

## RÉSUMÉ DIGEST

**ACT 502 (SB 397)**

**2016 Regular Session**

**Johns**

Prior law, relative to the residential facilities, provided that a "youth" means a person not less than 16 years of age nor older than 21 years of age.

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

Prior law provided 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.

New law retains prior law but allows the specialized providers to house youths.

Prior law defined "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, 24 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.

New law retains prior 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 prior law and new law on extended stay for completion of certain educational programs.

Prior law provided 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.

New law retains prior 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.

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

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

Prior law provided 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.

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

Prior law provided 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.

New 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 (June 14, 2016). Remainder of act is 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))