

**RS 28:910****CHAPTER 21. STATEWIDE HUMAN SERVICES DELIVERY  
PART I. HUMAN SERVICES DISTRICTS AND AUTHORITIES:  
GENERAL PROVISIONS****§910. Legislative intent and public policy**

A. The legislature finds and declares that state-funded behavioral healthcare and care for persons with intellectual disabilities and developmental disabilities are better directed at a local level to ensure local accountability, responsiveness to the unique needs of the community, and the establishment of local partnerships and relationships with other local agencies that serve individuals in the community.

B. The legislature also finds and declares that the statutory creation of the ten statewide human services districts and authorities was intended to serve this purpose and each has done so since initial inception and completion of the readiness assessment enacted by the legislature.

C. The legislature further finds and declares that it is now time to move past the readiness assessment phase of operation of the statewide human services districts and authorities through a modernization and consolidation of the law established in this Part.

D. The legislature therefore declares that this Part establishes the evolution of the statewide human services districts and authorities to create a more robust opportunity for them to excel at their mission of being the community director for behavioral health services and services for individuals with intellectual disabilities and developmental disabilities.

Acts 2017, No. 73, §1, eff. June 7, 2017.

**RS 28:911****§911. Definitions**

As used in this Chapter and unless the context clearly requires otherwise:

(1) "Behavioral health services" means community-based mental health and substance-related and addictive disorders services.

(2) "Board" means the governing body of the district or authority.

(3) "Case records" means medical and treatment records, records and investigations of abuse or neglect of adults, records of public health services including children's special health services, nutrition, and immunization, and other medical, disability, or behavioral health service records related to services provided by the district or authority or the department.

(4) "Department" means the Louisiana Department of Health.

(5) "Human services accountability plan", referred to in this Chapter as "accountability plan", means the statewide human services plan developed by the department in consultation with the Human Services Interagency Council which sets forth the criteria, process, timelines, guidelines for service delivery, clinical protocols, evidence-based practices, quality management and monitoring, data collection and reporting, performance outcome measures, and information management to be followed by the department and the districts.

(6) "Human services district or authority" or "district or authority", means a local governing entity, as identified in R.S. 28:912(A), with local accountability and management of behavioral health, intellectual disability, and developmental disability services as well as any public health or other services contracted to the district or authority by the department.

(7) "Human services framework", referred to in this Chapter as "framework", means the requirements specified in the contract between the department and the district that set forth the organizational structure, eligible and priority populations, core and targeted services, and standards for intake and access to institutional and community services, which require adherence to the human services accountability plan for a district. The framework is developed, implemented, and monitored through an ongoing statewide process performed by the department in consultation with the Human Services Interagency Council.

(8) "Secretary" means the secretary of the Louisiana Department of Health.

Acts 2008, No. 373, §2, eff. June 21, 2008; Acts 2017, No. 73, §1, eff. June 7, 2017; Acts 2017, No. 369, §2.

**RS 28:912**

## §912. Creation and jurisdiction

## A. The human services districts and authorities shall be:

(1) Capital Area Human Services District, which shall comprise the parishes of Ascension, East Baton Rouge, East Feliciana, Iberville, Pointe Coupee, West Baton Rouge, and West Feliciana.

(2)(a) Jefferson Parish Human Services Authority, which shall comprise the parish of Jefferson.

(b) The governing authority of Jefferson Parish shall continue to provide funds and in-kind contributions for the Jefferson Parish Human Services Authority on at least the level of funding and in-kind contributions in effect during the 1990 fiscal year.

(c) The Jefferson Parish Council shall have the authority to levy taxes and issue bonds or other obligations for the provision of services at the Jefferson Parish Human Services Authority.

(3) Florida Parishes Human Services Authority, which shall comprise the parishes of Livingston, St. Helena, St. Tammany, Tangipahoa, and Washington.

(4) Metropolitan Human Services District, which shall comprise the parishes of Orleans, St. Bernard, and Plaquemines.

(5) South Central Louisiana Human Services Authority, which shall comprise the parishes of Assumption, Lafourche, St. Charles, St. James, St. John the Baptist, St. Mary, and Terrebonne.

(6) Northeast Delta Human Services Authority, which shall comprise the parishes of Caldwell, East Carroll, Franklin, Jackson, Lincoln, Madison, Morehouse, Ouachita, Richland, Tensas, Union, and West Carroll.

(7) Acadiana Area Human Services District, which shall comprise the parishes of Acadia, Evangeline, Iberia, Lafayette, St. Landry, St. Martin, and Vermilion.

(8) Imperial Calcasieu Human Services Authority, which shall comprise the parishes of Allen, Beauregard, Calcasieu, Cameron, and Jefferson Davis.

(9) Central Louisiana Human Services District, which shall comprise the parishes of Avoyelles, Catahoula, Concordia, Grant, LaSalle, Rapides, Vernon, and Winn.

(10) Northwest Louisiana Human Services District, which shall comprise the parishes of Bienville, Bossier, Caddo, Claiborne, DeSoto, Natchitoches, Sabine, Red River, and Webster.

B. The domicile of each human services district or authority shall be within the statutory governance area of the district or authority.

C. No new human services district or authority may be established without the express authorization of the legislature.

Acts 2008, No. 373, §2, eff. June 21, 2008; Acts 2012, No. 231, §1, eff. May 22, 2012; Acts 2013, No. 220, §10, eff. June 11, 2013; Acts 2017, No. 73, §1, eff. June 7, 2017.

**RS 28:913**

§913. Governing board for Acadiana Area Human Services District, Imperial Calcasieu Human Services Authority, Central Louisiana Human Services District, and Northwest Louisiana Human Services District; membership; appointment; terms

A. The Acadiana Area Human Services District shall be governed by a board of ten members who are residents of the seven parishes within the statutory governance area of the district. Seven members shall consist of one representative from each parish within the statutory governance area of the district who is appointed by the local governmental authority of the parish and three members shall be appointed by the governor as follows:

- (1) One member with professional expertise in the field of mental health.
- (2) One member with professional expertise in the field of substance-related and addictive disorders.
- (3) One member with professional expertise in the field of developmental disabilities.
- (4) One member with professional expertise in finance, accounting, business enterprise, or auditing.
- (5) One member who represents the judiciary, with particular emphasis on specialty courts.
- (6) Two members who represent law enforcement, school-based healthcare, public health, or the coroner's office based on the needs of the respective appointing parishes.
- (7) One member who is a parent, consumer, or advocate in the field of mental health appointed by the governor.
- (8) One member who is a parent, consumer, or advocate in the field of substance-related and addictive disorders appointed by the governor.
- (9) One member who is a parent, consumer, or advocate in the field of developmental disabilities appointed by the governor.

B. The Imperial Calcasieu Human Services Authority shall be governed by a board of eight members who are residents of the five parishes within the statutory governance area of the authority. Five members shall consist of one representative from each parish within the statutory governance area of the authority who is appointed by the local governmental authority of the parish and three members shall be appointed by the governor as follows:

- (1) One member with professional expertise in the field of mental health.
- (2) One member with professional expertise in the field of substance-related and addictive disorders.
- (3) One member with professional expertise in the field of developmental disabilities.
- (4) One member with professional expertise in finance, accounting, business enterprise, or auditing.
- (5) One member who represents either the judiciary, with particular emphasis on specialty courts; or law enforcement, school-based healthcare, public health, or the coroner's office based on the needs of the parishes.
- (6) One member who is a parent, consumer, or advocate in the field of mental health appointed by the governor.
- (7) One member who is a parent, consumer, or advocate in the field of substance-related and addictive disorders appointed by the governor.
- (8) One member who is a parent, consumer, or advocate in the field of developmental disabilities appointed by the governor.

C. The Central Louisiana Human Services District shall be governed by a board of eleven members who are residents of the eight parishes within the statutory governance area of the district. Eight members shall consist of one representative from each parish within the statutory governance

area of the district who is appointed by the local governmental authority of the parish and three members shall be appointed by the governor as follows:

- (1) One member with professional expertise in the field of mental health.
- (2) One member with professional expertise in the field of substance-related and addictive disorders.
- (3) One member with professional expertise in the field of developmental disabilities.
- (4) One member with professional expertise in finance, accounting, business enterprise, or auditing.
- (5) One member who represents the judiciary, with particular emphasis on specialty courts.
- (6) Three members who represent law enforcement, school-based healthcare, public health, or the coroner's office based on the needs of the respective appointing parishes.
- (7) One member who is a parent, consumer, or advocate in the field of mental health appointed by the governor.
- (8) One member who is a parent, consumer, or advocate in the field of substance-related and addictive disorders appointed by the governor.
- (9) One member who is a parent, consumer, or advocate in the field of developmental disabilities appointed by the governor.

D. The Northwest Louisiana Human Services District shall be governed by a board of twelve members who are residents of the nine parishes within the statutory governance area of the district. Nine members shall consist of one representative from each parish within the statutory governance area of the district who is appointed by the local governmental authority of the parish and three members shall be appointed by the governor as follows:

- (1) Two members with professional expertise in the field of mental health.
- (2) Two members with professional expertise in the field of substance-related and addictive disorders.
- (3) Two members with professional expertise in the field of developmental disabilities.
- (4) One member with professional expertise in finance, accounting, business enterprise, or auditing.
- (5) One member who represents the judiciary, with particular emphasis on specialty courts.
- (6) One member who represents law enforcement, school-based healthcare, public health, or the coroner's office based on the needs of the parishes.
- (7) One member who is a parent, consumer, or advocate in the field of mental health appointed by the governor.
- (8) One member who is a parent, consumer, or advocate in the field of substance-related and addictive disorders appointed by the governor.
- (9) One member who is a parent, consumer, or advocate in the field of developmental disabilities appointed by the governor.

E. Appointees shall serve terms of three years. No board member shall serve more than three consecutive three-year terms.

F. Effective January 1, 2018, all boards established pursuant to this Section shall comply with the enumerated requirements of expertise in this Section. Any board member serving on the board prior to January 1, 2018, who satisfies at least one of the enumerated criteria shall be considered to have satisfied the requirement to serve and shall remain on the board for the duration of his unexpired term. Any board member who does not satisfy one of the enumerated criteria shall be replaced by January 1, 2018, and the newly appointed member shall begin a new three-year term. It shall be the responsibility of the executive director of each district or authority provided for in this Section to ensure that the board of the district or authority satisfies the enumerated criteria herein. The executive director shall work with the local parish governmental authorities in the district's or authority's statutory governance area and with the governor to ensure compliance with the board requirements of this Section.

Acts 2008, No. 373, §2, eff. June 21, 2008; Acts 2017, No. 73, §1, eff. June 7, 2017; Acts 2017, No. 369, §2.

**RS 28:913.1**

§913.1. Governing board for Jefferson Parish Human Services Authority; membership; appointment; terms

A. The Jefferson Parish Human Services Authority shall be governed by a board of twelve members who are residents of Jefferson Parish. Nine members shall be appointed by the Jefferson Parish Council and three members shall be appointed by the governor as follows:

- (1) Two members with professional expertise in the field of mental health.
- (2) Two members with professional expertise in the field of addictive disorders.
- (3) Two members with professional expertise in the field of developmental disabilities.
- (4) One member with professional expertise in finance, accounting, business enterprise, or auditing.
- (5) One member who represents the judiciary, with particular emphasis on specialty courts.
- (6) One member who represents law enforcement, school-based healthcare, public health, or the coroner's office based on the needs of the parish.
- (7) One member who is a parent, consumer, or advocate in the field of mental health appointed by the governor.
- (8) One member who is a parent, consumer, or advocate in the field of addictive disorders appointed by the governor.
- (9) One member who is a parent, consumer, or advocate in the field of developmental disabilities appointed by the governor.

B. Each member shall serve for a three-year term. No board member shall serve more than two consecutive three-year terms.

C. Effective January 1, 2018, the board shall comply with the enumerated requirements of expertise in this Section. Any board member serving on the board prior to January 1, 2018, who satisfies at least one of the enumerated criteria shall be considered to have satisfied the requirement to serve and shall remain on the board for the duration of his unexpired term. Any board member who does not satisfy one of the enumerated criteria shall be replaced by January 1, 2018, and the newly appointed member shall begin a new three-year term. It shall be the responsibility of the executive director to ensure that the board satisfies the enumerated criteria herein. The executive director shall work with the Jefferson Parish Council and the governor to ensure compliance with the board requirements of this Section.

D. The Jefferson Parish attorney shall be the legal advisor for the authority.

Acts 2017, No. 73, §1, eff. June 7, 2017.

**RS 28:913.7****§913.7. Governing board; general provisions**

The following provisions shall apply to all district and authority governing boards:

(1) Each board member shall serve without compensation, but shall be reimbursed for expenses and mileage at the same rate set by the division of administration for state employees for each day in actual attendance at board meetings or for representing the board in an official board-approved activity.

(2) The chairman shall be selected by a majority vote of the board. The term of the chairman shall be established under the board's bylaws.

(3) No member of the board or of his immediate family shall own or have any interest or part in any public or private organization, business, company, or entity conducting business of any kind with the district or authority.

(4) The board shall adopt and maintain bylaws to provide for the governance of the board. Such bylaws shall include but not be limited to:

(a) Procedures for the election of board officers, including terms of office and methods and grounds for removal.

(b) Procedures and grounds for the removal of any board member. Grounds for removal shall include conviction of a felony or may include failure to meet board attendance as provided in the bylaws.

(5) Procedures for filling a vacancy created by the removal, resignation, or death of any board member prior to the end of the board member's term shall follow those used for initial appointments.

(6) All members of the board and employees of the district or authority shall be subject to the Code of Governmental Ethics.

Acts 2017, No. 73, §1, eff. June 7, 2017.



**RS 28:914****§914. Requirements for districts and authorities; board education and awareness**

A. The board shall be briefed by the executive director on the following issues in the manner deemed appropriate by the executive director:

- (1) Mission and purpose of the district or authority.
- (2) How the mission and purpose are practically applied in the community.
- (3) Relationships in the community that are crucial to the district or authority's success.
- (4) How those relationships are established, maintained, and built upon.
- (5) How each member of the board serves as a delegate to foster those crucial community relationships.
- (6) Role of the district or authority in times of disaster.
- (7) Funding for the district or authority, including state and federal funding, grant opportunities, and other funding sources.
- (8) Billing and collections processes.
- (9) Budgeting and account balances.
- (10) Audits by the legislative auditor within the past five years.
- (11) Employees and contractors, and their roles in operating the district or authority.
- (12) The option of the board to select a new executive director.
- (13) The contractual relationship with the Louisiana Department of Health.
- (14) Compliance with the Code of Governmental Ethics.
- (15) Compliance with the Public Records Law.
- (16) Compliance with the Open Meetings Law.
- (17) Process for development and ratification of bylaws.
- (18) Discussion of how regularly scheduled board meetings will be conducted.
- (19) The district or authority's responsibility to prioritize and provide for state-funded services, as established in R.S. 28:821 et seq., in order to meet the needs of the individuals in their statutory governance area. Each fiscal year, every district and authority shall allocate a minimum of an amount equal to nine percent of its state general fund appropriation for the provision of services established in R.S. 28:821 et seq. for persons with developmental disabilities and their families. The state general fund appropriation for which the minimum nine percent is calculated may be adjusted to align with any budget reductions mandated by the division of administration.
- (20) Any other matter deemed important by the executive director.

B. The executive director may include representatives from the Louisiana Department of Health, office of the Louisiana legislative auditor, Louisiana Ethics Administration, office of the Louisiana attorney general, or any other entity that can provide important information to the board members during any board meeting.

C. A new board member orientation shall be held upon appointment of any new member and the executive director shall brief the new board member on the issues set forth in Subsection A of this Section.

D. All district and authority boards shall adopt:

- (1) A mission, vision, and policy for the operation of the district or authority. The board shall set policy as a body and shall employ an executive director who shall be accountable to the board, as a body, for the implementation of the policies established by the board.
- (2) Bylaws that specify that the board may act only as a body and not through the individual actions of any individual board member, unless the board member is given explicit authority by a majority vote of the board to carry out a specific function, or the function is reasonably required of a board member serving as an officer of the board. Under penalty of removal, no board member

shall, directly or indirectly, provide direction to or interfere with any employee of the district or authority.

Acts 2008, No. 373, §2, eff. June 21, 2008; Acts 2017, No. 73, §1, eff. June 7, 2017.

**RS 28:915**

§915. Districts and authorities; functions, powers, and duties; sole-source contracting

A. Pursuant to a contract with the department, all human services districts and authorities shall:

(1) Perform the functions which provide community-based services and continuity of care for the prevention, detection, treatment, rehabilitation, and follow-up care of mental and emotional illness.

(2) Be responsible for community-based programs and functions relating to the care, diagnosis, training, treatment, case management, and education of persons with intellectual disabilities, persons with developmental disabilities and persons with autism.

(3) Perform community-based functions for the care, diagnosis, training, treatment, and education related to substance-related and addictive disorders, including but not limited to alcohol, drug abuse, or gambling.

(4) Perform community-based functions which provide services and continuity of care for education, prevention, detection, treatment, rehabilitation, and follow-up care relating to personal health, as determined to be feasible by the department.

(5) Maintain services specified in Paragraphs (1) through (4) of this Subsection as stipulated by the contract with the department.

(6) Collect or cause to be collected all monies due the district or authority for the provision of services pursuant to statutory requirements and any other form of contract or agreement by which the district or authority provides services and levies charges.

(7) Manage through their governing board the services required by Paragraphs (1) through (4) of this Subsection and operate within the scope of a contract with the department. Each district or authority shall be operated in a manner that meets standards and competencies regarding financial controls, clinical protocols, human resources, legal resources, purchasing, contracting, and outcomes measurement.

(8) Participate, as a critical part of Louisiana's healthcare infrastructure, in all emergency planning, preparedness, response, and recovery efforts within the statutory governance area of the human services district or authority and assist on a statewide basis if requested to do so by the secretary or his designee.

(9) Provide state-funded services, as established in R.S. 28:821 et seq., to meet the needs of the individuals in their statutory governance area. Each fiscal year, every district and authority shall allocate a minimum of an amount equal to nine percent of its state general fund appropriation for the provision of services established in R.S. 28:821, et seq. for persons with developmental disabilities and their families. The state general fund appropriation for which the minimum nine percent is calculated may be adjusted to align with any budget reductions mandated by the division of administration.

B. In addition to the functions as provided in Subsection A of this Section, the district or authority shall have the following powers and duties:

(1) To enter into contracts of every nature in compliance with this Chapter and other state laws.

(2) To enter into contracts with the judicial branch to be a provider of behavioral health services ordered by the court through any statutorily authorized specialty court program which requires certain behavioral health treatments. Such sole-source contracts shall be limited to a district court physically located within the statutory governance area of the human services district or authority.

(3) To enter into contracts with a correctional facility to be a provider of behavioral health services if the correctional facility is in need of such services as part of an emergency department

diversion program, or upon successful completion of a re-entry program that requires ongoing services. Such sole-source contracts shall be limited to a correctional facility, emergency department, or residence of an individual completing the re-entry process located within the statutory governance area of the human services district or authority.

(4) To acquire movable and immovable property by lease, purchase, donation, or otherwise and to obtain title to same in its own name. The district or authority may lawfully sell or dispose of the property.

(5) To have possession and operating control, but not title to, all immovable and movable property owned by the state and dedicated to the provision of behavioral health services, developmental disabilities or intellectual disabilities services, public health services, or any other service contracted by the department to the district or authority. The state shall continue to be responsible for the maintenance of those properties which are provided by the state on the effective date of this Chapter.

(6) To establish community-based behavioral health, developmental disabilities or intellectual disabilities, public health, and other contracted program policies in conformance with the contract with the department and applicable state and federal laws, rules, and regulations.

(7) To establish performance indicators and reporting requirements as outlined in the contract between the district or authority and the department to determine the quality of services delivered by the district or authority and maintain the services at the level of the standards set by the department.

(8) To employ an executive director to oversee the operations of the district or authority and who shall be responsible for the administration and management of all aspects of the district or authority.

(9) To retain all self-generated funds and any funds collected for the provision of services in excess of funds provided through contract with the department.

(10) To carry out responsibilities relative to developmental disabilities and intellectual disabilities services delivery provided in R.S. 28:451.3.

C. Each human services district or authority shall constitute a body corporate in law, with all of the powers of a corporation, including the power to sue and be sued. Each district or authority shall also have all the powers and rights conferred by this Chapter and the power to perform any other act in its corporate capacity and in its corporate name which is necessary and proper for effectuating the purposes for which the district or authority was created. Each district or authority shall constitute a special district or authority within the meaning of Article VI, Section 19 of the Constitution of Louisiana, shall be a political subdivision of the state, and enjoy all rights, powers, and privileges enjoyed by other political subdivisions of the state under the constitution and laws of the state, excluding the rights to incur long-term debt, issue bonds, or levy taxes and special assessments.

D. The board shall submit any reports or information to the secretary of the department upon request of the secretary. The board shall also submit quarterly reports as outlined in the contract with the department, indicating the services provided, the number of persons served, and the amount spent on such services.

E. Notwithstanding any provision of state law to the contrary, the districts and authorities and the department shall share access to each other's client case records of clients for whom they both provide services, to the extent that access is not prohibited by any contrary provision of federal law or regulation.

F. The provisions of Subsections A and B of this Section shall not include the following:

(1) Operation and management of any inpatient facility under the jurisdiction of the department.

(2) Operation, management, and performance of functions and services relating to environmental health, including but not limited to regulatory function as performed by sanitarians

and engineers within the office of public health pursuant to R.S. 40:4 through 10, R.S. 40:2701 et seq., Chapter 4 of Title 40 of the Louisiana Revised Statutes of 1950, R.S. 37:2101 et seq., the state's Sanitary Code, and all other relevant federal and state law, rules, and regulations.

(3) Operation, management, and performance of functions and services relating to the Louisiana Vital Records Registry and the collection of vital statistics within the office of public health pursuant to R.S. 40:5, R.S. 40:32 through 79, R.S. 44:401 et seq., and R.S. 40: 1061.17, including the Putative Father Registry and the vital records management information system.

(4) Operation, management, and performance of functions and services relating to laboratory analyses by the state division of laboratories with the office of public health in the area of personal and environmental health.

(5) Operation, management, and performance of functions and services relating to education provided by or authorized for any state or local education department or agency.

Acts 2008, No. 373, §2, eff. June 21, 2008; Acts 2012, No. 231, §1, eff. May 22, 2012; Acts 2014, No. 811, §14, eff. June 23, 2014; Acts 2015, No. 20, §1, eff. May 29, 2015; Acts 2017, No. 73, §1, eff. June 7, 2017; Acts 2017, No. 369, §2.

**RS 28:916**

## §916. Employees

A. All employees of the district or authority shall carry out the functions of the district or authority and its programs and services and shall perform their duties subject to applicable state civil service laws, rules, and regulations.

B.(1) All employees of the districts and authorities shall participate in and be covered by state services, systems, and programs for which provision is made in medical malpractice liability laws as provided for in R.S. 40:1237.1 et seq.

(2) The districts and authorities may participate in and be covered by state services, systems, and programs for which provision is made in comprehensive liability, automobile, workers' compensation, and fire and extended coverage insurance provided for in R.S. 39:1527 et seq.

C. The districts and authorities, including their contract service delivery employees, may participate in and be covered by the state program for medical malpractice notwithstanding the prohibition in R.S. 40:1237.1(A)(9)(b) and (M) to the contrary, provided that the districts and authorities or covered contract service delivery employees have paid the appropriate premium to the office of risk management.

D. All employees of the districts and authorities shall be members of the state civil service system and the Louisiana State Employees' Retirement System.

Acts 2008, No. 373, §2, eff. June 21, 2008; Acts 2017, No. 73, §1, eff. June 7, 2017.

**RS 28:917**

## §917. Human Services Interagency Council; membership and responsibilities

A. There shall be a human services interagency council established by the department to provide policy guidance to the department in the ongoing operations of the districts and authorities. The council shall be chaired by the secretary of the department or his designee and shall include the assistant secretaries of the office of behavioral health, office for citizens with developmental disabilities, office of public health, office of aging and adult services, as well as the director of Medicaid or his designee, the executive directors of the districts and authorities, and other members as deemed appropriate by the council.

B. The purpose of the council meetings shall be to share information between the state and the districts and authorities and among the districts and authorities. All council members shall have the opportunity to present information, request information, and engage in dialogue regarding any matter before the council.

C. The council shall meet at least once quarterly, but may meet more often if called by the chair. The council shall meet at locations that rotate throughout the state, as appropriate, to provide ease of travel for the members of the council. A quorum is not required and council members may participate by phone during any meeting in which a vote of the council members is not being requested, but a quorum shall be required for any vote to be taken on a matter before the council.

D.(1) Beginning February 1, 2018, the secretary shall submit a single comprehensive annual report on the operations of the districts and authorities to the Senate and House committees on health and welfare. The annual report shall include a detailed list of the services provided and populations served by each district or authority, a financial summary of the operations of each district or authority, and other information demonstrating the performance of each district or authority for the previous fiscal year. The report shall include the secretary's assessment and recommendations based on the data in the report. The report shall also include recommendations by the council and recommendations of any individual district or authority in the event that they wish to provide additional information or commentary regarding the data in the report. The report shall also include information on the meetings of the council and recommendations on how to build upon the work of the council.

(2) Within thirty days of receipt of the report by the House and Senate committees on health and welfare, either committee may issue notice of intent to convene a hearing separately or jointly for the purpose of conducting a public hearing on the report that was submitted. The department and each human services district or authority may be called collectively or independently to appear before the committee.

E. At least once annually, the council shall convene a meeting to include the board chairman or his designee from each of the ten human services districts and authorities. All board members from each of the ten human services districts and authorities shall have the opportunity to participate if they so choose. This meeting shall be hosted by the Louisiana Department of Health at its central office in Baton Rouge. The purpose of this meeting shall include but is not limited to facilitating and fostering the exchange of best practices to ensure that each district or authority throughout the state is maximizing service delivery in their statutory governance area. Each board chairman, or his designee board member, shall give a presentation on the status of service delivery in his district or authority and shall include specifics on practices that are yielding the best results regarding scope of service and client access. All statewide board members shall have the opportunity to learn from the council and other board members and obtain knowledge on best practices through discussion and dialogue at this annual meeting.

Acts 2008, No. 373, §2, eff. June 21, 2008; Acts 2017, No. 73, §1, eff. June 7, 2017.

**RS 28:917****§917. Human Services Interagency Council; membership and responsibilities**

A. There shall be a human services interagency council established by the department to provide policy guidance to the department in the ongoing operations of the districts and authorities. The council shall be chaired by the secretary of the department or his designee and shall include the assistant secretaries of the office of behavioral health, office for citizens with developmental disabilities, office of public health, office of aging and adult services, as well as the director of Medicaid or his designee, the executive directors of the districts and authorities, and other members as deemed appropriate by the council.

B. The purpose of the council meetings shall be to share information between the state and the districts and authorities and among the districts and authorities. All council members shall have the opportunity to present information, request information, and engage in dialogue regarding any matter before the council.

C. The council shall meet at least once quarterly, but may meet more often if called by the chair. The council shall meet at locations that rotate throughout the state, as appropriate, to provide ease of travel for the members of the council. A quorum is not required and council members may participate by phone during any meeting in which a vote of the council members is not being requested, but a quorum shall be required for any vote to be taken on a matter before the council.

D.(1) Beginning February 1, 2018, the secretary shall submit a single comprehensive annual report on the operations of the districts and authorities to the Senate and House committees on health and welfare. The annual report shall include a detailed list of the services provided and populations served by each district or authority, a financial summary of the operations of each district or authority, and other information demonstrating the performance of each district or authority for the previous fiscal year. The report shall include the secretary's assessment and recommendations based on the data in the report. The report shall also include recommendations by the council and recommendations of any individual district or authority in the event that they wish to provide additional information or commentary regarding the data in the report. The report shall also include information on the meetings of the council and recommendations on how to build upon the work of the council.

(2) Within thirty days of receipt of the report by the House and Senate committees on health and welfare, either committee may issue notice of intent to convene a hearing separately or jointly for the purpose of conducting a public hearing on the report that was submitted. The department and each human services district or authority may be called collectively or independently to appear before the committee.

E. At least once annually, the council shall convene a meeting to include the board chairman or his designee from each of the ten human services districts and authorities. All board members from each of the ten human services districts and authorities shall have the opportunity to participate if they so choose. This meeting shall be hosted by the Louisiana Department of Health at its central office in Baton Rouge. The purpose of this meeting shall include but is not limited to facilitating and fostering the exchange of best practices to ensure that each district or authority throughout the state is maximizing service delivery in their statutory governance area. Each board chairman, or his designee board member, shall give a presentation on the status of service delivery in his district or authority and shall include specifics on practices that are yielding the best results regarding scope of service and client access. All statewide board members shall have the opportunity to learn from the council and other board members and obtain knowledge on best practices through discussion and dialogue at this annual meeting.

Acts 2008, No. 373, §2, eff. June 21, 2008; Acts 2017, No. 73, §1, eff. June 7, 2017.



**RS 28:918**

§918. Louisiana Department of Health; responsibility and authority to contract; monitor; sanction

A. The secretary, upon consultation with the human services districts and authorities, shall be responsible for policy, development, implementation, and monitoring of service provision of the statewide human services system to assure the appropriate and reasonable delivery of behavioral health, intellectual disability, and developmental disability services funded by appropriations from the state as well as any public health or other human services contracted to the district or authority by the department.

B.(1) The secretary of the department shall have the authority to enter into a sole-source contract with districts or authorities for the provision of behavioral health services, developmental disabilities and intellectual disabilities services, and selected public health services, or any other human services which contribute to the integrated continuum of care for the clients served by the district or authority. For any service contracted by the department, the department shall provide the funding appropriate for the adequate delivery of such services. The department shall have the authority to examine utilization rates for services provided and populations served, actual expenditures, and remaining forecasted expenditures for each human service district or authority in order to make appropriate funding determinations. When necessary, the department, in consultation with the human services districts or authorities, shall submit such data and information to the legislature prior to making any recommendation of funds adjustment for the subsequent fiscal year.

(2) The contract shall establish performance indicators, quality outcomes, and reporting requirements for the human services districts and authorities, as provided for in this Chapter, as a condition of entering into a contract with the department or as a condition of receiving grant funds or funding from the department.

C. All districts and authorities shall participate in surveys to ensure compliance with the statewide human services system of care, framework, and accountability plan. The interagency council shall recommend to the secretary a schedule for surveys, with such surveys beginning within one year after the standards are approved. Each district and authority shall be surveyed at least every two years. The survey team members shall be selected by the secretary or his designee and shall include a minimum of two experienced district or authority executives as well as department staff. Each survey shall be designed to, at a minimum, ensure each district and authority maintains competency standards for human resources, adequate financial controls, operational and clinical protocols, and shall be used as an opportunity to share best practices.

D. The contract shall incorporate by reference the provisions of the framework and accountability plan in the delivery of behavioral health services and intellectual disability and developmental disability services, and may provide for the delivery of public health or any other human services contracted by the department and funded by appropriations. The contract shall include but not be limited to:

(1) Definitions of eligible and priority populations in accordance with the department's statewide human services system of care, including behavioral health, developmental disabilities and intellectual disabilities, public health, or any other contracted services as applicable.

(2) Definitions of core and targeted services, including the development of indicators and a monitoring plan to measure the provision of and access to these services. Core services are the minimum and essential services available to eligible populations in all urban and rural areas. Targeted services are mandated specialized services available to priority populations based on the source and availability of funds.

(3) Standards for intake and access to institutional and community services.

(4) A minimum required data set of consumer-focused and systems outcome measurements required for reliable outcome measurement that use consistent definitions statewide.

(5) A mechanism to survey and monitor quality of care and protection of consumer rights through consistent and reliable outcome measurements.

(6) Standards for subcontractor agreements funded by appropriations from the state to assure compliance with applicable state and federal laws, rules, regulations, and court orders and to provide remedies for correction of noncompliance and sanctions for failure to comply.

(7) Ongoing standards for operational performance, including human resources competency, contracting and procurement, clinical protocols, financial controls, and consumer satisfaction.

(8) Conditions and cause for termination of the contract by either party pursuant to the provisions of Subsection E of this Section.

E.(1)(a) The secretary of the department shall have the authority to issue sanctions for noncompliance with the terms of the contract. The contracts between the districts and authorities and the department shall include a provision for corrective action or termination of the contract if a deficiency continues after such time as the district or authority has been given the opportunity to correct it. The department shall notify the district or authority in writing of any deficiency. The district or authority shall have a period of time set forth in the contract to submit a corrective action plan to correct any noticed deficiency. If the deficiency continues after such period of time, or if the district or authority does not make a good faith effort to correct the deficiency, the contract shall have a provision for termination by the department.

(b) The department shall submit written notice to the Senate and House committees on health and welfare if a district or authority is in noncompliance with their contract and a corrective action plan has been requested. The department shall inform the committees of the time line for the district or authority to come into compliance with their contract and shall inform the committees when the matter is resolved.

(2)(a) The contracts between the districts and authorities and the department shall also include a provision authorizing the department to assume temporary management of the district or authority if noncompliance with the contract constitutes a threat to public health or well-being and a corrective action plan can not sufficiently address the threat to the public health. In the event a contract is terminated under this provision, the department shall assume responsibility and oversight for the provision of services with funds appropriated to the district until such time as the district has met the compliance standards of their contract.

(b) The department shall submit written notice to the Senate and House committees on health and welfare if a district or authority is in noncompliance with their contract and the department intends to terminate the contract and assume temporary management of the district or authority. Approval of the Senate and House committees on health and welfare, meeting separately or jointly, is required before imposing the sanction of temporary management by the department.

(c) If a district or authority has been placed under temporary management by the department, and subsequently resumes compliance with their contract, the department shall submit written notice to the Senate and House committees on health and welfare of their intent to resume the contract and relinquish temporary management of the district or authority.

F. The department shall have the authority to survey and monitor the human services districts and authorities by conducting onsite reviews, desk reviews, data reviews, requiring data submission on grant funds, legislative reporting, federal or state requirements, and budgeting purposes.

Acts 2008, No. 373, §2, eff. June 21, 2008; Acts 2009, No. 384, §5, eff. July 1, 2010; Acts 2017, No. 73, §1, eff. June 7, 2017.