

2015 Regular Session

HOUSE BILL NO. 369

BY REPRESENTATIVES BARROW AND CARTER AND SENATOR CLAITOR

1 AN ACT

2 To enact Part IV of Chapter 28 of Title 46, to be comprised of R.S. 46:2148, relative to the
3 state domestic violence coalition of Louisiana; to require the opportunity for an
4 appeal hearing prior to disciplinary action; to require certain notifications; and to
5 provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. Part IV of Chapter 28 of Title 46, comprised of R.S. 46:2148, is hereby
8 enacted to read as follows:

9 PART IV. STATE DOMESTIC VIOLENCE COALITION

10 §2148. State domestic violence coalition; appeal hearing prior to disciplinary action;
11 notification requirements; mandatory representation

12 A. The state domestic violence coalition of Louisiana shall not take any
13 action against a member of the coalition or domestic violence services provider that
14 would adversely affect the member's or provider's ability to furnish shelter or
15 supportive services to the victims of domestic abuse and their families in Louisiana
16 unless all of the following conditions are satisfied:

17 (1) No less than thirty days prior to the disciplinary action being imposed,
18 the state domestic violence coalition provided to the member or domestic violence
19 services provider written notice containing a description of the proposed disciplinary
20 action, the facts setting forth the basis for the proposed disciplinary action, and a
21 statement that the member or provider has the right to request an appeal hearing
22 before the state domestic violence coalition.

23 (2) If the member or domestic violence services provider requested an appeal
24 hearing, the state domestic violence coalition gave the member or provider written

1 notice of the scheduled appeal hearing and the opportunity to present arguments or
2 evidence in support of the member or provider's position.

3 B.(1) No later than forty-eight hours after any disciplinary action is taken by
4 the coalition against any member of the coalition or domestic violence services
5 provider, the state domestic violence coalition of Louisiana shall give written notice
6 to the Department of Children and Family Services, the House and Senate
7 committees on health and welfare, and the representative and senator for any district
8 for which the member or provider renders services.

9 (2) The written notification required by this Section shall contain, at a
10 minimum, a description of the disciplinary action and the facts setting forth the basis
11 for the disciplinary action. However, the written notification and any other
12 disclosure shall not contain any privileged communications or records and shall be
13 communicated to the parties listed in Paragraph (1) of this Subsection in strict
14 compliance with the provisions of R.S. 46:2124.1.

15 C. For the purposes of this Section, "shelter", "state domestic violence
16 coalition", and "supportive services" have the same meaning assigned in 42 U.S.C.
17 10402.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____