

SENATE BILL NO. 116

BY SENATORS BARROW, BERNARD, BOUDREAUX, BOUIE, CARTER, FIELDS, HARRIS, HENRY, JACKSON, MCMATH, MIZELL, POPE, REESE, SMITH, STINE, TALBOT AND TARVER AND REPRESENTATIVES ADAMS, BOYD, BRASS, BRYANT, BUTLER, ROBBY CARTER, WILFORD CARTER, CORMIER, DAVIS, DUBUISSON, ECHOLS, FREEMAN, FREIBERG, GLOVER, GREEN, HARRIS, HILFERTY, HORTON, HUGHES, TRAVIS JOHNSON, JORDAN, LAFLEUR, LANDRY, LARVADAIN, LYONS, MARCELLE, MOORE, NELSON, NEWELL, PIERRE, PRESSLY, ROMERO, SCHLEGEL, SELDERS, STAGNI, THOMPSON, WHITE AND WILLARD

1 AN ACT

2 To amend and reenact R.S. 36:251(C)(1) and to enact R.S. 36:258(E) and R.S. 46:2527,
3 relative to the office on women's health and community health; to establish and
4 provide for the office on women's health and community health within the Louisiana
5 Department of Health; to provide for an assistant secretary and staff of the office on
6 women's health and community health; to provide for the purposes, duties, and
7 functions of the office on women's health and community health; to provide for an
8 effective date; and to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 36:251(C)(1) is hereby amended and reenacted and R.S. 36:258(E)
11 is hereby enacted to read as follows:

12 §251. Louisiana Department of Health; creation; domicile; composition; purpose
13 and functions

14 * * *

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

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§258. Offices; purposes and functions

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E. The office on women's health and community health shall be responsible for leading and coordinating efforts within the Louisiana Department of Health that are intended to improve women's health outcomes through policy, education, evidence-based practices, programs, and services. The office on women's health and community health shall serve as a clearinghouse, coordinating agency, and resource center for women's health data and strategies, services, programs, and initiatives that address women's health-related concerns. The department may consolidate efforts on women's health and community health within the department as deemed appropriate by the secretary of the department.

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Section 2. R.S. 46:2527 is hereby enacted to read as follows:

§2527. Office on women's health and community health; assistant secretary; duties and functions

A. The office on women's health and community health is hereby created in the Louisiana Department of Health. The office shall only provide services to a woman born as a biological female and perform the duties and functions assigned to it in Subsection C of this Section or as otherwise provided by law with a focus on all of the following:

- (1) Health needs throughout a woman's life.
- (2) Chronic or acute conditions that significantly affect women, such as heart disease, cancer, obesity, and osteoporosis.
- (3) Access to health care for women.
- (4) The impact of poverty on women's health.
- (5) The leading causes of morbidity and mortality for women.
- (6) Health disparities of women and communities.

B. The office on women's health and community health shall be under

1 the immediate supervision of an assistant secretary appointed by the governor
2 in accordance with the provisions of R.S. 36:257. The assistant secretary shall
3 employ necessary staff to carry out the duties and functions of the office as
4 provided in this Section or as otherwise provided by law.

5 C. In carrying out its purposes as provided for in R.S. 36:258, the office
6 on women's health and community health shall do all of the following:

7 (1) Collect, classify, and analyze relevant information and data resulting
8 from research conducted or compiled by the Louisiana Department of Health
9 or other collaborative entities.

10 (2) Prepare educational or informative materials regarding women's
11 health for publication and dissemination to the public.

12 (3) Seek funding through federal sources, grant programs, and other
13 funding opportunities to carry out the duties and functions provided for in this
14 Section which are within the scope and purposes of the office.

15 D. The office on women's health and community health shall coordinate
16 its activities and programs with those of other entities that focus on women's
17 health or women's issues.

18 E. The office on women's health and community health shall provide an
19 annual report to the governor, legislature, and secretary of the Louisiana
20 Department of Health recommending priorities and areas of improvement for
21 women's health in Louisiana. The office shall issue the report no later than
22 April first of each year.

23 F. No person employed by the office on women's health and community
24 health or officially representing the office, by contract or otherwise, shall
25 require or recommend that any woman have an abortion or promote abortion.
26 This Subsection shall not apply to a doctor of medicine, currently licensed by
27 the Louisiana State Board of Medical Examiners pursuant to R.S. 37:1261 et
28 seq., who is acting to save or preserve the life of a pregnant woman. No activities
29 of the office on women's health and community health shall promote abortion.

30 G. No public funds made available to the office on women's health and

1 community health, whether such funds are made available by the government
2 of the United States, the state of Louisiana, or a local governmental subdivision,
3 or from any other public source, shall be used in any way for, to assist in, to
4 promote, or to provide facilities for an abortion, except for any of the following:

5 (1) Whenever the abortion is necessary to save the life of the mother.

6 (2) Whenever the abortion is being sought to terminate a pregnancy
7 resulting from an alleged act of rape and all of the requirements of R.S.
8 40:1061.18(A) are met.

9 (3) Whenever the abortion is being sought to terminate a pregnancy
10 resulting from an alleged act of crime against nature as defined by R.S.
11 14:89(A)(2) and all of the requirements of R.S. 40:1061.18(B) are met.

12 Section 3. This Act shall become effective upon signature by the governor or, if not
13 signed by the governor, upon expiration of the time for bills to become law without signature
14 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
15 vetoed by the governor and subsequently approved by the legislature, this Act shall become
16 effective on the day following such approval.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____