
The original instrument was prepared by Mary Dozier O'Brien. The following digest, which does not constitute a part of the legislative instrument, was prepared by McHenry Lee.

DIGEST

SB 397 Reengrossed

2016 Regular Session

Johns

Present law provides that a "youth" means a person not less than 16 years of age nor older than 21 years of age.

Present law provides that "child" means an individual who has not reached the age of 18 years or otherwise been legally emancipated.

Present law provides for the intent; rules, regulations, and standards for licenses; disclosure requirements and penalties; inspections; and removal of individuals from licensed specialized providers who house children.

Proposed law retains present law but allows the specialized providers to house youths.

Present law defines "residential home" as any place, facility, or home operated by any institution, society, agency, corporation, person or persons, or any other group to provide full-time care, twenty-four hours per day, for more than four children who are not related to the operators and whose parents or guardians are not residents of the same facility, with or without transfer of custody.

Proposed law retains present law but creates an exemption to allow a child of a person who is a resident of a residential home to reside with the parent at the same facility and adds that the children may remain at the facility in accordance with provisions of present law and proposed law on extended stay for completion of certain educational programs.

Present law provides that a person housed at a residential home may stay at such home for a period not to exceed six months beyond his eighteenth birthday to complete any educational course that he began at such facility, including but not limited to a GED course, and any other program offered by the residential home.

Proposed law retains present law but provides an exemption for a child housed at a residential home that does not receive Title IV-E funding to remain in the home until his twenty-first birthday to complete any educational course begun at the facility, including a GED course, and any other program offered by the home.

Present law prohibits any medical examination, immunization, or treatment of any child whose parents object to such examination, immunization, or treatment on religious grounds.

Proposed law retains present law but includes any youth aged 18 or above who objects to such examination, immunization, or treatment on religious grounds.

Present law provides that each residential home and maternity home facility must have a written discipline policy, which shall be made available to parents, and to authorized inspection personnel upon request.

Proposed law retains present law but also requires that the written discipline policy be made available to any youth aged 18 or above.

Present law provides for the dissemination of information relative to the risks associated with influenza and information on influenza immunization to each child's parent or legal guardian.

Proposed law requires the same influenza information be disseminated to each youth aged 18 or above.

Requires the Dept. of Children and Family Services to adopt rules in accordance with the APA. This rulemaking authority is effective upon signature of the governor or lapse of time for gubernatorial action.

Effective August 1, 2016.

(Amends R.S. 46:1402, 1403(7), 1403.1, 1407(B)(1)(a), (f), and (g), (E), (H), and (I), 1414.1(D), 1417, 1423, and 1428(A) and (B)(1))

Summary of Amendments Adopted by Senate

Senate Floor Amendments to engrossed bill

1. Adds "youth" to those who may be housed at certain residential homes.
2. Adds an exemption to allow a child of a person who is a resident of a residential home to reside with the parent at the same facility.
3. Adds an exemption to allow children who are pursuing certain educational courses to remain housed at the residential home until his twenty-first birthday.
4. Prohibits medical examinations, immunizations, or treatment of any youth aged 18 or older who object to such examinations, immunizations, or treatments based on religious objections.
5. Requires that written discipline policy be provided to any youth aged 18 or above.
6. Requires certain influenza information be provided to any youth aged 18 or above.