



## 2023 Legislative Session Impacts

June 14, 2023

Louisiana's 2023 Legislative Session ended June 8<sup>th</sup> with many wins for the disability community. Below is a recap of the issues followed closely by the Council and [LaCAN \(Louisiana Council's Advocacy Network\)](#).

### Home- and Community-Based Supports

Originally, the Council and LaCAN planned to advocate for \$9.4 million and legislation to ensure incontinence supplies was a covered benefit for adults enrolled in the New Opportunities, Residential Options and Supports Waivers. Fortunately, prior to the start of the session, Medicaid and the Office for Citizens with Developmental Disabilities (OCDD) committed to making this a reality without the need for legislation. Incontinence supplies benefits for adults receiving these waivers will be life changing for many. We'd like to thank the Arc of Louisiana, Medicaid, OCDD and all of the advocates for partnering with us to help make this a reality. The commitment letter from the department can be read [here](#).

[HB1](#) is the state's Fiscal Year 2024 (FY24) budget bill that will take effect on July 1<sup>st</sup>. This budget is awaiting the Governor's approval. The additional \$500,000 for the regional [Families Helping Families \(FHF\) Centers](#) contracting with the Council was included. This additional funding was appropriated to the Centers the last two years, but it was not included in the FY24 proposed budget at the start of session despite the Council's budget request.

Unfortunately, \$100 million dollars of additional funding requested by the Department of Health (LDH) for FY24 was removed from the budget during the final moments of session. At this time, it remains unclear how this may impact people with disabilities and their families. Senate Health and Welfare is scheduled to meet on **Tuesday, June 20<sup>th</sup>, at 9 AM** to discuss the \$100 million decrease ([Agenda](#)). Fortunately, there is wording in the budget stating "there shall be no reduction to waiver services or disability services". The Governor has also stated he may use his vetoing power to restore all or some of the funding to LDH.

[Act 84 \(HB367\)](#) aims to streamline the transition of children aging out of EarlySteps by

- Requiring EarlySteps to submit a list of children reaching the age of two and a half each month to the local education agency (LEA) where the child resides;
- Instructing the LEA to coordinate scheduling of any appraisal conferences and the facilitation of services for the child(ren); and
- Requiring LEAs to conduct appraisals year-round to ensure no delays in services occur especially during summer months when schools are typically on break.

[Act 187 \(SB39\)](#) established the Community Options Waiver Fund to provide additional revenues for Medicaid services provided under the Community Choices Waiver, the Adult Day Health Care Waiver or any other Medicaid home- and community-based services for people with adult-onset disabilities.

## Community Inclusion

[SB201](#) amends Louisiana's Open Meetings Law to allow for remote operations (i.e. by electronic means or virtually) of public bodies that meet specific requirements detailed in the bill. SB201 is currently awaiting the Governor's approval and open doors for individuals with disabilities and their caretakers to participate in ways they may not have been able to in the past. If signed, SB201 would allow:

- Members of the public with a disability recognized by the Americans with Disabilities Act (ADA) or their designated caregiver to participate in meetings electronically and encourages similar measures be implemented to maximize public participation;
- A member of any public body or advisory council with a disability recognized by the ADA or their designated caregiver to participate in meetings electronically; and
- Any public body that is strictly advisory or that primarily focuses on issues dealing with disabilities host meetings remotely.

[HB449](#) looks to implement recommendations from the Voting Disability Taskforce created last session. If approved by the Governor, this legislation would:

- Create an Americans with Disabilities Act officer within the Secretary of State's office to address issues during elections;
- Create a Voting Accessibility Advisory Group within the Department of State; and
- Require specific instruction and examination of elections commissioners relative to the rights of voters with disabilities.

[HB553](#) would have addressed the issue of a person with a disability serving on the State Board of Election Supervisors, but this bill never completed the legislative process to become law. The original issue addressed in HB553 resulted from the recommendations of the Voting Disability Taskforce. Unfortunately, as session continued, amendments to the bill would have made it nearly impossible for a person with a disability to be appointed to the board. The Council and LaCAN agreed with the initial recommendations of the taskforce and hopes to see this issue addressed during the 2024 Legislative Session.

## Education

[HB550](#) is another funding budget in Louisiana currently awaiting the Governor's approval. \$1 million was appropriated to the Postsecondary Inclusive Education Fund to fund programs for students with intellectual and developmental disabilities (I/DD) at Louisiana postsecondary institutions. This fund was created during the last legislative session with an initial appropriation of \$1 million. Due to program demands across the state, this initial funding was quickly used to expand and create new programs. While the \$1 million appropriated this year is short of the Council and LaCAN's \$3 million ask, we are thankful to the legislature for their continued support of these programs.

[HB9](#) and [HB98](#) were two pieces of legislation that addressed Education Savings Accounts (ESAs) and school choice. The Council, LaCAN and many other advocates, groups and organizations shared their concerns for ESAs with the legislature and the potential impacts ESAs may have on the public school system and its ability to serve children with disabilities. A more detailed explanation of the Council and LaCAN's concerns can be found [here](#). Both bills never completed the legislative process, but we anticipate ESAs will be a topic of much discussion in the 2024 Legislative Session.

## Others Issues of Interest

Numerous other issues were addressed throughout session. A complete list of all the issues monitored by the Council during the 2023 Legislative Session can be found on the Council's [website](#). Click on the 2023 Legislative Bill Tracking banner.

We also encourage you to reach out to your State Representative and State Senator to thank them for their support of the disability community this session.

- [Click here](#) for State Representatives' full contact information.
- [Click here](#) for State Senators' full contact information.
- Don't know your State Representative and/or State Senator? [Click here](#) and enter your home address. The first person listed will be your State Representative. The second will be your State Senator.

## Thank You for Your Advocacy Work

The Council and LaCAN want to thank all of you for your support and engagement in advocacy this session. Without your hard work, dedication and determination the successes achieved this session would not have been possible. 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:

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