

Regular Session, 2013

ACT No. 335

HOUSE BILL NO. 720 (Substitute for House Bill No. 595 by Representative Abramson)

BY REPRESENTATIVES ABRAMSON, ARNOLD, BERTHELOT, BILLIOT, WESLEY BISHOP, BROSSETT, CARMODY, DANAHAY, DIXON, DOVE, FRANKLIN, GAINES, GAROFALO, GISCLAIR, HARRISON, LEGER, LEOPOLD, MILLER, MORENO, PIERRE, SCHEXNAYDER, ST. GERMAIN, AND WILLMOTT AND SENATORS ALLAIN, LONG, MORRELL, AND WARD

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

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AN ACT

To amend and reenact Sections 3, 4, and 5(A) of Act No. 867 of the 2012 Regular Session of the Legislature and to repeal Section 6 of Act No. 867 of the 2012 Regular Session of the Legislature, relative to the authorization to transfer certain state property in Orleans Parish; to authorize the transfer of state property in Orleans Parish; to repeal the requirement of certain conditions; to provide for reservation of mineral rights; to provide terms and conditions; to provide for an annual report; to provide an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Sections 3, 4, and 5(A) of Act No. 867 of the 2012 Regular Session of the Legislature are hereby amended and reenacted to read as follows:

Section 3. The commissioner of administration, notwithstanding any other provision of law to the contrary, is hereby authorized and empowered to convey, transfer, assign, lease, or deliver any interest, excluding mineral rights, the state may have to all of any portion of the parcel of property described in Section 1 of this Act to the Children's Hospital, New Orleans.

Section 4. The commissioner of administration is hereby authorized to enter into such agreements, covenants, conditions, and stipulations and to execute such documents as necessary to properly effectuate any conveyance, transfer, assignment, lease, or delivery of title, excluding mineral rights, to the property described in

1 Section 1 of this Act, and as more specifically described in any such agreements
2 entered into and documents executed by and between the commissioner of
3 administration and Children's Hospital, New Orleans, in exchange of consideration
4 proportionate to at least the appraised value of the property.

5 Section 5. A. The authority provided to the commissioner of administration
6 in Section 3 ~~and Section 6~~ of this Act shall be conditioned upon the agreement
7 authorized by Section 4 ~~and Section 6~~ of this Act containing the following
8 ~~provisions: (1) The~~ that the property shall be administered, managed, and operated
9 as a facility for health care, mental health care, or health care or mental health care
10 education.

11 ~~(2) The portion of the property described in Section 1 of this Act that~~
12 ~~formerly housed the New Orleans Adolescent Hospital shall be administered,~~
13 ~~managed, and operated so as to provide mental health care including in-patient and~~
14 ~~out-patient services consistent with those services provided by the New Orleans~~
15 ~~Adolescent Hospital prior to 2010. Such services may be provided by a third party~~
16 ~~as more particularly provided for in the lease agreement.~~

17 * * *

18 Section 2. Section 6 of Act No. 867 of the 2012 Regular Session of the Legislature
19 is hereby repealed in its entirety.

20 Section 3.A. Children's Hospital, New Orleans, consistent with the current best
21 practices of delivery models, shall provide the total dollars necessary for the development
22 and infrastructure to open:

23 (1) At a minimum, an additional sixteen pediatric or adolescent behavior health care
24 beds. If ninety percent of those additional beds become reserved or occupied over a
25 three-month period, Children's Hospital, New Orleans shall, in good faith, make reasonable
26 efforts to consider and, if appropriate, add additional beds for pediatric or adolescent mental
27 health care as consistent with the behavioral health needs of the region.

28 (2) Behavioral health care services for children under five years of age.

29 (3) Expansion of the Autism Center at Children's Hospital, New Orleans campus.

30 (4) Inpatient-to-and out-patient behavioral transition care program.

1 B.(1) The capital outlay funding in Act No. 23 of the 2012 R.S. allocated to the New
2 Orleans Adolescent Hospital and for the dedicated related other mental health facilities shall
3 be consolidated and reallocated to purchase equipment for the University Medical Center
4 and such capital outlay funds shall be used first to fund such equipment and at no additional
5 charge to the University Medical Center Management Corporation, provided that University
6 Medical Center Management Corporation or Louisiana Children's Medical Center
7 demonstrate that additional behavioral health services will be provided at the hospital or in
8 the New Orleans area at one of the Louisiana Children's Medical Center affiliates consistent
9 with the provision of this Act. In consideration of this or comparable capital outlay funding,
10 Children's Hospital, New Orleans shall, in good faith, make reasonable efforts to consider
11 and provide the following additional services:

12 (a) Substance abuse and medical detoxification services.

13 (b) Longer term inpatient services with educational and therapeutic services.

14 (c) Services for children and youth in the juvenile justice system, as appropriate.

15 (d) Day treatment services.

16 (2) Consideration of the additional services in Paragraph (1) of this Subsection shall
17 be in consultation and collaboration with the appropriate stakeholders and shall take into
18 account Medicaid and other funding. Children's Hospital, New Orleans and the Department
19 of Health and Hospitals shall seek the most advantageous utilization of the increased bed
20 capacity and the development of an inpatient-to-out-patient behavioral transition care
21 program.

22 C. Except as otherwise provided for in this Section, the services provided for in this
23 Section may be located at any location in the city of New Orleans after holding a public
24 hearing with an opportunity for public comment and Children's Hospital, New Orleans shall
25 consider and make reasonable and practical efforts to accommodate legitimate concerns.

26 D. Children's Hospital, New Orleans shall submit a report to the Speaker of the
27 House of Representatives, the President of the Senate, the House Committee on Health and
28 Welfare, and the Senate Committee on Health and Welfare on the behavioral mental health
29 services as provided for in this Section. The report shall be submitted on or before the first

1 day of February each year until February 1, 2018, or until the completion of Children's
2 Hospital, New Orleans obligations under this Section, whichever occurs first.

3 Section 4. This Act shall become effective upon signature by the governor or, if not
4 signed by the governor, upon expiration of the time for bills to become law without signature
5 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
6 vetoed by the governor and subsequently approved by the legislature, this Act shall become
7 effective on the day following such approval.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____