

2020 Legislative Sessions Summary

July 1, 2020

Even with significant challenges presented by COVID-19, the 2020 Regular and Special Legislative Sessions closed with some critical wins for people with developmental disabilities and their families.

Despite the noticeable absence of yellow shirts at the Capitol by multiple legislators, the Legislature was extraordinarily considerate in ensuring services and other issues impacting people with developmental disabilities were prioritized. Funding for waiver services for people with developmental disabilities were secured from the onset followed by commitments to maintain all services for people with developmental disabilities. Continued uncertainty to the economy caused by the impact of COVID-19 required the Council to reconsider advocating for its [2020 Advocacy Agenda](#) selected from feedback of LaCAN members.

Other significant outcomes included recognition of the Council's late chair by renaming Act 833 of 2014 the April Dunn Act and an option for Supported Decision Making with the Dustin Gary Act. Below are brief descriptions of some major issues impacting people with developmental disabilities

Budget

Although the Legislature extended the decision for the state budget with a special session, the budget passed for Fiscal Year 21 (FY21), which begins today and is essentially a standstill budget from the FY20 budget. Advocates are thankful to Governor Edwards' administration for figuring out how to use federal dollars committed to COVID-19 to prevent a billion dollar shortfall in state funds. Perhaps the biggest win of the session resulted from decades of advocacy in the prioritization of funding for services to support home and community based services for people with developmental disabilities built into the budget from the start. The main budget bill, [HB1](#) of the first Extraordinary Session, specifically stated the Louisiana Department of Health (LDH) shall not reduce payments for disability waiver services.

April Dunn Act

Advocates were pleased [Act 1 of 2020](#) renames [Act 833 of 2014](#) the April Dunn Act! The April Dunn Act was the landmark legislation creating pathways to graduation for certain students with disabilities. Advocates across Louisiana have been grieving the loss of April since her passing on March 28, 2020 due to complications from COVID-19. April served as Chairperson of the Developmental Disabilities Council and worked as the Senior Coordinator of the Governor's Office of Disability Affairs. Passage of HB844 by Representative Ted James, which received the honor by Governor Edwards to be signed as the first Act of 2020, appropriately honors the contributions of April and ensures her name, legacy and advocacy will continue to be remembered and respected.

Supported Decision Making (Dustin Gary Act)

[Act 258 of 2020](#), referred to as the Dustin Gary Act, by Representative Paula Davis provides adults with disabilities the option of Supported Decision Making which is a less restrictive option than interdiction. With Supported Decision Making, adults with disabilities are supported and encouraged to make their own decisions about their finances, living situation, relationships, their health and the services and supports they receive.

Health Care Access

[HB 263 \(Act 181\)](#) by Representative Mike Huval adds safe guards to existing law regarding step therapy or fail first approaches to prescription drugs. Step therapy is a cost savings approach which requires patients to fail on a less costly medication before being prescribed a different medication. Act 181 increases control on medications prescribed by the patient's doctor by requiring the health coverage plan override process to be easily accessible and adding conditions for a doctor to prescribe a drug other than the generic version.

Two bills by Representative Michael Echols, [HB 449 \(Act 191\)](#) and [HB 530 \(Act 276\)](#), take steps toward ensuring behavioral health services and healthcare are delivered via telehealth when appropriate.

Public Meeting Access

[SB 466 \(Act 302\)](#) by Senator Sharon Hewitt provides for public meetings to occur via teleconferencing during states of emergency. Allowing public meetings via teleconference tends to be more accommodating for people with disabilities and has the potential to increase public input and participation in the consideration of rules and policies.

School Reopening Rules and Responsibilities

[HB59](#) of the 2020 First Extraordinary Session by Representative Buddy Mincey provides immunity to schools from being held liable for civil damages for injury or death resulting from or related to exposure to an infectious disease during a declared state of emergency or public health emergency related to an infectious disease. Considering people with developmental disabilities, including children, are at increased risk of complications and death due to COVID-19, advocates were pleased [an amendment to HB59 finalized by Conference Committee](#) will require rules to be developed for the minimum standards, policies, medical exceptions, and regulations to govern the reopening of schools.

Driver and Police Training

[HB 317 \(Act 137\)](#) by Representative Francis Thompson establishes a driver's license designation for individuals with autism and requires of police officers to receive training on Autism Spectrum Disorder.

[SB 252 \(Act 223\)](#) by Senator Troy Carter requires training on accessible parking and access aisles to be provided during driver education courses.

Contact Us

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