

2018 Regular Session

SENATE BILL NO. 347

BY SENATOR HEWITT

FUNDS/FUNDING. Provides relative to funding for waiver services for individuals with developmental disabilities. (8/1/18)

1 AN ACT  
2 To amend and reenact R.S. 28:826, relative to funding for waiver services for individuals  
3 with developmental disabilities; to provide for deposits into the Community and  
4 Family Support System Fund; and to provide for related matters.  
5 Be it enacted by the Legislature of Louisiana:  
6 Section 1. R.S. 28:826 is hereby amended and reenacted to read as follows:  
7 §826. Community and Family Support System Fund  
8 A. There is hereby created, as a special fund in the state treasury, the  
9 Community and Family Support System Fund, hereafter sometimes referred to as  
10 "the fund."  
11 B.(1) Notwithstanding any other provision of law to the contrary, after  
12 compliance with the requirements of Article VII, Section 9(B) of the Constitution of  
13 Louisiana relative to the Bond Security and Redemption Fund, and after a sufficient  
14 amount is allocated from that fund to pay all of the obligations secured by the full  
15 faith and credit of the state which become due and payable within any fiscal year, the  
16 treasurer shall pay an amount equal to the amount collected by the state attributable  
17 to the sale or lease of all or part of any movable and immovable property previously

1 operated by the office for citizens with developmental disabilities within the  
2 Louisiana Department of Health. Additionally, the Louisiana Department of  
3 Health shall deposit into the fund any state general fund monies that are  
4 identified as savings resulting from changes in the delivery of services for  
5 individuals with developmental disabilities, including but not limited to waiver  
6 services.

7 (2) Monies appropriated from the fund shall be used solely as provided by  
8 Subsection C of this Section and only in the amounts appropriated by the legislature.  
9 All unexpended and unencumbered monies in the fund at the end of the fiscal year  
10 shall remain in the fund. The monies in the fund shall be invested by the state  
11 treasurer in the same manner as monies in the state general fund, and interest earned  
12 on the investment of these monies shall be credited to the fund following compliance  
13 with the requirements of Article VII, Section 9(B) relative to the Bond Security and  
14 Redemption Fund.

15 C.(1) Subject to annual appropriation by the legislature, the monies in the  
16 Community and Family Support System Fund shall be used solely to improve the  
17 capacity of the state to meet the varying and complex needs of individuals with  
18 developmental disabilities, with emphasis on increasing the number of recipients of  
19 waiver services.

20 (2) The monies in the fund shall not be used to displace, replace, or supplant  
21 appropriations from the state general fund for the state and Medicaid community-  
22 based developmental services below the amount of state general fund appropriations  
23 for the 2006-2007 Fiscal Year.

24 (3) For the purposes of this Section "waiver services" means Medicaid  
25 services provided under the New Opportunities Waiver, the Children's Choice  
26 Waiver, or any other Medicaid home and community based waiver for persons with  
27 developmental disabilities as promulgated by rule by the Louisiana Department of  
28 Health.

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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Christine Arbo Peck.

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SB 347 Original

DIGEST  
2018 Regular Session

Hewitt

Present law establishes the Community and Family Support System Fund that is funded with deposits from sales of properties that were operated by the office for citizens with developmental disabilities. Proposed law provides that state general fund dollars from savings resulting from changes in the delivery of services for individuals with developmental disabilities shall also be deposited into the fund.

Effective August 1, 2018.

(Amends R.S. 28:826)