

2026 Regular Session

HOUSE BILL NO. 1092

BY REPRESENTATIVE BUTLER

HEALTH/LDH: Renames the office of citizens with developmental disabilities within the Louisiana Department of Health

1 AN ACT

2 To amend and reenact R.S. 18:106(C)(2)(c), 564(D)(1)(a)(iii) and (2)(a)(iii), 1303(I)(1)(b),

3 and 1309.3(D)(1)(a)(iii), R.S. 28:451.1(D) and (F)(1), 451.2(3) and (19), 451.3(B),

4 451.4(section heading), 454.1(A), 470(D)(2), 621(A), 771(B)(5)(b), 826(B)(1) and

5 (2)(b), (C)(1)(a) and (c), and 917(A), R.S. 36:251(C)(1) and 258(D), R.S. 37:1021,

6 1023(A), and 1025(A)(2), R.S. 40:1159.9(A)(2), 1249.3(A)(3), 2018.7(C)(3)(g),

7 2018.8(B)(introductory paragraph) and (14), 2020(A)(1) through (3) and

8 (B)(introductory paragraph) and (3), 2116(C)(1)(c), and 2180.3, and R.S.

9 46:1301(A)(introductory paragraph) and (1), 2352(F)(3), and 2605(B)(13), relative

10 to the office for citizens with developmental disabilities within the Louisiana

11 Department of Health; to rename the office for citizens with developmental

12 disabilities as the office of intellectual and developmental disability supports; to

13 make technical changes; and to provide for related matters.

14 Be it enacted by the Legislature of Louisiana:

15 Section 1. R.S. 18:106(C)(2)(c), 564(D)(1)(a)(iii) and (2)(a)(iii), 1303(I)(1)(b), and

16 1309.3(D)(1)(a)(iii) are hereby amended and reenacted to read as follows:

17 §106. Physical disability; inability to write English; language minority groups;

18 execution of documents; assistance

19 * * *

1 C.

2 * * *

3 (2) For purposes of this Subsection proof of disability means one of the
4 following:

5 * * *

6 (c) A copy of current documentation showing eligibility for social security
7 disability benefits, veteran's disability benefits, paratransit services, benefits from the
8 office ~~for citizens with developmental disabilities~~ of intellectual and developmental
9 disability supports, or benefits from Louisiana Rehabilitation Services.

10 * * *

11 §564. Assistance in voting on election day

12 * * *

13 D.(1)(a) Prior to receiving assistance pursuant to this Section due to a
14 disability, including visual impairment, the voter shall file with the registrar in
15 person or by mail a statement setting forth the necessity and reasons for this
16 assistance and shall furnish the registrar one of the following:

17 * * *

18 (iii) A copy of current documentation showing eligibility for social security
19 disability benefits, veteran's disability benefits, paratransit services, benefits from the
20 office ~~for citizens with developmental disabilities~~ of intellectual and developmental
21 disability supports, or benefits from Louisiana Rehabilitation Services.

22 * * *

23 (2)(a) A voter shall also be entitled to assistance without having filed with
24 the registrar a statement setting forth the necessity and reasons for this assistance if,
25 on election day, the voter presents to the commissioner-in-charge one of the
26 following as proof of disability:

27 * * *

28 (iii) A copy of current documentation showing eligibility for social security
29 disability benefits, veteran's disability benefits, paratransit services, benefits from the

1 office for citizens with developmental disabilities of intellectual and developmental
2 disability supports, or benefits from Louisiana Rehabilitation Services.

3 * * *

4 §1303. Persons entitled to vote in compliance with this Chapter

5 * * *

6 I. Voters with disabilities. (1) Any qualified voter who submits any of the
7 following to the registrar of voters may vote absentee by mail upon meeting the
8 requirements of this Chapter:

9 * * *

10 (b) A copy of current documentation showing eligibility for social security
11 disability benefits, veteran's disability benefits, paratransit services, benefits from the
12 office for citizens with developmental disabilities of intellectual and developmental
13 disability supports, or benefits from Louisiana Rehabilitation Services.

14 * * *

15 §1309.3. Assistance in voting during early voting

16 * * *

17 D.(1)(a) Prior to receiving assistance pursuant to this Section because of a
18 disability, including visual impairment, the voter shall file with the registrar in
19 person or by mail a statement setting forth the necessity and reasons for this
20 assistance and shall furnish the registrar one of the following:

21 * * *

22 (iii) A copy of current documentation showing eligibility for social security
23 disability benefits, veteran's disability benefits, paratransit services, benefits from the
24 office for citizens with developmental disabilities of intellectual and developmental
25 disability supports, or benefits from Louisiana Rehabilitation Services.

26 * * *

27 Section 2. R.S. 28:451.1(D) and (F)(1), 451.2(3) and (19), 451.3(B), 451.4(section
28 heading), 454.1(A), 470(D)(2), 621(A), 771(B)(5)(b), 826(B)(1) and (2)(b), (C)(1)(a) and
29 (c), and 917(A) are hereby amended and reenacted to read as follows:

1 §451.1. Title; purpose; intent

2 * * *

3 D. It is the intent of this Chapter to establish that the office ~~for citizens with~~
4 ~~developmental disabilities~~ of intellectual and developmental disability supports
5 within the Louisiana Department of Health will be responsible for the programmatic
6 leadership in the designing and developing of all developmental disabilities services
7 provided by the department either directly or pursuant to agreements with public and
8 private providers. It is also the intent of this Chapter to enable the office to provide
9 developmental disabilities services and supports consistent with the rights and
10 principles within this Chapter, to the extent possible.

11 * * *

12 F. This law shall be made available in alternative formats upon request from
13 the following:

14 (1) Office ~~for citizens with developmental disabilities~~ of intellectual and
15 developmental disability supports.

16 * * *

17 §451.2. Definitions

18 As used in this Chapter, the following words, terms, and phrases shall have
19 the meaning ascribed to them in this Section, except when the context clearly
20 indicates a different meaning:

21 * * *

22 (3) "Assistant secretary" means the assistant secretary of the office ~~for~~
23 ~~citizens with developmental disabilities~~ of intellectual and developmental disability
24 supports of the Louisiana Department of Health.

25 * * *

26 (19) "Office" or "~~OCDD~~" "OIDDS" means the office ~~for citizens with~~
27 ~~developmental disabilities~~ of intellectual and developmental disability supports
28 within the Louisiana Department of Health.

29 * * *

1 §451.3. Administration of the provisions of this Chapter; responsibilities of human
2 services authorities and districts; advisory committees

3 * * *

4 B. The assistant secretary of the office ~~for citizens with developmental~~
5 ~~disabilities~~ of intellectual and developmental disability supports shall be the
6 administrative head of the office and shall be fully responsible for the administration
7 of the office, its administrative units, and the establishment of all programmatic
8 policies for services and supports for persons with developmental disabilities and
9 their families delivered under the auspices of the department.

10 * * *

11 §451.4. State developmental centers; office ~~for citizens with developmental~~
12 ~~disabilities~~ of intellectual and developmental supports

13 * * *

14 §454.1. Developmental disabilities services system

15 A. The office ~~for citizens with developmental disabilities~~ of intellectual and
16 developmental supports shall establish a developmental disabilities services and
17 supports system and shall serve as the single point of entry into the system. The
18 services and supports noted in the definition of developmental disabilities services
19 in this Chapter are not intended to reflect all services that may be provided.

20 * * *

21 §470. Louisiana State Interagency Coordinating Council for EarlySteps: Louisiana's
22 Early Intervention Program for Infants and Toddlers with Disabilities and
23 Their Families

24 * * *

25 D.

26 * * *

27 (2) The council shall use funds provided pursuant to this Chapter to hire an
28 executive director who shall be responsible to and report directly to the council and
29 the secretary of the Louisiana Department of Health to carry out its functions

1 (5)

2 * * *

3 (b) The copayment provided for in this Paragraph shall be deposited in the
4 state treasury pursuant to R.S. 39:82 and shall be accounted for by the commissioner
5 of administration through appropriations control pursuant to R.S. 39:334(B)(6). The
6 commissioner of administration shall establish a separate cost center in the office of
7 behavioral health and the office ~~for citizens with developmental disabilities~~ of
8 intellectual and developmental disability supports for revenue generated pursuant to
9 this Paragraph. All funds not obligated shall revert to the state general fund at the
10 end of the fiscal year.

11 * * *

12 §826. Disability Services Fund

13 * * *

14 B.(1) Notwithstanding any other provision of law to the contrary, after
15 compliance with the requirements of Article VII, Section 9(B) of the Constitution of
16 Louisiana relative to the Bond Security and Redemption Fund, and after a sufficient
17 amount is allocated from that fund to pay all of the obligations secured by the full
18 faith and credit of the state which become due and payable within any fiscal year, the
19 treasurer shall deposit into the fund an amount equal to the amount collected by the
20 state attributable to the sale or lease of all or part of any movable and immovable
21 property previously operated by the office ~~for citizens with developmental~~
22 ~~disabilities~~ of intellectual and developmental disability supports within the Louisiana
23 Department of Health, the proceeds of the fee assessed pursuant to the provisions of
24 R.S. 40:1046(H)(8)(a), and the proceeds of the taxes levied pursuant to R.S.
25 47:9105(A) and (B).

26 (2)

27 * * *

28 (b) The state treasurer shall deposit monies attributable to the collections by
29 the state for the sale or lease of all or part of any movable and immovable property

1 directors of the districts and authorities, and other members as deemed appropriate
2 by the council.

3 * * *

4 Section 3. R.S. 36:251(C)(1) and 258(D) are hereby amended and reenacted to read
5 as follows:

6 §251. Louisiana Department of Health; creation; domicile; composition;
7 purpose and functions

8 * * *

9 C.(1) The Louisiana Department of Health shall be composed of the
10 executive office of the secretary, the office of the surgeon general, the office of
11 management and finance, the office of public health, the office of behavioral health,
12 the office for ~~citizens with developmental disabilities~~ of intellectual and
13 developmental disability supports, the office of aging and adult services, the office
14 on women's health and community health, and such other offices as shall be created
15 by law.

16 * * *

17 §258. Offices; purposes and functions

18 * * *

19 D. The office for ~~citizens with developmental disabilities~~ of intellectual and
20 developmental disability supports shall be responsible for the programs and
21 functions of the state relating to the care, training, treatment, and education of
22 persons with intellectual disabilities, persons with developmental disabilities, and
23 persons with autism. It shall administer residential and day care facilities of the state
24 for persons with intellectual disabilities and persons with developmental disabilities.

25 * * *

26 Section 4. R.S. 37:1021, 1023(A), and 1025(A)(2) are hereby amended and
27 reenacted to read as follows:

1 §1021. Applicability

2 This Part shall apply only to the office ~~for citizens with developmental~~
3 ~~disabilities~~ of intellectual and developmental disability supports and the office of
4 aging and adult services of the Louisiana Department of Health, to community
5 homes for persons with developmental disabilities funded through the Louisiana
6 Department of Health, to intermediate care facilities for people with developmental
7 disabilities, and to in-home Medicaid home- and community-based services. This
8 Part shall apply to any program or agency contracting for services with the Louisiana
9 Department of Health or the Department of Children and Family Services.
10 Participation on the part of private providers that contract with the Louisiana
11 Department of Health or the Department of Children and Family Services is strictly
12 voluntary.

13 * * *

14 §1023. Drug administration course; certification of medication attendants; rules;
15 instructor training courses; fees

16 A. Drug administration courses shall be established by the office of the
17 secretary of the Louisiana Department of Health in conjunction with the Louisiana
18 State Board of Nursing and the Louisiana State Board of Practical Nurse Examiners
19 and as approved by the secretary of the Louisiana Department of Health. Persons
20 who have successfully completed the course and passed a qualifying examination
21 shall be permitted to administer certain medications to residents of facilities operated
22 by the office ~~for citizens with developmental disabilities~~ of intellectual and
23 developmental disability supports or community homes for persons with
24 developmental disabilities funded through the Louisiana Department of Health or the
25 Department of Children and Family Services and to persons receiving in-home
26 Medicaid home- and community-based services and shall be known as medication
27 attendants. The course shall include but not be limited to instruction of the legal
28 aspects, roles, and responsibilities of drug administration, definitions, terminology,

1 classification, measurement, identification, effects, distribution, and the care and
2 handling of drugs.

3 * * *

4 §1025. Qualifications of applicants to the drug administration course

5 A. Each person accepted to participate in the drug administration course
6 shall be:

7 * * *

8 (2) Employed in a facility operated by the office ~~for citizens with~~
9 ~~developmental disabilities~~ of intellectual and developmental disability supports, in
10 a community home for persons with developmental disabilities funded through the
11 Louisiana Department of Health or the Department of Children and Family Services,
12 or in an intermediate care facility for people with developmental disabilities, or be
13 a person who provides in-home Medicaid home- and community-based services.

14 * * *

15 Section 5. R.S. 40:1159.9(A)(2), 1249.3(A)(3), 2018.7(C)(3)(g),
16 2018.8(B)(introductory paragraph) and (14), 2020(A)(1) through (3) and (B)(3),
17 2116(C)(1)(c), and 2180.3 are hereby amended and reenacted to read as follows:

18 §1159.9. Consent to surgical or medical treatment for persons with developmental
19 disabilities and residents of state-operated nursing homes

20 A. Upon the written recommendation of the treating physician, the following
21 persons may consent to any surgical or medical treatment on behalf of any person
22 with a developmental disability who is a recipient of service from a state-operated
23 supported living program or home- and community-based service provider, or who
24 is a resident of a state-operated residential facility, community, or group home for
25 persons with developmental disabilities, state-supervised extended family living
26 program, or a nonstate-operated residential facility, community, or group home for
27 persons with developmental disabilities, or who is a resident of a state-operated
28 nursing home:

29 * * *

1 (g) The office ~~for citizens with developmental disabilities~~ of the department
2 of intellectual and developmental disability supports.

3 * * *

4 §2018.8. Alzheimer's and Related Dementias Advisory Council; composition;
5 purpose

6 * * *

7 B. The council shall consist of the following ~~twenty-two~~ members:

8 * * *

9 (14) The assistant secretary of the office ~~of citizens with developmental~~
10 ~~disabilities~~ of intellectual and developmental disability supports or his designee.

11 * * *

12 §2020. Review of deaths of persons served by the Louisiana Department of Health

13 A. The legislature finds that:

14 (1) In accordance with best practices and national trends, it is recommended
15 that the Louisiana Department of Health through the office ~~for citizens with~~
16 ~~developmental disabilities~~ of intellectual and developmental disability supports, the
17 office of behavioral health, and the office of aging and adult services monitor and
18 review deaths of persons receiving services through the offices.

19 (2) Collection of data on the causes and circumstances of death of these
20 persons will enable the office ~~for citizens with developmental disabilities~~ of
21 intellectual and developmental disability supports, the office of behavioral health,
22 and the office of aging and adult services to initiate quality improvement and
23 provider remediation in long-term care services in order to reduce mortality rates.

24 (3) A complete review of the information obtained by the office ~~for citizens~~
25 ~~with developmental disabilities~~ of intellectual and developmental disability supports,
26 the office of behavioral health, and the office of aging and adult services will enable
27 the offices to identify patterns and systemic problems to support corrective actions
28 and quality improvements in service delivery.

1 B. For the purposes of this Section, the following terms shall have the
2 following meanings:

3 * * *

4 (3) "Office" means the office ~~for citizens with developmental disabilities of~~
5 intellectual and developmental disability supports, the office of behavioral health,
6 or the office of aging and adult services within the Louisiana Department of Health.

7 * * *

8 §2116. Facility need review

9 * * *

10 C.(1) The secretary of the Louisiana Department of Health shall appoint a
11 facility need review committee, "FNR committee", that shall consist of the following
12 members:

13 * * *

14 (c) The assistant secretary of the office ~~for citizens with developmental~~
15 ~~disabilities~~ of intellectual and developmental disability supports of the Louisiana
16 Department of Health or his designee.

17 * * *

18 §2180.3. Input from the office ~~for citizens with developmental disabilities of~~
19 intellectual and developmental disability supports

20 Any office, bureau, or agency that licenses ICF/DD's shall prepare proposed
21 rules, regulations, and standards in consultation with the office ~~for citizens with~~
22 ~~developmental disabilities~~ of intellectual and developmental disability supports.
23 Such consultation will include assurance that all federal and state laws and
24 regulations, including the provisions of this Chapter regarding program
25 requirements, are included in the licensing requirements.

26 Section 6. R.S. 46:1301(A)(introductory paragraph) and (1), 2352(F)(3), and
27 2605(B)(13) are hereby amended and reenacted to read as follows:

28 §1301. Services to autistic persons; center of excellence for autism spectrum
29 disorder; responsibility

(c), and 917(A), R.S. 36:251(C)(1) and 258(D), R.S. 37:1021, 1023(A), and 1025(A)(2), R.S. 40:1159.9(A)(2), 1249.3(A)(3), 2018.7(C)(3)(g), 2018.8(B)(intro. para) and (14), 2020(A)(1)-(3) and (B)(intro. para.) and (3), 2116(C)(1)(c), and 2180.3, and R.S. 46:1301(A)(intro. para) and (1), 2352(F)(3), and 2605(B)(13))