments to engrossed bill

1. Makes technical changes.

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Education to the reengrossed bill:

1. Make technical changes.