HLS 22RS-445 ORIGINAL

2022 Regular Session

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HOUSE CONCURRENT RESOLUTION NO. 38

BY REPRESENTATIVE DAVIS

EXCEPTIONAL PERSONS: Forms a working group to study the unique needs of individuals with intellectual and developmental disabilities and co-occurring behavioral health conditions

A CONCURRENT RESOLUTION

2	To urge and request the Louisiana Department of Health to facilitate a working group to
3	study the unique needs of individuals with intellectual and developmental disabilities
4	and co-occurring behavioral health conditions and to report findings and
5	recommendations of the working group to the legislative committees on health and
6	welfare.
7	WHEREAS, a recent study by the United States Centers for Disease Control and
8	Prevention found that nearly seventeen million five hundred thousand persons with
9	disabilities in this country experience frequent mental distress, which is nearly five times as
10	often as persons without a disability; and
11	WHEREAS, many vulnerable individuals with a co-occurring developmental
12	disability and behavioral health condition are served by the state Medicaid program and the
13	office for citizens with developmental disabilities and office of behavioral health of the
14	Louisiana Department of Health; and
15	WHEREAS, within the last fifteen years, the two residential units in this state that
16	were best equipped to serve this population, known as the developmental neuropsychiatric
17	unit (DNP) and stabilization unit, were closed; and
18	WHEREAS, the closures of the DNP and the stabilization unit imposed hardships
19	on families who now struggle on their own to care for loved ones with difficult-to-manage
20	conditions; and

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2	system and other health systems because individuals now reach crisis levels before receiving
3	treatment, which results in this state sometimes paying to send Medicaid enrollees out of
4	state to receive needed care or admitting individuals into the state-run Pinecrest Supports and
5	Services Center, where care for an institutionalized client costs over two hundred thousand
6	dollars per year; and
7	WHEREAS, individuals with intellectual and developmental disabilities and
8	co-occurring behavioral health conditions and the families of such persons need access
9	across the continuum of care and benefit significantly from the following:
10	(1) Access to community-based mental health treatment, including intensive,
11	evidence-based options.
12	(2) Crisis services including therapeutic respite.
13	(3) Residential or inpatient treatment when indicated; and
14	WHEREAS, due to the abundance of specialized expertise among staff in the office
15	for citizens with developmental disabilities and office of behavioral health of the Louisiana
16	Department of Health, this department is uniquely qualified to facilitate an effort to study
17	means by which to improve services for individuals with intellectual and developmental
18	disabilities and co-occurring behavioral health conditions.
19	THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby
20	urge and request the Louisiana Department of Health to facilitate a working group to study
21	the unique needs of individuals with intellectual and developmental disabilities and
22	co-occurring behavioral health conditions and to develop a report of the group's findings and
23	recommendations.
24	BE IT FURTHER RESOLVED that the working group shall be composed of the
25	following members:
26	(1) The executive director of The Arc of Louisiana or his designee.
27	(2) Three parents of minor or adult children with disabilities appointed by the
28	executive director of The Arc of Louisiana.
29	(3) A deputy assistant secretary with the office for citizens with developmental
30	disabilities appointed by the assistant secretary of the office.

WHEREAS, these closures have negatively impacted the state's disability services

1	(4) The clinical director of the office for citizens with developmental disabilities or
2	his designee.
3	(5) The medical director of the office of behavioral health or his designee.
4	(6) The chief executive officer of Magellan of Louisiana or his designee.
5	(7) Two representatives of Medicaid managed care organizations appointed by the
6	Medicaid director of the Louisiana Department of Health.
7	(8) Three professionals with expertise in serving individuals with intellectual and
8	developmental disabilities and co-occurring behavioral health conditions appointed by the
9	secretary of the Louisiana Department of Health.
10	(9) A person who previously worked as a professional staff member at the
11	developmental neuropsychiatric unit or stabilization unit appointed by the assistant secretary
12	of the office for citizens with developmental disabilities.
13	(10) The executive director of the Governor's Office of Disability Affairs or his
14	designee.
15	(11) The chief executive officer of Louisiana United Methodist Children and Family
16	Services or his designee.
17	(12) The executive director of People First of Louisiana or his designee.
18	BE IT FURTHER RESOLVED that the Louisiana Department of Health shall
19	convene the first meeting of the working group no later than August 31, 2022.
20	BE IT FURTHER RESOLVED that in its deliberations, the working group shall
21	consider all of the following:
22	(1) Potential sources of funding to reopen a developmental neuropsychiatric unit,
23	a stabilization unit, or both types of units, as well as suitable locations for the unit or units.
24	(2) Psychiatric residential treatment facilities as options for serving the target
25	population.
26	(3) Options for implementing community-based behavioral health services for the
27	target population within existing systems and funding of such services through existing
28	programs.
29	(4) Approaches for engaging all of Louisiana's Medicaid managed care organizations
30	in delivering services for the target population.

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1 (5) Means for ensuring all of the following:

- 2 (a) Appropriate levels of bed availability for both adults and adolescents.
- (b) That no statement of approval or similar certification is made contingent upon
   bed availability.
- 5 (c) Access to a residential treatment program to serve the needs of individuals with 6 intellectual and developmental disabilities and co-occurring behavioral health conditions.
- 7 (6) Integration of evidence-based approaches to serving individuals with intellectual and developmental disabilities into the state's community-based crisis intervention services.
  - (7) Any other programs and best practices for coordinating and delivering services for individuals with intellectual and developmental disabilities and co-occurring behavioral health conditions.
- BE IT FURTHER RESOLVED that on or before February 1, 2023, the Louisiana
  Department of Health shall submit to the House Committee on Health and Welfare, the
  Senate Committee on Health and Welfare, and the David R. Poynter Legislative Research
  Library a report of the working group's findings and recommendations.
  - BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the secretary of the Louisiana Department of Health, the executive director of The Arc of Louisiana, the chief executive officer of Magellan of Louisiana, the executive director of the Louisiana Managed Medicaid Association, the executive director of the Governor's Office of Disability Affairs, the chief executive officer of Louisiana United Methodist Children and Family Services, and the executive director of People First of Louisiana.

## 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)]

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Davis

Urges and requests the La. Department of Health (LDH) to facilitate a working group to study the unique needs of individuals with intellectual and developmental disabilities and co-occurring behavioral health conditions. Requests that LDH report findings and recommendations of the working group to the legislative committees on health and welfare on or before Feb. 1, 2023.