

2020 Second Extraordinary Session

SENATE RESOLUTION NO. 50

BY SENATOR JACKSON

TANF. Requests the Department of Children and Family Services and the Louisiana Department of Health to study further ways to protect certain developmentally and physically disabled TANF recipients from sexual and physical exploitation or abuse by certain caregivers.

1 A RESOLUTION

2 To urge and request the Department of Children and Family Services and the Louisiana
3 Department of Health to study and develop mechanisms and processes to further
4 protect developmentally and physically disabled state benefit recipients from sexual
5 and physical exploitation or abuse and to present the findings and make
6 recommendations for legislation to the Senate Select Committee on Women and
7 Children no later than February 28, 2021.

8 WHEREAS, the Department of Children and Family Services administers and
9 supervises the Temporary Assistance for Needy Families (TANF) State Plan which provides
10 financial assistance and supplemental nutrition for low-income children and adults, many
11 of whom suffer from developmental or physical disabilities; and

12 WHEREAS, when a developmentally disabled or physically disabled individuals is
13 entitled to TANF benefits, a caregiver may qualify to receive those TANF benefits on behalf
14 of the disabled individual; and

15 WHEREAS, recent medical testimony before the Senate Select Committee on
16 Women and Children revealed that certain developmentally delayed patients were being
17 sexually and physically exploited and abused by caregivers; and

18 WHEREAS, studies have shown that children are more likely to be abused if they

1 are living with certain caregivers and adults with developmental disabilities are more likely
2 to be abused compared to the general population; and

3 WHEREAS, the Louisiana Department of Health administers the state's Medicaid
4 program, which is the state's health coverage for low-income children and adults who receive
5 TANF assistance; and

6 WHEREAS, Medicaid health benefits cover an annual wellness visit or routine
7 medical examination for each beneficiary with a primary care physician or other health care
8 provider; and

9 WHEREAS, although the Department of Children and Family Services and the
10 Louisiana Department of Health both have programs to assess and review the suitability of
11 caregivers, further resources may be needed to protect developmentally and physically
12 disabled children and adults from exploitation and abuse by caregivers; and

13 WHEREAS, it would further protect efforts to require certain physically or
14 developmentally disabled children who are recipients of TANF benefits to undergo annual
15 medical examinations with their primary care physicians outside of the view of caregivers
16 so as to eliminate or minimize the possibility of sexual or physical exploitation or abuse; and

17 WHEREAS, it would further protection efforts to require certain physically or
18 developmentally disabled individuals who are recipients of TANF benefits to undergo
19 annual medical examinations with their primary care physicians outside of the view of their
20 caregivers so as to eliminate or minimize the possibility of sexual or physical exploitation
21 or abuse.

22 THEREFORE, BE IT RESOLVED that the Senate of the Legislature of Louisiana
23 does hereby urge and request the Department of Children and Family Services and the
24 Louisiana Department of Health to study and develop mechanisms and processes to further
25 protect developmentally and physically disabled state benefit recipients from sexual and
26 physical exploitation or abuse and to present the findings and make recommendations for
27 legislation to the Senate Select Committee on Women and Children no later than February
28 28, 2021.

29 BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the
30 Department of Children and Family Services and the Louisiana Department of Health.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Carla S. Roberts.

DIGEST

SR 50 Original

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Jackson

Requests the Dept. of Children and Family Services and the La. Dept. of Health to study and develop mechanisms and processes to further protect certain developmentally and physically disabled state benefit recipients from sexual and physical exploitation or abuse and to present the findings and make recommendations for legislation to the Senate Select Committee on Women and Children no later than February 28, 2021.