

Regular Session, 2003

ACT No. 245

SENATE BILL NO. 966

BY SENATOR SCHEDLER AND REPRESENTATIVES DOERGE,
DURAND, GUILLORY, ILES, L. JACKSON, M.
JACKSON, SCHWEGMANN, SHAW, STRAIN, WALKER
AND WELCH

AN ACT

To amend and reenact R.S. 46:2601(A)(3), 2602(A) and (B)(7), (D), and (E),
2603(A), 2604(B)(4), 2605(B)(7), (10), (20), (26), (37), and (38), (C)
and (E), and 2607, and to enact R.S. 46:2602(B)(12), 2604(E), and
2605(B)(39) and (40), relative to the Children's Cabinet; to provide for
its duties; to provide for the membership of the cabinet; to revise
membership on the advisory board; to extend the termination date of
the cabinet; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 46:2601(A)(3), 2602(A) and (B)(7), (D), and (E),
2603(A), 2604(B)(4), 2605(B)(7), (10), (20), (26), (37), and (38), (C) and (E),
and 2607 are hereby amended and reenacted, and R.S. 46:2602(B)(12),
2604(E), and 2605(B)(39) and (40), are hereby enacted to read as follows:

§2601. Legislative findings and intent

A. * * *

(3) The legislature recognizes a need to identify all potential
sources of funding for services for children and their families and to
develop strategies ~~for the most~~ **to assure the** coordinated use of such
funding ~~possible, in order to make the best use of all available monies~~
toward the development of a family and community-based service
delivery system.

* * *

§2602. Children's Cabinet; creation; purpose

A. The Children's Cabinet, hereafter referred to as the "cabinet", is hereby created as a state agency within the office of the governor. The governor shall select an executive director and the cabinet shall be funded through equal interagency transfers from the ~~departments headed by the persons listed~~ **entities represented** in Paragraphs B(1) through (5) of this Section at a level to be determined annually by the commissioner of administration. In addition, the cabinet may accept and expend grants and private donations to assist the cabinet to carry out its functions. The purpose of the cabinet shall be to facilitate and require coordination of policy, planning, and budgeting affecting programs and services for children and their families; to coordinate delivery of services to children and their families; and to eliminate duplication of services where appropriate. The cabinet shall carry out its functions in order to assure the most efficient and effective use of resources, particularly through programs for intervention and prevention ~~intended to be less costly in terms of human costs and ultimately in expenditures as well~~ **and through services that assist and support children to remain in their homes and communities.**

B. The cabinet shall be composed of the following members:

* * *

(7) ~~A representative of the office of the governor, to be determined by the governor.~~ **The executive director of the cabinet, to be determined by the governor, who shall serve as chairperson.**

* * *

R.S. 46:2602(B)(12) is all new law.

(12) A member of the State Board of Elementary and Secondary

Education appointed by its president.

* * *

D. The cabinet may elect officers as it deems necessary. The cabinet shall meet at least quarterly according to a schedule established by the cabinet. Meetings shall also be held on call of the ~~chairman~~ **chairperson** or at the request of at least three members of the cabinet. The ~~chairman~~ **chairperson** shall give seven days' notice to the members of the cabinet of the time and place where regular or special meetings will be held.

E. A quorum of the cabinet shall consist of a majority of the members of the cabinet. The presence of a quorum shall be required for the cabinet to transact business, ~~and no official action shall be taken by the cabinet unless a quorum is present~~ **and the cabinet shall take no official action unless a quorum is present.** The approval of a majority of the cabinet shall be required for the cabinet to decide a question or to take official action on any matter.

* * *

§2603. Children's Cabinet; powers and duties

A. In order to carry out the purposes of this Chapter and the purposes for which it is created, the Children's Cabinet shall:

(1) ~~Develop and implement a comprehensive plan for coordination of policy making and planning for all state agencies and programs responsible for services to children and their families. Such plan shall be completed and adopted by the cabinet and submitted to the Senate Committee on Health and Welfare and the House Committee on Health and Welfare for review not later than January 31, 1999, and shall be updated annually thereafter~~ **framework for decision making**

to assure that all services for children meet the goals and objectives of the cabinet.

(2) Monitor indicators of child well-being, as determined by the cabinet, and utilize these data for evaluation and planning.

~~(2)~~(3) Provide for and implement the coordination of service delivery by all state agencies and programs having responsibility for services to children and their families, resolve conflicts among programs and agencies, and develop and implement structures and procedures necessary to accomplish such coordination-, which shall include but not be limited to:

(a) Ensuring a regional interagency service coordination process to address individual child and family needs when those needs cross agency lines and coordination is required.

(b) Ensuring the state interagency service coordination team has requested funds to address individual child and family needs which are beyond regional resources.

~~(3)~~(4) Monitor and evaluate the effectiveness and efficiency of individual programs and the effectiveness and efficiency of delivery of services by coordinated programs.

~~(4)~~(5) Undertake studies and develop proposals and recommendations to redirect programs for children and their families from crisis intervention and residential programs toward early intervention and prevention and family preservation when such redirection will be more efficient and effective in terms of human costs and monetary costs.

(6) Ensure that agencies that provide services for children, youth, and their families develop individual transition plans for

reintegration into the community and implement to the extent possible.

~~(5)~~**(7)** Adopt and implement provisions for a children's budget, as more specifically provided in R.S. 46:2604.

~~(6)~~**(8)** Require and receive such reports from state agencies and programs having responsibility for children and their families as shall be necessary to carry out its purposes and functions.

~~(7)~~**(9)** Submit an annual report to the governor ~~and the legislature,~~ **Senate Committee on Health and Welfare, the House Committee on Health and Welfare, and any other legislative committee that requests a copy of the annual report,** by January thirty-first summarizing the accomplishments of the past year, **providing an evaluation of individual programs and the delivery of services,** and indicating specific goals for the next fiscal year.

~~(8)~~**(10)** Adopt and promulgate rules and regulations and formulate all necessary policies, procedures, and rules of administration and operation necessary to carry out the purposes of this Chapter, all subject to the Administrative Procedure Act. Legislative oversight of the cabinet, pursuant to the Administrative Procedure Act, shall be the responsibility of the Senate Committee on Health and Welfare and the House Committee on Health and Welfare.

~~(9)~~**(11)** Do all the things reasonably necessary to accomplish the purposes for which the cabinet is created.

~~(10) Develop proposals and recommendations for state agencies that provide residential and/or foster care to children to integrate life skills training into their daily programming and provide for reports to the cabinet on the implementation thereof. Such proposals and~~

~~recommendations shall comply with relevant federal statutory provisions and regulations.~~

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§2604. Children's budget; preparation and submission

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B. In studying and recommending the children's budget, the cabinet shall determine the feasibility, advisability, and merit of:

* * *

(4) Directing funding to family preservation and nonresidential options directed toward long-range savings ~~by avoiding residential placement.~~

* * *

R.S. 46:2604(E) is all new law.

E. The cabinet will coordinate with the office of planning and budget in the division of administration to track changes in the Children's Budget throughout the fiscal year. The office of planning and budget in the division of administration shall designate an analyst with the responsibility to the children's budget.

§2605. Children's Cabinet Advisory Board

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B. The advisory board shall be composed of the following members:

* * *

(7) ~~A representative from~~ **The director of the State** Head Start **Collaboration Project.**

* * *

(10) No fewer than three and no more than five parents

nominated by agencies represented ~~above~~ **herein** and approved by the cabinet.

* * *

(20) ~~Four~~ **Three** representatives of the Department of Education, as **to be** designated by the superintendent, ~~one each~~ **as follows:**

(a) One member representing academic programs, **including early childhood.**

(b) One member representing special education; .

(c) One member representing educational support programs; and **including** secondary vocational education.

* * *

(26) ~~A member of the Catholic Health Association of Louisiana.~~
The president of the Louisiana Community and Technical College System or his designee.

* * *

(37) ~~A representative of the Minority Health Affairs Commission.~~ **A representative of the Louisiana Association of Childcare Agencies.**

(38) ~~The president of the Louisiana State Nurses Association or his designee.~~ **A representative of Louisiana Children’s Advocacy Centers.**

R.S. 46:2605(B)(39) is all proposed new law.

(39) A representative of the Institute for Infant and Early Childhood Mental Health at Tulane University.

R.S. 46:2605(B)(40) is all proposed new law.

(40) A representative of the Louisiana Primary Care Association.

C. Members shall be appointed by the ~~cabinet~~ **governor** and shall serve at its the pleasure **of the governor**. All members shall serve without compensation.

* * *

E. The advisory board may shall elect ~~officers~~, **as officers a chair, vice chair, and secretary from the membership**; shall meet as needed;~~;~~ and may meet at times other than when the full cabinet is meeting.

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§2607. Termination

The existence of the Children's Cabinet shall terminate, all legal authority therefor shall cease, and this Chapter shall be repealed on ~~August 15, 2003~~ **August 15, 2008**.

Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____