

2026 Regular Session

HOUSE BILL NO. 1214

BY REPRESENTATIVE MILLER

1 AN ACT

2 To amend and reenact R.S. 28:21, 25.1(B), 451.2 (introductory paragraph), (1), and
3 (9)(introductory paragraph), 451.4, and 451.6(A), R.S. 36:251(C)(1), 253,
4 254(B)(1)(a)(i), 257(A) and (C), and 258(A), (D), and (F), and R.S. 40:16.1(Section
5 Heading), to enact R.S. 36:253.1, 258(N), and 258.1, and to repeal R.S.
6 28:22.8(A)(2) and (3) and 451.2(9)(a) and (b), relative to the Louisiana Department
7 of Health; to create the office of state health care facilities within the Louisiana
8 Department of Health; to provide for the purposes, duties, and functions of the office
9 of state health care facilities; to provide for the administration of certain healthcare
10 facilities; to provide for the authority and duties of the secretary of the Louisiana
11 Department of Health; to provide for the authority and duties of the offices of the
12 Louisiana Department of Health; to provide for the of the executive office of the
13 secretary; to provide for an effective date; and to provide for related matters.

14 Be it enacted by the Legislature of Louisiana:

15 Section 1. R.S. 28:21, 25.1(B), 451.2(1) and (9)(introductory paragraph), 451.4, and
16 451.6(A) are hereby amended and reenacted to read as follows:

17 §21. State psychiatric hospitals

18 A. For purposes of this Part, "state psychiatric hospital" refers to the hospital
19 at Jackson, known as the Eastern Louisiana Mental Health System, and the hospital
20 at Pineville, known as the Central Louisiana State Hospital, which are designated as
21 the hospitals for persons who have a mental illness or a substance-related or
22 addictive disorder until such time as separate or other hospitals are established. The
23 ~~assistant secretary of the office of behavioral health of~~ office of state health care
24 facilities within the department may reorganize and consolidate the administration
25 of the hospitals or facilities.

1 coordinate, as necessary, with the office for citizens with developmental disabilities
 2 to provide and develop developmental disabilities services. Developmental centers
 3 are responsible ~~for:~~ for planning and providing living options and other
 4 developmental disabilities services.

5 * * *

6 §451.4. State developmental centers; office ~~for citizens with developmental~~
 7 ~~disabilities~~ of state health care facilities

8 A. The office of state health care facilities shall administer, supervise, and
 9 be responsible for the operation of state developmental centers providing
 10 developmental disabilities services.

11 B. Pinecrest Supports and Services Center is continued as an administrative
 12 unit of ~~this~~ the office of state health care facilities.

13 C. Central Louisiana Supports and Services Center shall be an administrative
 14 unit of ~~this~~ the office of state health care facilities.

15 D. The facility administrator of each center shall recommend to the
 16 executive director of the office of state health care facilities and the secretary of the
 17 Louisiana Department of Health policies and procedures necessary for the proper and
 18 orderly operation of the facility. Such policies and procedures shall be consistent
 19 with principles of this Chapter, office policies, and all applicable federal and state
 20 laws and regulations. Policies and procedures developed pursuant to this Subsection
 21 shall not be implemented until approved by the secretary.

22 * * *

23 §451.6. Assignment of property rights

24 A. By receiving services from and living in a licensed, state-operated,
 25 twenty-four-hour residential facility provided by or through the ~~office~~ department,
 26 the person shall be deemed to have made an assignment to the department of his
 27 right, title, and interest in any property he owns, including interest in any trust or
 28 succession, up to the cost of the services actually provided. The portion of property
 29 and all assets which, pursuant to federal regulations or statute, the person may retain
 30 and still maintain eligibility for coverage ~~under~~ in accordance with Title XIX of the

1 Social Security Act programs or successor programs shall be exempt from such
2 assignment.

3 * * *

4 Section 2. R.S. 36:251(C)(1), 253, 254(B)(1)(a)(i), 257(A) and (C), and 258(A), (D),
5 and (F) are hereby amended and reenacted and R.S. 36:253.1, 258(N), and 258.1 are hereby
6 enacted to read as follows:

7 §251. Louisiana Department of Health; creation; domicile; composition; purpose
8 and functions

9 * * *

10 C.(1) The Louisiana Department of Health shall be composed of the
11 executive office of the secretary, the office of the surgeon general, the office of
12 management and finance, the office of public health, the office of behavioral health,
13 the office for citizens with developmental disabilities, the office of aging and adult
14 services, the office on women's health and community health, the office of state
15 health care facilities, and such other offices as shall be created by law.

16 * * *

17 §253. Secretary of ~~health and hospitals~~ the Louisiana Department of Health

18 There shall be a secretary of ~~health and hospitals~~ the Louisiana Department
19 of Health, who shall be appointed by the governor with consent of the Senate and
20 who shall serve at the pleasure of the governor at a salary fixed by the governor,
21 which salary shall not exceed the amount approved for such position by the
22 legislature while in session. The secretary shall serve as the executive head and chief
23 administrative officer of the Louisiana Department of Health and shall have the
24 responsibility for the policies of the department, except as otherwise provided by this
25 Title, and for the administration, control, and operation of the functions, programs,
26 and affairs of the department; provided that the secretary shall perform his functions
27 under the general control and supervision of the governor.

28 §253.1. Executive office of the secretary; duties and functions

29 A. The secretary shall directly supervise, direct, and control the executive
30 office of the secretary and the office of state health care facilities.

1 all subject to budgetary control and applicable laws. In the event of an extended
2 absence or vacancy in the position of an assistant secretary, the secretary may act on
3 behalf or in lieu of the assistant secretary including as appointing authority for
4 personnel actions.

5 * * *

6 §258. Offices; purposes and functions

7 A. The purposes for which the offices, except for the executive office of the
8 secretary and the office of management and finance, of the Louisiana Department of
9 Health are created shall be set forth in this Section.

10 * * *

11 D. The office for citizens with developmental disabilities shall be responsible
12 for the programs and functions of the state relating to the care, training, treatment,
13 and education of persons with intellectual disabilities, persons with developmental
14 disabilities, and persons with autism. It shall ~~administer~~ coordinate as needed with
15 the office of state health care facilities regarding residential and day care facilities
16 of the state for persons with intellectual disabilities and persons with developmental
17 disabilities.

18 * * *

19 F. The office of aging and adult services shall be responsible for the
20 programs and functions of the Louisiana Department of Health related to the
21 long-term care of the elderly and the protection and long-term care of persons with
22 adult onset disabilities. It shall administer ~~the residential state-operated nursing~~
23 ~~homes, the Villa Feliciana Medical Complex,~~ the protection services program of
24 adults from ages eighteen to fifty-nine, the department's long-term support and
25 services programs, the State Personal Assistance Services program, the Community
26 and Family Support Program, the Traumatic Brain and Spinal Cord Injury Trust
27 Fund, as well as other related programs within the department.

28 * * *

29 N. The office of state health care facilities shall be responsible for leading
30 and coordinating efforts with the Louisiana Department of Health to administer the

1 operation of state health care facilities provided for in R.S. 36:258.1. The office of
2 state health care facilities shall be responsible for compliance with state and federal
3 regulations and requirements for state health care facilities under its administration.

4 §258.1 Office of state health care facilities

5 A. The Louisiana Department of Health, office of state health care facilities
6 shall administer and coordinate all of the following facilities:

7 (1) The state psychiatric hospital in Jackson, Louisiana, known as Eastern
8 Louisiana Mental Health System, in accordance with R.S. 28:21.

9 (2) The state psychiatric hospital in Pineville, Louisiana, known as Central
10 Louisiana State Hospital, in accordance with R.S. 28:21.

11 (3) The state forensic hospital in Jackson, Louisiana, known as Feliciana
12 Forensic Facility, in accordance with R.S. 28:25.1.

13 (4) The geriatric hospital, including its skilled nursing facility unit, at
14 Jackson, Louisiana, known as Villa Feliciana Medical Complex, in accordance with
15 R.S. 28:22.7.

16 (5) The state developmental center for persons with developmental
17 disabilities, known as Pinecrest Supports and Services Center, accordance with R.S.
18 28:22.8.

19 (6) The state developmental center for persons with developmental
20 disabilities, known as Central Louisiana Supports and Services Center, in accordance
21 with R.S. 28:22.8.

22 (7) Any other licensed state health care facility upon appropriation by the
23 legislature.

24 B. The department shall employ an executive director of the office of state
25 health care facilities who shall report directly to the secretary.

26 C. Each administrator or chief executive officer of a facility provided for in
27 Subsection A of this Section shall report directly to the executive director of the
28 office of state health care facilities.

29 D. The office of state health care facilities may obtain licensure and
30 certification for and may operate such other state health care facilities as funds for

