

Existing 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.

Prior law provided 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 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.

New law deletes ability to self-direct services from the above set of requirements.

Existing law provides that in order to be authorized to perform the procedures specified in existing 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 existing law. New 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 La. State Board of Nursing.

New 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.

New law provides that new 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.

Effective Aug. 1, 2014.

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