

2024 Regular Session

SENATE BILL NO. 278

BY SENATOR JACKSON-ANDREWS AND REPRESENTATIVE MCFARLAND

CHILDREN. Creates the Louisiana Pregnancy and Baby Care Initiative. (gov sig)

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AN ACT

To enact R.S. 46:972.1, relative to the Louisiana Pregnancy and Baby Care Initiative; to provide for the Louisiana Pregnancy and Baby Care Initiative within the Department of Children and Family Services; to provide for administrative structure of the initiative through a general contractor and subcontractors; to provide for a service program managed by the general contractor; to provide for program services; to provide for program eligibility; to provide for reporting; to provide for an implementation date; to provide for a prohibition on expenditure of funds; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 46:972.1 is hereby enacted to read as follows:

**§972.1. Louisiana Pregnancy and Baby Care Initiative**

**A.(1) The Louisiana Pregnancy and Baby Care Initiative is hereby created, within the Department of Children and Family Services, to act as a statewide social service program to enhance and increase resources that promote childbirth instead of abortion for women facing unplanned pregnancies and to offer a full range of services, including pregnancy support**

1 services, parenting help, and adoption assistance.

2 (2) The department shall implement a program by contracting with a  
3 single nonprofit organization to serve as general contractor to manage the  
4 provision of services under the Louisiana Pregnancy and Baby Care Initiative.  
5 The general contractor shall subcontract on a fee-for-service basis with existing  
6 nonprofit pregnancy centers, adoption agencies, maternity homes, and social  
7 service organizations to provide services that promote childbirth instead of  
8 abortion. The general contractor shall not provide any direct client services.  
9 The department shall impose no other requirements on the Louisiana  
10 Pregnancy and Baby Care Initiative general contractor except those contained  
11 in this Section and in its standard terms and conditions.

12 (3) The general contractor selected by the department shall include as  
13 part of its program budget, marketing expenses to make Louisiana residents  
14 aware of the Louisiana Pregnancy and Baby Care Initiative's services, as well  
15 as funds to develop and promote a website that provides a geographically  
16 indexed list of available nonprofit subcontractors that provide services.

17 B.(1) The program established by the Louisiana Pregnancy and Baby  
18 Care Initiative shall provide only the following services:

19 (a) Counseling or mentoring intended to improve the pregnancy or  
20 parenting situation, including care coordination for prenatal services, providing  
21 educational materials and information about pregnancy and parenting.

22 (b) Referrals intended to improve the pregnancy or parenting situation,  
23 including referrals to parish and social service programs, referrals for child  
24 care, transportation, housing, and state and federal benefit programs, and  
25 referrals that connect clients to health programs.

26 (c) Classes intended to improve the pregnancy or parenting situation,  
27 including classes on life skills, healthy pregnancies, budgeting, parenting, stress  
28 management, job training, and job placement.

29 (d) Material items intended to improve the pregnancy or parenting

1 situation including, but not limited to car seats, cribs, maternity clothes, infant  
2 diapers, and formula.

3 (2) Program subcontractors may provide services in addition to the  
4 services provided for in this Subsection, but the services shall not be funded  
5 through the Louisiana Pregnancy and Baby Care Initiative.

6 (3) The provision and delivery of services under the program shall be  
7 dependent on participant needs, as assessed by the nonprofit organization  
8 providing the services and not otherwise prioritized by any state agency.

9 C.(1) Program services shall be made available to any Louisiana resident  
10 who is:

11 (a) A pregnant woman.

12 (b) The biological father of an unborn child.

13 (c) The biological or adoptive parent or legal guardian of a child thirty-  
14 six months of age or younger.

15 (d) A program participant who has experienced the loss of a child.

16 (e) An immediate family member of a current biological parent who is  
17 a program participant.

18 (2) Program services shall be available to participants only during  
19 pregnancy and continuing for up to thirty-six months after birth of the child.

20 D. The department shall include as a condition of the contract with the  
21 nonprofit organization selected as general contractor to provide program  
22 services, that the nonprofit organization shall submit a report to the department  
23 on or before seventy-five days after the close of the state fiscal year, reporting  
24 on the administration of the program during the prior fiscal year. The report  
25 shall include all of the following:

26 (1) The number of clients served by the program.

27 (2) The number of clients who received counseling or mentoring and the  
28 amount of counseling or mentoring received.

29 (3) The number of clients who received classes and the amount of classes

1           received.

2                   (4) The number of clients who received referrals and the amount of  
3                   referrals received.

4                   (5) The number of clients who received material items and the amount  
5                   of material items received.

6                   (6) Any other information that shows the success of the contractor's  
7                   administration of the program.

8                   E.(1) The Louisiana Pregnancy and Baby Care Initiative shall be  
9                   implemented effective August 1, 2024. The Louisiana Pregnancy and Baby Care  
10                   Initiative shall replace the Alternatives to Abortion Program administered by  
11                   the department. The Louisiana Pregnancy and Baby Care Initiative shall be  
12                   funded in a separate line-item of the General Appropriations Act or receive all  
13                   funds appropriated for the Louisiana Alternatives to Abortions Program.

14                   (2) The department shall ensure that contracts with providers of the  
15                   Louisiana Alternatives to Abortions Program in effect prior to August 1, 2024,  
16                   remain under contract during the transition provided for in Paragraph (1) of  
17                   this Subsection.

18                   (3) The Louisiana Pregnancy and Baby Care Initiative and any funds  
19                   appropriated or expended therefor shall not be used to perform, induce, assist  
20                   in the performing or inducing of abortions, or used to promote abortions or  
21                   refer for abortions, and funds appropriated or expended for the program shall  
22                   not be provided to organizations or affiliates of organizations that perform or  
23                   induce abortions, assist in the performing or inducing of abortions, or promote  
24                   abortions or refer for abortions.

25                   F. The department shall promulgate all rules and regulations necessary  
26                   to implement the provisions of this Section. The rules shall include but not be  
27                   limited to appropriate oversight provisions and penalties for failure to achieve  
28                   program objectives as provided for in this Section, measures to ensure the  
29                   clinical efficacy and financial viability of the program, and benchmarks to

1           achieve best practice outcomes. The department shall report annually to the  
2           legislature on the status of the program.

3           Section 2. This Act shall become effective upon signature by the governor or, if not  
4           signed by the governor, upon expiration of the time for bills to become law without signature  
5           by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
6           vetoed by the governor and subsequently approved by the legislature, this Act shall become  
7           effective on the day following such approval.

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The original instrument and the following digest, which constitutes no part  
of the legislative instrument, were prepared by Amanda Trapp.

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## DIGEST

SB 278 Engrossed

2024 Regular Session

Jackson-Andrews

Proposed law creates the Louisiana Pregnancy and Baby Care Initiative in the Department of Children and Family Services.

Proposed law provides for the structure and administration of the program implemented by the Louisiana Pregnancy and Baby Care Initiative. Proposed law provides for a general contractor to manage the program and subcontractors to provide services to eligible participants.

Proposed law provides for eligibility for the program services and provides that the subcontractors may provide services not allowed through the program as long as they do not bill the program for the services.

Proposed law provides for annual reporting.

Proposed law provides that the Louisiana Pregnancy and Baby Care Initiative will be implemented on August 1, 2024, and that it is replacing the Alternatives to Abortion Program administered by the department.

Proposed law provides that the Louisiana Pregnancy and Baby Care Initiative will be funded in a separate line-item of the General Appropriations Act or receive all funds appropriated for the Louisiana Alternatives to Abortions Program.

Proposed law requires the Department of Children and Family Services to maintain contracts with providers of the Louisiana Alternatives to Abortions Program in effect prior to August 1, 2024, during the transition from the department to the office of the governor.

Proposed law prohibits the Louisiana Pregnancy and Baby Care Initiative from using funds for any program or service related to abortion.

Proposed law requires the department to promulgate rules for implementation of the program and provides for certain criteria to be included in the rules.

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

(Adds R.S. 46:972.1)

Summary of Amendments Adopted by Senate

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

1. Requires the Department of Children and Family Services to promulgate rules to implement the program and requires certain criteria to be included in the rules.
2. Makes a technical change.