

2016 Regular Session

HOUSE BILL NO. 260

BY REPRESENTATIVE LEGER

HUMAN SERVICES: Provides for a centralized human services transportation data system

1 AN ACT

2 To amend and reenact R.S. 39:15.3(B)(1)(introductory paragraph) and to enact R.S.

3 29:725(K), R.S. 36:104(A)(15), 154(A)(9), 254(A)(15), 304(A)(9), 474(A)(13),

4 504(A)(10), 624(A)(9), 645(A)(9), and 784(A)(9), R.S. 39:15.3(B)(1)(o), and

5 Subpart C-1 of Part I of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised

6 Statutes of 1950, to be comprised of R.S. 39:16.1 through 16.5, and R.S. 46:932(15),

7 relative to coordination of human services transportation data; to provide for creation

8 and administration of a human services transportation data system by the office of

9 technology services; to establish functions and duties of the office of technology

10 services relative to the data system and coordination technology; to provide for

11 collaboration between the office of technology services and the Department of

12 Transportation and Development on certain matters related to the data system; to

13 require certain state agencies and offices to report data to the system; to provide for

14 interagency agreements concerning data sharing; to provide for administrative

15 rulemaking; to provide for legislative findings and intent; to provide for reporting;

16 to provide an effective date; and to provide for related matters.

1 Be it enacted by the Legislature of Louisiana:

2 Section 1. R.S. 29:725(K) is hereby enacted to read as follows:

3 §725. State emergency and disaster agency; powers of director

4 * * *

5 K. The director shall ensure that the office complies with all applicable data
6 reporting requirements implemented pursuant to the Human Services Transportation
7 Data Coordination Act, R.S. 39:16.1 et seq.

8 Section 2. R.S. 36:104(A)(15), 154(A)(9), 254(A)(15), 304(A)(9), 474(A)(13),
9 504(A)(10), 624(A)(9), 645(A)(9), and 784(A)(9) are hereby enacted to read as follows:

10 §104. Powers and duties of the secretary of economic development

11 A. In addition to the functions, powers, and duties otherwise vested in the
12 secretary by law, he shall:

13 * * *

14 (15) Ensure that the department complies with all applicable data reporting
15 requirements implemented pursuant to the Human Services Transportation Data
16 Coordination Act, R.S. 39:16.1 et seq.

17 * * *

18 §154. Powers and duties of secretary of elderly affairs

19 A. In addition to the functions, powers, and duties otherwise vested in the
20 secretary by law, he shall:

21 * * *

22 (9) Ensure that the department complies with all applicable data reporting
23 requirements implemented pursuant to the Human Services Transportation Data
24 Coordination Act, R.S. 39:16.1 et seq.

25 * * *

26 §254. Powers and duties of the secretary of the Department of Health and Hospitals

27 A. In addition to the functions, powers, and duties otherwise vested in the
28 secretary by law, he shall:

29 * * *

1 (15) Ensure that the department complies with all applicable data reporting
2 requirements implemented pursuant to the Human Services Transportation Data
3 Coordination Act, R.S. 39:16.1 et seq.

4 * * *

5 §304. Powers and duties of executive director

6 A. In addition to the functions, powers, and duties otherwise vested in the
7 executive director by law, he shall:

8 * * *

9 (9) Ensure that the commission complies with all applicable data reporting
10 requirements implemented pursuant to the Human Services Transportation Data
11 Coordination Act, R.S. 39:16.1 et seq.

12 * * *

13 §474. Powers and duties of the secretary of the Department of Children and Family
14 Services

15 A. In addition to the functions, powers, and duties otherwise vested in the
16 secretary by law, he shall:

17 * * *

18 (13) Ensure that the department complies with all applicable data reporting
19 requirements implemented pursuant to the Human Services Transportation Data
20 Coordination Act, R.S. 39:16.1 et seq.

21 * * *

22 §504. Powers and duties of secretary of transportation and development

23 A. In addition to the functions, powers, and duties otherwise vested in the
24 secretary by law, he shall:

25 * * *

26 (10)(a) Ensure that the department collaborates with and serves in an
27 advisory capacity to the office of technology services in implementing and managing
28 the human services transportation data system provided for in the Human Services
29 Transportation Data Coordination Act, R.S. 39:16.1 et seq.

1 (b) Ensure that the department enters into any agreement with the office of
2 technology services, in accordance with the provisions of R.S. 39:16.5, as may be
3 necessary to facilitate reporting of data to the human services transportation data
4 system.

5 * * *

6 §624. Powers and duties of commissioner of agriculture and forestry

7 A. In addition to the functions, powers, and duties otherwise vested in the
8 commissioner of agriculture by law, he shall:

9 * * *

10 (9) Ensure that the department complies with all applicable data reporting
11 requirements implemented pursuant to the Human Services Transportation Data
12 Coordination Act, R.S. 39:16.1 et seq.

13 * * *

14 §645. Powers and duties of state superintendent of education

15 A. In addition to the functions, powers, and duties otherwise vested in the
16 state superintendent by law, he shall:

17 * * *

18 (9) Ensure that the department complies with all applicable data reporting
19 requirements implemented pursuant to the Human Services Transportation Data
20 Coordination Act, R.S. 39:16.1 et seq.

21 * * *

22 §784. Powers and duties of the secretary

23 A. In addition to the functions, powers, and duties otherwise vested in the
24 secretary by law, he shall:

25 * * *

26 (9) Ensure that the department complies with all applicable data reporting
27 requirements implemented pursuant to the Human Services Transportation Data
28 Coordination Act, R.S. 39:16.1 et seq.

29 * * *

1 Section 3. R.S. 39:15.3(B)(1)(introductory paragraph) is hereby amended and
2 reenacted and R.S. 39:15.3(B)(1)(o) and Subpart C-1 of Part I of Chapter 1 of Subtitle I of
3 Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:16.1 through 16.5,
4 are hereby enacted to read as follows:

5 §15.3. Office of technology services; offices and staff; duties

6 * * *

7 B. The state chief information officer shall manage and direct the office of
8 technology services, with roles, duties, and activities including but not limited to the
9 following:

10 (1) Establishing and coordinating all information technology systems and
11 information technology services affecting the management and operations of the
12 executive branch of state government. The office of technology services shall,
13 subject to the provisions of this Subpart, have sole authority and responsibility for
14 defining the specific information technology systems and information technology
15 services to which the provisions of this Subpart shall be applicable. Information
16 technology systems, including equipment and related services, and information
17 technology services shall mean the equipment and services and means necessary to
18 provide, ~~including but not limited to~~ without limitation, the following:

19 * * *

20 (o) The human services transportation data system and coordination
21 technology provided for in Subpart C-1 of this Part.

22 * * *

23 SUBPART C-1. HUMAN SERVICES TRANSPORTATION DATA SYSTEM
24 AND COORDINATION TECHNOLOGY

25 §16.1. Short title

26 This Subpart shall be known and may be cited as the "Human Services
27 Transportation Data Coordination Act".

28 §16.2. Findings and intent

29 A. The Legislature of Louisiana hereby finds and declares the following:

1 (1) Human services transportation connects transportation-disadvantaged
2 individuals who, because of age, disability, or income, cannot safely operate or
3 afford a motor vehicle, and thus have limited access to nonemergency medical
4 services, educational activities, workforce training, and other social services as well
5 as to jobs and other activities of daily life. Human services transportation is a need
6 of transportation-disadvantaged individuals across Louisiana in both urban and rural
7 areas of the state.

8 (2) Human services transportation systems can provide a valuable service in
9 Louisiana by working with and supporting evacuation efforts initiated by local, state,
10 and federal agencies in response to natural disasters and in other emergency
11 situations. A centralized human services transportation data base and coordination
12 technology can reduce the cost of evacuation by leveraging existing vehicles, drivers,
13 and services.

14 (3) Historically, this state has lacked an information system through which
15 multiple state agencies can mutually share critical information relative to all
16 transportation services, the delivery of which are financed by discrete funding
17 sources that are inherently uncoordinated across state agencies. The absence of data
18 sharing across agencies precludes analysis which could identify opportunities for
19 efficiencies and improvements to services. Information sharing is therefore a
20 rudimentary first step toward achieving a more coordinated mobility management
21 system in Louisiana for human services transport.

22 (4) Customer inconvenience occurs due to the large number, diversity, and
23 dispersion of transportation programs provided by multiple entities. This
24 circumstance also results in service duplication in some areas and service gaps in
25 others, underutilization of resources, and inconsistent standards. Statewide
26 coordination of these programs will yield efficient and effective use of transportation
27 resources for getting transportation-disadvantaged people to important destinations.
28 Statewide coordination will also benefit regional and local agencies that are federally
29 mandated to coordinate transportation resources. Coordination means working with

1 transit providers including nonemergency medical transportation services, human
2 service agencies, private institutions, businesses, volunteers, and political leaders to
3 broaden transportation options. Consolidation and sharing of information is a critical
4 first step in achieving the coordination goal.

5 (5) Effective coordination of human services transportation data among state
6 agencies will facilitate the type of data analysis necessary to assist those agencies in
7 enhancing services and identifying inefficiencies, thereby lowering public costs as
8 human transport needs expand. Coordination of human services transportation will
9 establish Louisiana as a national leader in innovative human services transport
10 logistics by facilitating university-led research and analysis complemented and
11 supported by state collaboration and leadership. Such coordination will set a
12 national precedent in the long-standing identified problem of weak coordination
13 across funding sources and inadequate customer service in the human services
14 transport environment.

15 B. The intent of this Subpart is to improve public health, safety, and welfare
16 in this state by providing for a coordinated human services transportation data
17 system which will support and enhance transportation services for transportation-
18 disadvantaged persons and yield a more efficient use of limited public resources.

19 §16.3. Purpose and goals

20 A. The purpose of this Subpart is to establish data collection and data sharing
21 as key priorities in addressing challenges to implementation and operation of a
22 coordinated human services transportation system.

23 B. The goals of the human services transportation data system provided for
24 in this Subpart include all of the following:

25 (1) To expand and improve communication and coordination across state
26 agencies relative to human services transportation and needs of service recipients.

27 (2) To assist the state in meeting requirements of federal law relative to
28 coordination of human services transportation.

1 (3) To minimize service duplication and reduce costs to state government for
2 transportation and transportation-related services.

3 (4) To facilitate services for persons with special transportation needs and
4 coordination of available vehicles and other transportation resources across multiple
5 agencies for use in public health, public safety, and human services functions
6 including but not limited to the following:

7 (a) Evacuations in times of hurricanes and other natural disasters.

8 (b) Hazardous materials emergencies and other public health emergency
9 situations.

10 (c) Routine transportation for persons who are elderly, persons with
11 disabilities, and other persons with transportation needs.

12 (d) Routine workforce transportation to and from jobs.

13 (5) To facilitate a reliable determination of all of the following:

14 (a) The collective capacity of all human services vehicles in the state by type
15 of service.

16 (b) Human services transportation utilization rates by type of service.

17 (6) To facilitate productive use of any excess vehicle capacity, optimize
18 driver time, expand geographic coverage, and improve customer service.

19 (7) To assist agencies in identifying riders and service needs.

20 (8) To leverage geographic information systems in order to identify any gaps
21 in and duplication of routes and services.

22 (9) To expand, enhance, and ease connections between riders and service
23 providers.

24 §16.4. Human services transportation data system; creation and administration;
25 rulemaking

26 A. The office of technology services, referred to hereafter in this Subpart as
27 the "office", shall create, administer, and maintain a human services transportation
28 data system, whether internally or by contract, which conforms to the specifications
29 for such system provided in this Section.

1 B.(1) Prior to establishing the human services transportation data system, the
2 office shall evaluate the capability and scalability of existing software technology
3 and data systems in use by state agencies and offices, including but not limited to
4 those designated in R.S. 39:16.5, for the purpose of determining whether any
5 software program or system currently owned by the state can be utilized or adapted
6 to meet the functionality requirements of the human services transportation data
7 system.

8 (2) The office shall establish priorities and criteria for selection of the data
9 system, which shall include but not be limited to the following:

10 (a) Capacity of the system to collect, maintain, secure, tabulate, and output
11 all records and data reported to it.

12 (b) Capacity of the system to interface with or enhance access to "One Call
13 /One Click" service centers, and to advance innovations in coordination technology.

14 (c) Minimization of barriers such as ownership limitations and development
15 costs in order to accommodate data integration and a robust user interface.

16 (d) Minimization of development and maintenance costs.

17 C.(1) The data system and coordination technology shall feature a relational
18 database for collection and organization of data elements relative to human services
19 transportation. Such data elements shall include, without limitation, the following:

20 (a) Fleet and provider characteristics including but not limited to the
21 following:

22 (i) Associated agency or organization.

23 (ii) Service vehicle type and capacity.

24 (iii) Service vehicle disposition (e.g. age, annual mileage, maintenance
25 reporting).

26 (iv) Service vehicle cost and source of funding for acquisition of the vehicle.

27 (v) Service vehicle recurring expenses (e.g. insurance, maintenance) and
28 funding sources therefor.

29 (vi) Service vehicle accessibility features.

- 1 (vii) Geographic coverage of services.
- 2 (viii) Temporal coverage of services.
- 3 (ix) Driver characteristics and qualifications (e.g. wages, training, licenses).
- 4 (x) Primary clientele.
- 5 (xi) Allowable trip purposes.
- 6 (xii) Reservation requirements.
- 7 (xiii) Sources and annual amounts of federal and state funding.
- 8 (xiv) Sources and amounts of local matching funds.
- 9 (b) Vehicle log data including but not limited to the following:
- 10 (i) Mileage (in service and total).
- 11 (ii) Hours (in service and total).
- 12 (iii) Total trips provided.
- 13 (iv) Total cash fares collected.
- 14 (v) Fueling record.
- 15 (vi) Driver or drivers.
- 16 (vii) Maintenance locations.
- 17 (c) Trip log data, by trip, including but not limited to the following:
- 18 (i) Pick up and drop off times.
- 19 (ii) Origin and destination.
- 20 (iii) Trip mileage.
- 21 (iv) Trip purpose.
- 22 (v) Trip reservation type (e.g. subscription, demand response).
- 23 (vi) Passenger characteristics (e.g. elderly, nonambulatory, special needs).
- 24 (vii) Accessibility needs.
- 25 (viii) Other trip provisions (e.g. escort, service animal, medical equipment).
- 26 (ix) Total cost of trip.
- 27 (x) Cost of fare.
- 28 (xi) Sources of trip funding.

1 (d) Data relative to disaster response transportation including but not limited

2 to the following:

3 (i) Contracts and contract costs for the previous three years.

4 (ii) Number of vehicles.

5 (iii) Number of persons transported.

6 (iv) Number of persons who are elderly, persons with disabilities, and low-
7 income persons.

8 (v) Vehicle types, seat capacity, utilization (filled and vacant) by trip type
9 (city to city versus destination city trips).

10 (vi) Coverage areas.

11 (vii) Days dispatched at destination city.

12 (viii) Sources and amounts of federal and state funds for disaster response
13 transportation.

14 (ix) Sources and amounts of local matching funds for disaster response
15 transportation.

16 (e) Data relative to eligible clientele by agency including but not limited to
17 the following:

18 (i) Names and addresses of clients.

19 (ii) Type of service.

20 (iii) Special needs.

21 (iv) Service frequency.

22 (v) Program eligibility.

23 (2) The office is hereby authorized to collaborate with the Department of
24 Transportation and Development to develop the administrative rules provided for in
25 Subsection D of this Section which, in part, shall set forth the full complement of
26 data elements to be collected in the data system.

27 D. The office shall adopt all rules in accordance with the Administrative
28 Procedure Act as are necessary for implementation and management of the data

1 system provided for in this Subpart. The rules shall provide, at minimum, the
2 following:

3 (1) A listing of the individual data elements to be collected in the data
4 system.

5 (2) Policies and procedures for ensuring all of the following:

6 (a) That data in the system is maintained in a secure environment.

7 (b) That any personally identifiable information, protected health
8 information, and other sensitive personal information which may be stored in the
9 data system is maintained in compliance with applicable federal and state privacy
10 laws.

11 (3) Specifications for agreements between the office and the agencies and
12 offices designated in R.S. 39:16.5 relative to reporting of data to the system and data
13 sharing. At minimum, these specifications shall address all of the following:

14 (a) Security arrangements to be set forth in the agreements between the
15 parties for the purpose of protecting data from unauthorized access and from other
16 threats to the privacy of individuals and the confidentiality of the data.

17 (b) The listing of the individual data elements to be reported to the system.

18 (c) Intervals at which reporting agencies, offices, and service providers are
19 to furnish the required data to the system.

20 (d) Coordination, use of findings, and use of the data system and coordinated
21 technology to facilitate innovative coordinated access and mobility management.

22 §16.5. State entities required to report data; interagency agreements

23 A. Unless otherwise prohibited by law, each of the following state agencies
24 and offices shall report to the office, at intervals specified in an agreement developed
25 pursuant to Subsection B of this Section, each individual data element which is in its
26 possession and required by rule to be reported to the human services transportation
27 data system:

28 (1) The Department of Transportation and Development.

29 (2) The Department of Health and Hospitals.

1 (3) The Department of Children and Family Services.

2 (4) The Department of Economic Development.

3 (5) The Department of Veterans Affairs.

4 (6) The Department of Education.

5 (7) The Louisiana Workforce Commission.

6 (8) The Department of Elderly Affairs.

7 (9) The Governor's Office of Elderly Affairs.

8 (10) The Governor's Office of Homeland Security and Emergency
9 Preparedness.

10 (11) The Department of Agriculture.

11 B.(1) Each state entity designated in Subsection A of this Section shall enter
12 into a cooperative endeavor agreement, memorandum of understanding, or other type
13 of agreement with the office relative to reporting of data to the human services
14 transportation data system.

15 (2) Each agreement developed pursuant to this Subsection shall meet the
16 specifications and standards for such agreements provided in rules of the office
17 relative to the human services transportation data system.

18 Section 4. R.S. 46:932(15) is hereby enacted to read as follows:

19 §932. Powers and duties

20 The office shall have the following powers and duties:

21 * * *

22 (15) Ensure compliance with all data reporting requirements applicable to
23 the office that are implemented pursuant to the Human Services Transportation Data
24 Coordination Act, R.S. 48:106.1 et seq.

25 Section 5. Not later than March 1, 2017, the office of technology services shall
26 submit a written report addressing the status of the implementation of the provisions of this
27 Act to the House and Senate committees on health and welfare and the House and Senate
28 committees on transportation, highways and public works.

29 Section 6. This Act shall become effective on September 1, 2016.

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)]

HB 260 Original

2016 Regular Session

Leger

Abstract: Provides for a centralized human services transportation data system through enactment of the Human Services Transportation Data Coordination Act.

Proposed law to be known and cited as the "Human Services Transportation Data Coordination Act" provides for legislative findings, purposes, and goals. Provides that its intent is to improve public health, safety, and welfare through implementation of a coordinated human services transportation data system which will support and enhance transportation services for transportation-disadvantaged persons and yield a more efficient use of limited public resources.

Proposed law provides that the goals of the human services transportation data system provided for in proposed law include all of the following:

- (1) To expand and improve communication and coordination across state agencies relative to human services transportation and needs of service recipients.
- (2) To assist the state in meeting requirements of federal law relative to coordination of human services transportation.
- (3) To minimize service duplication and reduce costs to state government for transportation and transportation-related services.
- (4) To facilitate services for persons with special transportation needs and coordination of available vehicles and other transportation resources across multiple agencies for use in public health, public safety, and human services functions including but not limited to the following:
 - (a) Evacuations in times of hurricanes and other natural disasters.
 - (b) Hazardous materials emergencies and other public health emergency situations.
 - (c) Routine transportation for persons who are elderly, persons with disabilities, and other persons with transportation needs.
 - (d) Routine workforce transportation to and from jobs.
- (5) To facilitate a reliable determination of the collective capacity of human services vehicles in the state by type of service, and of utilization rates by type of service.
- (6) To facilitate productive use of any excess vehicle capacity; optimize driver time; expand geographic coverage; assist agencies in identifying riders and service needs; expand, enhance, and ease connections between riders and service providers; and improve customer service.
- (7) To leverage geographic information systems in order to identify any gaps in and duplication of routes and services.

Proposed law requires the office of technology services of the division of administration, referred to hereafter as the "office", to create, administer, and maintain a human services transportation data system, whether internally or by contract, in accordance with the provisions of proposed law.

Proposed law requires that prior to establishing the data system, the office shall evaluate the capability and scalability of existing software technology and data systems in use by state agencies and offices for the purpose of determining whether any software program or system currently owned by the state can be utilized or adapted to meet the functionality requirements of the data system. Provides that the office shall establish priorities and criteria for selection of the data system including but not limited to the following:

- (1) Capacity of the system to collect, maintain, secure, tabulate, and output all records and data reported to it.
- (2) Capacity of the system to interface with or enhance access to "One Call / One Click" service centers, and to advance innovations in coordination technology.
- (3) Minimization of barriers such as ownership limitations and development costs in order to accommodate data integration and a robust user interface.
- (4) Minimization of development and maintenance costs.

Proposed law requires that the data system and coordination technology shall feature a relational database for collection and organization of data elements relative to human services transportation. Provides that such data elements shall include, without limitation, the following: Fleet and provider characteristics; vehicle log data; trip log data, by trip; data relative to disaster response transportation; and data relative to eligible clientele by agency:

Proposed law authorizes the office to collaborate with the Department of Transportation and Development to develop administrative rules which, in part, shall set forth the full complement of data elements to be collected in the data system. Provides that the office shall adopt all rules in accordance with the APA as are necessary for implementation and management of the data system; and that the rules shall provide, at minimum, the following:

- (1) A listing of the individual data elements to be collected in the data system.
- (2) Policies and procedures for ensuring all of the following:
 - (a) That data in the system is maintained in a secure environment.
 - (b) That any personally identifiable information, protected health information, and other sensitive personal information which may be stored in the data system is maintained in compliance with applicable privacy laws.
- (3) Specifications for agreements between the office and the agencies and offices designated in proposed law relative to reporting of data to the system and data sharing. Provides that at minimum, these specifications shall address all of the following:
 - (a) Security arrangements to be set forth in the agreements between the parties for the purpose of protecting data from unauthorized access and from other threats to the privacy of individuals and the confidentiality of the data.
 - (b) The listing of the individual data elements to be reported to the system.
 - (c) Intervals at which reporting agencies, offices, and service providers are to furnish the required data to the system.

- (d) Coordination, use of findings, and use of the data system to facilitate innovative coordinated access and mobility management.

Proposed law requires that unless otherwise prohibited by law, each of the following state agencies and offices shall report to the office, at intervals specified in an agreement developed pursuant to proposed law, each data element which it possesses and is required by rule to report to the data system:

- (1) The Department of Transportation and Development.
- (2) The Department of Health and Hospitals.
- (3) The Department of Children and Family Services.
- (4) The Department of Economic Development.
- (5) The Department of Veterans Affairs.
- (6) The Department of Education.
- (7) The Louisiana Workforce Commission.
- (8) The Department of Elderly Affairs.
- (9) The Governor's Office of Elderly Affairs.
- (10) The Governor's Office of Homeland Security and Emergency Preparedness.
- (11) The Department of Agriculture.

Proposed law provides that each state entity required by proposed law to report data to the system shall enter into a cooperative endeavor agreement, memorandum of understanding, or other type of agreement with the office relative to reporting of data. Provides that each agreement developed pursuant to proposed law shall meet the specifications and standards therefor provided in rules of the office.

Proposed law requires the office to submit a written report no later than March 1, 2017, addressing the status of the implementation of proposed law to the legislative committees on health and welfare, and to the committees on transportation, highways and public works.

Effective September 1, 2016.

(Amends R.S. 39:15.3(B)(1)(intro. para.); Adds R.S. 29:725(K), R.S. 36:104(A)(15), 154(A)(9), 254(A)(15), 304(A)(9), 474(A)(13), 504(A)(10), 624(A)(9), 645(A)(9), and 784(A)(9), R.S. 39:15.3(B)(1)(o) and 16.1-16.5, and R.S. 46:932(15))