

2022 Regular Session

HOUSE BILL NO. 90

BY REPRESENTATIVES MARCELLE, ADAMS, BAGLEY, COX, FREIBERG, TRAVIS
JOHNSON, LANDRY, LARVADAIN, DUSTIN MILLER, NEWELL, AND
SELDERS AND SENATOR BARROW

HEALTH/LDH: Creates the office on women's health within the La. Department of Health
and provides for the duties and functions of the office

1 AN ACT

2 To amend and reenact R.S. 36:251(C)(1) and to enact R.S. 36:258(E) and Part I-B of
3 Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised
4 of R.S. 40:2031 and 2032, relative to the composition of the Louisiana Department
5 of Health; to create within the department an office on women's health; to provide
6 for the purposes, duties, and functions of the office; and to provide for related
7 matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 36:251(C)(1) is hereby amended and reenacted and R.S. 36:258(E)
10 is hereby enacted to read as follows:

11 §251. Louisiana Department of Health; creation; domicile; composition; purpose
12 and functions

13 * * *

14 C.(1) The Louisiana Department of Health shall be composed of the
15 executive office of the secretary, the office of management and finance, the office
16 of public health, the office of behavioral health, the office for citizens with
17 developmental disabilities, the office of aging and adult services, the office on
18 women's health, and such other offices as shall be created by law.

19 * * *

1 §258. Offices; purposes and functions

2 * * *

3 E. The office on women's health shall be responsible for leading,
4 consolidating, and coordinating efforts across the state that are intended to improve
5 women's health outcomes through policy, education, evidence-based practices,
6 programs, and services. The office shall have the duties and functions provided for
7 in Part I-B of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950.

8 * * *

9 Section 2. Part I-B of Chapter 11 of Title 40 of the Louisiana Revised Statutes of
10 1950, comprised of R.S. 40:2031 and 2032, is hereby enacted to read as follows:

11 PART I-B. OFFICE ON WOMEN'S HEALTH

12 §2031. Office on women's health; creation; executive management

13 A. The office on women's health, referred to hereafter in this Part as the
14 "office", is hereby created as an office of the Louisiana Department of Health.

15 B. The office shall be under the immediate supervision and direction of an
16 assistant secretary appointed by the governor in accordance with the provisions of
17 R.S. 36:257. The assistant secretary shall employ staff as necessary to carry out the
18 duties and functions of the office.

19 C. The office shall perform the duties and functions assigned to it in R.S.
20 40:2032 and as otherwise provided by law.

21 §2032. Duties and functions of the office; prohibition

22 A. The office shall perform all of the following duties and functions:

23 (1) Educate and advocate for women's health, either on its own or in
24 partnership with other entities, by establishing appropriate forums, programs, or
25 initiatives designed to educate the public regarding women's health, with an
26 emphasis on preventive health and healthy lifestyles.

27 (2) Identify, coordinate, and establish priorities for programs, services, and
28 resources for women's health issues and concerns.

1 (3) Serve as a clearinghouse and resource regarding women's health data,
2 strategies, services, and programs that address women's health issues.

3 (4)(a) Collect, classify, and analyze relevant information and data resulting
4 from research conducted or compiled by the Louisiana Department of Health and any
5 collaborative entities.

6 (b) Provide persons with information regarding the results of the research
7 described in Subparagraph (a) of this Paragraph, except as prohibited by law.

8 (5) Develop and recommend funding and program activities for educating
9 the public on women's health initiatives relating to the social determinants of health
10 including, without limitation, all of the following:

11 (a) Health needs throughout a woman's life.

12 (b) Diseases that significantly affect women, including heart disease, cancer,
13 and osteoporosis.

14 (c) Access to health care for women.

15 (d) Poverty and women's health.

16 (e) The leading causes of morbidity and mortality for women.

17 (f) Health disparities of women.

18 (6) Make recommendations to the secretary of the Louisiana Department of
19 Health concerning programs that address women's health issues for inclusion in the
20 department's budget and strategic planning.

21 (7) Seek funding from other governmental entities and private sources to
22 carry out the duties and functions provided for in this Section.

23 (8) Prepare for publication and dissemination to the public materials
24 regarding women's health.

25 (9) Conduct public educational forums in Louisiana to raise public
26 awareness and to educate citizens about women's health programs, issues, and
27 services.

28 (10) Coordinate the activities and programs of the office with other entities
29 that focus on women's health or women's issues.

1 (11) Submit an annual report to the governor, the legislature, and the
2 secretary of the Louisiana Department of Health concerning the priorities and
3 services needed for women's health in this state and areas for improvement.

4 B. The office on women's health shall not do any of the following:

5 (1) Utilize any personnel or funding to promote abortion.

6 (2) Coordinate with any entity that promotes abortion.

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)]

HB 90 Engrossed

2022 Regular Session

Marcelle

Abstract: Creates the office on women's health within the La. Department of Health and provides for the functions of the office.

Present law provides that the La. Department of Health (LDH) shall be composed of the following offices:

- (1) The executive office of the secretary.
- (2) The office of management and finance.
- (3) The office of public health.
- (4) The office of behavioral health.
- (5) The office for citizens with developmental disabilities.
- (6) The office of aging and adult services.
- (7) Such other offices as shall be created by law.

Proposed law retains present law and creates within LDH the office on women's health. Provides that the office on women's health shall be responsible for leading, consolidating, and coordinating efforts across the state that are intended to improve women's health outcomes through policy, education, evidence-based practices, programs, and services.

Proposed law provides that the office on women's health shall perform all of the following functions:

- (1) Educate and advocate for women's health by establishing appropriate forums, programs, or initiatives designed to educate the public regarding women's health, with an emphasis on preventive health and healthy lifestyles.
- (2) Identify, coordinate, and establish priorities for programs, services, and resources for women's health issues and concerns.
- (3) Serve as a clearinghouse and resource regarding women's health data, strategies, services, and programs that address women's health issues.

- (4) Collect, classify, and analyze relevant information and data resulting from research conducted or compiled by LDH and any collaborative entities, and provide information to the public regarding the results of such research except as prohibited by law.
- (5) Develop and recommend funding and program activities for educating the public on women's health initiatives relating to social determinants of health.
- (6) Make recommendations to the secretary of LDH concerning programs that address women's health issues for inclusion in the department's budget and strategic planning.
- (7) Seek funding from other governmental entities and private sources to carry out the purposes provided in proposed law.
- (8) Prepare for publication and dissemination to the public materials regarding women's health.
- (9) Conduct public educational forums in La. to raise public awareness and to educate citizens about women's health programs, issues, and services.
- (10) Coordinate the activities and programs of the office with other entities that focus on women's health or women's issues.
- (11) Submit an annual report to the governor, the legislature, and the secretary of LDH concerning the priorities and services needed for women's health in this state and areas for improvement.

Proposed law prohibits the office on women's health from utilizing any personnel or funding to promote abortion or coordinating with any entity that promotes abortion.

Present law provides that each office within LDH, except the office of management and finance, shall be under the immediate supervision and direction of an assistant secretary, who shall be appointed by the governor with consent of the Senate. Requires that, except as otherwise provided in present law, each assistant secretary shall employ, appoint, remove, assign, and promote such personnel as is necessary for the efficient administration of their office and its programs in accordance with applicable civil service laws, rules, and regulations, and with policies and rules of LDH, all subject to budgetary control and applicable laws. Proposed law retains present law.

(Amends R.S. 36:251(C)(1); Adds R.S. 36:258(E) and R.S. 40:2031 and 2032)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Health and Welfare to the original bill:

1. Prohibit the office on women's health from doing any of the following:
 - a. Utilizing any personnel or funding to promote abortion.
 - b. Coordinating with any entity that promotes abortion.