

SENATE BILL NO. 278

BY SENATORS JACKSON-ANDREWS, BARROW, BASS, CATHEY, CLOUD, HENRY, KLEINPETER, MCMATH, MIGUEZ, MILLER, MIZELL AND TALBOT AND REPRESENTATIVES ADAMS, BAYHAM, BERAULT, BILLINGS, BUTLER, CARVER, CHENEVERT, COATES, COX, CREWS, DEWITT, DICKERSON, ECHOLS, EGAN, FISHER, FREIBERG, GLORIOSO, HEBERT, HILFERTY, HORTON, JACKSON, TRAVIS JOHNSON, KNOX, LAFLEUR, MACK, MCFARLAND, OWEN, ROMERO, STAGNI, TAYLOR, THOMPSON, WALTERS, WYBLE AND ZERINGUE

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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

1 pregnancies and to offer a full range of services, including pregnancy support
2 services, parenting help, and adoption assistance.

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

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

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

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

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

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

30 (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
30 received.

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

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

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

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

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

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

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

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

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____