

SENATE BILL NO. 107

BY SENATOR BARROW

1 AN ACT

2 To amend and reenact R.S. 36:251(A), (B), and (C)(1), to enact R.S. 49:191(9)(b), and to  
3 repeal R.S. 49:191(6)(d), relative to the Department of Health and Hospitals; to  
4 provide for the name change of the department to the Louisiana Department of  
5 Health; to provide for the re-creation of the Louisiana Department of Health and the  
6 statutory entities made a part of the department by law; to provide for the effective  
7 termination date for all statutory authority for the existence of such statutory entities;  
8 and to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 36:251(A), (B), and (C)(1) are hereby amended and reenacted to read  
11 as follows:

12 CHAPTER 6. LOUISIANA DEPARTMENT OF HEALTH ~~AND HOSPITALS~~

13 §251. Louisiana Department of Health ~~and Hospitals~~; creation; domicile;  
14 composition; purpose and functions

15 A. The Louisiana Department of Health ~~and Hospitals~~ is created and shall  
16 be a body corporate with the power to sue and be sued. The domicile of the  
17 department shall be in Baton Rouge where it shall maintain its principal offices, but  
18 the secretary may maintain branch offices if he deems it in the best interest of the  
19 efficient administration of the department; however, the principal offices of the  
20 office of public health may be located and maintained in the parish of Orleans.

21 B. The Louisiana Department of Health ~~and Hospitals~~, through its offices

1 and officers, shall be responsible for the development and providing of health and  
 2 medical services for the prevention of disease for the citizens of Louisiana. The  
 3 Louisiana Department of Health ~~and Hospitals~~ shall provide health and medical  
 4 services for the uninsured and medically indigent citizens of Louisiana. The secretary  
 5 and the chancellor of the Louisiana State University Health Sciences Center shall  
 6 provide for coordination in the delivery of services provided by the Louisiana State  
 7 University Health Sciences Center with those services provided by the Louisiana  
 8 Department of Health ~~and Hospitals~~, local health departments, and federally  
 9 qualified health centers, including but not limited to the following:

10 (1) Services for any of the following persons:

- 11 (a) Persons with mental illness.
- 12 (b) Persons with intellectual disabilities.
- 13 (c) Persons with developmental disabilities.
- 14 (d) Persons with addictive disorders.

15 (2) Public health services.

16 (3) Services provided under the medical assistance program (Medicaid).

17 C.(1) The Louisiana Department of Health ~~and Hospitals~~ shall be composed  
 18 of the executive office of the secretary, the office of management and finance, the  
 19 office of public health, the office of behavioral health, the office for citizens with  
 20 developmental disabilities, the office of aging and adult services, and such other  
 21 offices as shall be created by law.

22 \* \* \*

23 Section 2. Pursuant to R.S. 49:193, the Louisiana Department of Health and the  
 24 statutory entities made a part of the department by law shall be re-created effective June 30,  
 25 2016, and all statutory authority therefor is continued in accordance with the provisions of  
 26 Part XII of Chapter 1 of Title 49 of the Louisiana Revised Statutes of 1950.

27 Section 3. Notwithstanding any provision of any previous Act of the legislature, all  
 28 statutory authority for the existence of the Louisiana Department of Health and the statutory  
 29 entities made a part of the department as re-created by Section 2 of this Act, shall cease as  
 30 of July 1, 2021, pursuant to R.S. 49:191. However, the Louisiana Department of Health and

1 the statutory entities made a part of the department may be re-created prior to such date in  
2 accordance with the provisions of Part XII of Chapter 1 of Title 49 of the Louisiana Revised  
3 Statutes of 1950.

4 Section 4. The provisions of R.S. 49:193 are hereby superseded to the extent that  
5 those provisions are in conflict with the provisions of this Act.

6 Section 5. R.S. 49:191(9)(b) is hereby enacted to read as follows:

7 §191. Termination of legislative authority for existence of statutory entities;  
8 phase-out period for statutory entities; table of dates

9 Notwithstanding any termination dates set by any previous Act of the  
10 legislature, the statutory entities set forth in this Section shall begin to terminate their  
11 operations on July first of each of the following years, and all legislative authority  
12 for the existence of any statutory entity, as defined in R.S. 49:190, shall cease as of  
13 July first of the following year, which shall be the termination date:

14 \* \* \*

15 (9) July 1, 2020:

16 \* \* \*

17 **(b) The Louisiana Department of Health and all statutory entities made**  
18 **a part of the department by law.**

19 Section 6. R.S. 49:191(6)(d) is hereby repealed in its entirety.

20 Section 7. The Louisiana State Law Institute is hereby directed to change all  
21 references to the "Department of Health and Hospitals" to the "Louisiana Department of  
22 Health" throughout the Louisiana Revised Statutes of 1950.

23 Section 8. This Section and Sections 1, 7, and 9 of this Act shall become effective  
24 upon signature by the governor or, if not signed by the governor, upon expiration of the time  
25 for bills to become law without signature by the governor, as provided in Article III, Section  
26 18 of the Constitution of Louisiana. If this Act is vetoed by the governor and subsequently  
27 approved by the Legislature, this Section and Sections 1, 7, and 9 of this Act shall become  
28 effective on the day following such approval.

29 Section 9. Sections 2, 3, 4, 5, and 6 of this Act shall become effective on June 30,  
30 2016. If this Act is vetoed by the governor and subsequently approved by the legislature,

1 Sections 2, 3, 4, 5, and 6 of this Act shall become effective on June 30, 2016, or on the day  
2 following such approval by the legislature, whichever is later.

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PRESIDENT OF THE SENATE

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_