



March 21, 2014

## Legislative Proposals in the 2014 Session

A number of proposals have been introduced in the 2014 Legislative session that will potentially impact people with developmental disabilities and their families. A proposed constitutional amendment (SB 355) would provide protection for funding for critical supports and services for people with disabilities, seniors and other vulnerable populations from future budget cuts. Two education bills (HBs 993 and 1015) would provide a pathway for students with disabilities to be promoted and earn a diploma and also not penalize schools for serving students with disabilities in the School Accountability System. The budget (HB 1) will directly impact people with developmental disabilities in regard to the availability of supports and services that enable people to live in their own homes in the community. A brief synopsis of these issues and others advocates are watching include (HB = House Bill; SB = Senate Bill):

### **Individual and Family Supports and Services**

[HB1](#), the Appropriations Bill, includes funding to fill 1,000 vacant waiver slots for people with developmental disabilities and to create 200 additional New Opportunities Waiver (NOW) slots. However, the budget does not address funding concerns for other critical services for people with developmental disabilities including the [Individual and Family Support \(IFS\) Program](#), [Families Helping Families](#), and [La. Rehabilitation Services](#).

[SB355](#) by Sen. Fred Mills proposes a constitutional amendment to protect critical supports and services for the state's most vulnerable populations. These include but are not limited to: home and community-based waivers, EarlySteps, mental health services, hospice, elderly services, vocational rehabilitation, and services provided by through the regional districts/authorities. These services are subject to the majority of cuts in times of budget shortfalls, as many other parts of the budget are already protected. Click [here](#) for a fact sheet on this issue.

[HB 185](#) by Rep. Kenny Havard proposes to exempt Direct Support Workers (DSW) employed by waiver recipients in self-direction from the training currently required of DSWs to administer any medication and perform non-complex medical tasks. Individuals in self-direction must be capable of directing their own care or have someone that serves as their authorized representative (usually a family member) to assist them in directing their care. These individuals accept the responsibility to serve as the employer of the DSWs and are the ones best able to provide person-specific training to the workers they employ.

[SB 498](#) by Sen. David Heitmeier would combine the Community and Family Support program and State Personal Assistance Services, both administered through the Office of Aging and Adult Services.

[SB 499](#) by Sen. David Heitmeier would add insulin administration to the list of tasks a direct service worker may perform for an individual.

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[HB 635](#) by Rep. Chris Broadwater would change the state's current policy on the fiscal agent for people self-directing their services. The legislation calls for a fiscal agent located within LA to only provide services in the region in which they are located and a fiscal agent located outside of LA to choose one region in which they will provide services.

[HB 668](#) by Rep. Scott Simon proposes to create an electronic visit verification system for long-term care services delivered in home and community based settings.

### **Education**

[HB 993](#) and [HB 1015](#) by Rep. John Schroder propose to have Individualized Education Program (IEP) teams consider whether and/or how much a student with disability's performance on standardized assessments will matter in making decisions for that student to be promoted to the next grade or graduate. These bills will seek to have success for students with disabilities defined individually as is required in federal law instead of expecting a one-size-fits-all test to accurately measure what they can do. An amendment to HB1015 is expected to have school performance scores reflect outcomes of students' IEPs so that the performance of every student will count in how schools are measured for success.

[SB83](#) by Sen. Nevers seeks to create a single standard high school diploma.

[HB 381](#) by Rep. Geymann seeks to create a commission of stakeholders to develop student standards.

### **Potpourri**

[SB 432](#) by Sen. Sherri Buffington would authorize the use of service dogs by any person with a disability as well as extend protections against discrimination, and outlaws misrepresentation of service dogs and people with disabilities.

[HB 63](#) by Rep. Walt Leger would revise terminology referring to people with disabilities in LA laws to reflect "people first" language.

[HB 152](#) by Rep. Joe Harrison would abolish the Department of Health and Hospitals and the Department of Children and Family Services and create the Department of Health and Social Services.

To receive information and updates on the most critical issues impacting people with developmental disabilities, join LaCAN [here](#) and LaTEACH [here](#).