

2021 Legislative Session: Critical Wins for DD Community

July 9, 2021

Despite the ongoing challenges presented by COVID-19, the 2021 Regular Legislative Session closed with some critical wins for people with intellectual and developmental disabilities (I/DD) and their families. In many ways, this session was a huge success: additional funding was appropriated for regional Families Helping Families (FHF) Centers, rate increases in home- and community-based (HCBS) waivers for individuals with I/DD and additional waiver slots for the aging and adult population. Legislation was also passed ensuring adults with I/DD receive comprehensive dental coverage and cameras be installed in self-contained special education classrooms upon request.

Results for Home- and Community-Based Supports

[Act 119 \(HB1\)](#) is the state's Fiscal Year 2022 (FY22) budget bill that took effect on July 1st.

This year's budget included:

- An additional \$500,000 in state general funds (SGF) for those regional FHF Centers contracting with the Council. This funding will be used to provide additional trainings and outreaches throughout the Center's regional areas.
- Over \$16 million SGF to increase I/DD waiver rates and included language in the legislation stating the funding should be used to increase direct support worker (DSW) pay pending rule-making and auditing.
- An additional 500 Community Choices Waiver slots for the aging and adult population.

[Act 450 \(HB172\)](#) requires the Louisiana Department of Health (LDH) ensure comprehensive Medicaid coverage for dental care be provided to each person age 21 or older enrolled in any Medicaid waiver program for persons with I/DD (pending approval by the Centers for Medicare and Medicaid Services). The legislation specifies the following services should be covered: diagnostic services, preventive services, restorative services, endodontics, periodontics, prosthodontics, oral and maxillofacial surgery, orthodontics, and emergency care. Funding was included in the FY22 budget for the first year.

[HB204](#) would have allowed for the continuation of some COVID-19 HCBS waiver exceptions including allowing a DSW to exceed 16 working hours per day, allow for DSWs to reside in the same home as the person receiving services, and allow providers and support coordinators to conduct virtual check ins and electronic signatures. Unfortunately, this legislation failed to make it out of the Senate. However, LDH did release the [following letter](#) indicating their efforts and ongoing work to continue some of the exceptions.

[Act 452 \(HB446\)](#) creates the office of the state Americans with Disabilities Act (ADA) coordinator within the Division of Administration. This office will be responsible for many duties related to ADA including serving as the coordinating body for ADA compliance for all state

agencies within the executive branch, provide subject matter expertise for all matters relating to ADA, provide technical assistance to the public and increase public awareness of ADA.

Results for Education

Over the past few sessions, parents have passionately testified and advocated for protections for their children who are served in special education self-contained classrooms. Fortunately, this year, [Act 456 \(SB86\)](#) made it through session and was signed by the Governor. This legislation requires the governing authority of each public school, including charter schools, to adopt policies relative to the installation and operation of cameras that record both video and audio in classrooms, upon the written request of a student's parent or legal guardian.

[Act 473 \(HB411\)](#) makes comprehensive revisions to school discipline laws and requires the Louisiana Department of Education (LDOE) to publish data regarding disciplinary removals.

Other Issues of Interest

For a complete list of the issues and legislation monitored by the Council during the 2021 Legislative Session, [click here](#).

As we reflect on this past session, one thing is clear – LaCAN advocates have a powerful collective voice with an effective message that resonates with legislators. Thank you to all the disability advocates, groups, organizations and the legislature for ensuring individuals with I/DD were a priority. Advocacy truly does work!

Contact Us

LaDDC News is the electronic newsletter for the LA Developmental Disabilities Council. If there are any questions about the information above, contact the Council by replying to this email, or calling the toll free number listed below:

phone: 1-800-450-8108

email: info@laddc.org

website: www.laddc.org

facebook: www.facebook.com/LaDDCouncil

twitter: www.twitter.com/LaDDCouncil

Sign up to receive LaDDC Newsletters [HERE](#).

View all recent LaDDC Newsletters [HERE](#).