

HOUSE SUMMARY OF SENATE AMENDMENTS

House Bill No. 185 by Representative Havard

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

Synopsis of Senate Amendments

1. Deletes provision of proposed law stipulating that present law and proposed law relative to direct service workers shall not apply to care provided as part of an authorized departmental self-directed program.
2. Restores present law providing that in order to be authorized to perform certain 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.
3. Adds provision requiring that 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 DHH in conjunction with the La. State Board of Nursing.

Digest of Bill as Finally Passed by Senate

Present law provides relative to direct service workers. Defines "direct service worker" as an unlicensed person who provides personal care or other services and supports to persons with disabilities or who are elderly, through services that involve face-to-face direct contact with service recipients, in order to enhance service recipients' well-being. Establishes requirements for training of direct service workers and for authorization of procedures that such workers may perform. Proposed law generally retains present law.

Present law provides for the following requirements of a person being served by a direct service worker:

- (1) Is eligible for home and community-based long-term care services licensed by the Department of Health and Hospitals (DHH).
- (2)(a) Is able to self-direct the services; or
- (b) 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 deletes ability to self-direct services from the above set of requirements.

Present law provides that 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 in accordance with present law. Proposed law adds thereto a requirement that a direct service

worker employed as part of an authorized departmental self-directed program receive training developed by DHH in conjunction with the Louisiana State Board of Nursing.

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.))