

(KEYWORD, SUMMARY, AND DIGEST as amended by Senate committee amendments)

HEALTH/HOME CARE. Provides relative to home- and community-based long-term care services provided by direct service workers

DIGEST

Present law provides the provisions of present law shall not apply to gratuitous care provided by friends or members of the individual's family. The provisions of present law shall apply to all direct service workers employed by a licensed agency, or employed as part of an authorized departmental self-directed program, and who attend to individuals receiving home- and community-based long-term services and who are not authorized to perform these tasks under other state laws or regulations. An individual being served shall meet the following criteria:

- (1) Is eligible for home and community-based long-term care services licensed by the Department of Health and Hospitals.
- (2) Is able to self-direct the services or resides in a residence where there is daily monitoring by a family member, a direct service worker, or other health care provider.
- (3) Has a current plan of care.
- (4) Receives a periodic assessment by a registered nurse based on the individual's health status.
- (5) Requires assistance with medication administration or other noncomplex medical tasks.

Proposed law amends present law by deleting “is able to self-direct the services” as part of the qualifications for the individual being served.

Present law provides in order to be authorized to perform the procedures specified in present law, a direct service worker shall be employed by a licensed agency or employed as part of an authorized departmental self-directed program and shall receive training.

Proposed law amends present law to provide if the direct service worker is employed as part of an authorized departmental self-directed program, the training he will receive shall be developed by the Department of Health and Hospitals in conjunction with the Louisiana State Board of Nursing. If the direct service worker is employed by a licensed agency he shall receive training.

Proposed law provides a legislative finding affirming the value of personal care and other services and supports provided to persons with disabilities in home- and community-based settings in enhancing those persons' well-being and quality of life.

Proposed law provides that proposed law shall be known as "Bailey's Law" in recognition of the advocacy efforts on behalf of persons with disabilities that have been inspired by Bailey Caroline Durham.

(Amends R.S. 37:1031(A) and 1033(A)(intro. para.))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Health and Welfare to the engrossed bill

1. Deletes from the qualifications for an individual eligible to be served the provision that he is able to self-direct the services.
2. Provides if the direct service worker is employed as part of an authorized departmental self-directed program, the training he will receive shall be developed by the DHH in conjunction with the Louisiana State Board of Nursing.