

2021 Regular Session

HOUSE CONCURRENT RESOLUTION NO. 45

BY REPRESENTATIVE BAGLEY

EXCEPTIONAL PERSONS: Requests a study concerning a potential system for tracking the location of children with developmental and intellectual disabilities

1 A CONCURRENT RESOLUTION

2 To urge and request the office for citizens with developmental disabilities of the Louisiana
3 Department of Health to conduct a study concerning the feasibility and desirability
4 of implementing a system for tracking the location of children with developmental
5 and intellectual disabilities and to report findings of the study to certain legislative
6 committees.

7 WHEREAS, the safety of the children of this state is a paramount concern of the
8 legislature; and

9 WHEREAS, along with groups that advocate for people with disabilities and their
10 families, the legislature works to foster a culture in our state that cherishes children with
11 developmental and intellectual disabilities and prioritizes the needs and well-being of these
12 children; and

13 WHEREAS, beyond special educational and health needs, children with
14 developmental and intellectual disabilities often have special needs in terms of their safety;
15 and

16 WHEREAS, with respect to children with developmental and intellectual disabilities,
17 wandering (also called elopement) refers to a child leaving a safe area or a responsible
18 caregiver for longer than the brief time that a typical toddler might run off from someone
19 who is watching over him; and

1 WHEREAS, the United States Centers for Disease Control and Prevention indicates
2 that wandering is an important safety issue which can affect people with disabilities, their
3 families, and the community; and

4 WHEREAS, numerous studies have concluded that children with disabilities are at
5 much higher risk of experiencing exploitation and violence than their peers who do not have
6 disabilities; and

7 WHEREAS, examples of such studies include one published in 2012 in the medical
8 journal The Lancet which found that, overall, children with disabilities are almost four times
9 more likely to experience violence than children without disabilities, and that the risk of a
10 child with a developmental or intellectual disability experiencing sexual violence is over
11 four-and-a-half times greater than that of a child with no such disability; and

12 WHEREAS, as evidenced by its adoption of House Concurrent Resolution No. 53
13 of the 2020 Regular Session and House Concurrent Resolution No. 84 of the 2019 Regular
14 Session, both of which addressed potential means of addressing safety issues experienced
15 by people with autism, the legislature has recently made efforts to find policy solutions for
16 protecting people with special needs; and

17 WHEREAS, a system for tracking the physical location of children with
18 developmental and intellectual disabilities could be a means of ensuring the safety of such
19 children; however, matters such as privacy, cost, duties and responsibilities relating to the
20 system, and, potentially, other important considerations should be evaluated before any
21 policymaking body considers implementing a system of this type.

22 THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby
23 urge and request the office for citizens with developmental disabilities of the Louisiana
24 Department of Health to conduct a study concerning the feasibility and desirability of
25 implementing a system for tracking the location of children with developmental and
26 intellectual disabilities.

27 BE IT FURTHER RESOLVED that in conducting the study called for in this
28 Resolution, the office for citizens with developmental disabilities shall engage, collaborate
29 with, and obtain information and perspective from stakeholder groups that advocate for
30 children with developmental and intellectual disabilities and their families.

1 BE IT FURTHER RESOLVED that the Louisiana Department of Health shall submit
2 findings from the study called for in this Resolution in the form of a written report to the
3 House Committee on Health and Welfare, the Senate Committee on Health and Welfare, the
4 House Committee on Administration of Criminal Justice, the Senate Committee on Judiciary
5 B, and the David R. Poynter Legislative Research Library on or before February 1, 2022.

6 BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the
7 secretary of the Louisiana Department of Health.

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)]

HCR 45 Original

2021 Regular Session

Bagley

Urges and requests the office for citizens with developmental disabilities of the La. Department of Health (LDH) to conduct a study concerning the feasibility and desirability of implementing a system for tracking the location of children with developmental and intellectual disabilities.

Requires LDH to submit findings from the study in the form of a written report to the legislative committees on health and welfare, the House Committee on Administration of Criminal Justice, and the Senate Committee on Judiciary B on or before Feb. 1, 2022.