

SENATE RESOLUTION NO. 50

BY SENATOR JACKSON

A RESOLUTION

To urge and request the Department of Children and Family Services and the Louisiana Department of Health to study and develop mechanisms and processes to further protect developmentally and physically disabled state benefit recipients from sexual and physical exploitation or abuse and to present the findings and make recommendations for legislation to the Senate Select Committee on Women and Children no later than February 28, 2021.

WHEREAS, the Department of Children and Family Services administers and supervises the Temporary Assistance for Needy Families (TANF) State Plan which provides financial assistance and supplemental nutrition for low-income children and adults, many of whom suffer from developmental or physical disabilities; and

WHEREAS, when a developmentally disabled or physically disabled individual is entitled to TANF benefits, a caregiver may qualify to receive those TANF benefits on behalf of the disabled individual; and

WHEREAS, recent medical testimony before the Senate Select Committee on Women and Children revealed that certain developmentally delayed patients were being sexually and physically exploited and abused by caregivers; and

WHEREAS, studies have shown that children are more likely to be abused if they are living with certain caregivers and adults with developmental disabilities are more likely to be abused compared to the general population; and

WHEREAS, the Louisiana Department of Health administers the state's Medicaid program, which is the state's health coverage for low-income children and adults who receive TANF assistance; and

WHEREAS, Medicaid health benefits cover an annual wellness visit or routine medical examination for each beneficiary with a primary care physician or other health care provider; and

WHEREAS, although the Department of Children and Family Services and the Louisiana Department of Health both have programs to assess and review the suitability of caregivers, further resources may be needed to protect developmentally and physically disabled children and adults from exploitation and abuse by caregivers; and

WHEREAS, it would further protect efforts to require certain physically or developmentally disabled children who are recipients of TANF benefits to undergo annual medical examinations with their primary care physicians outside of the view of caregivers so as to eliminate or minimize the possibility of sexual or physical exploitation or abuse; and

WHEREAS, it would further protection efforts to require certain physically or developmentally disabled individuals who are recipients of TANF benefits to undergo annual medical examinations with their primary care physicians outside of the view of their caregivers so as to eliminate or minimize the possibility of sexual or physical exploitation or abuse.

THEREFORE, BE IT RESOLVED that the Senate of the Legislature of Louisiana does hereby urge and request the Department of Children and Family Services and the Louisiana Department of Health to study and develop mechanisms and processes to further protect developmentally and physically disabled state benefit recipients from sexual and physical exploitation or abuse and to present the findings and make recommendations for legislation to the Senate Select Committee on Women and Children no later than February 28, 2021.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the Department of Children and Family Services and the Louisiana Department of Health.

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PRESIDENT OF THE SENATE