

SB 237 -- Redline

Engrossed to Enrolled -- CHILDREN: Provides relative to child welfare. (8/1/26) (EN NO IMPACT See Note)

Deletions ~~struck~~ · Insertions underlined

~~SLS 26RS-9 RE-REENGROSSED~~ Regular Session ENROLLED SENATE BILL NO.

237 BY SENATORS BARROW, BARTHELEMY, BOUDREAUX, CARTER, DUPLESSIS, FESI, JENKINS, MIZELL, PRICE AND WHEAT ~~CHILDREN AND REPRESENTATIVES~~ ADAMS, BAMBURG, BERAULT, BILLINGS, BOUDREAUX, BOYD, BOYER, BRASS, BROUSSARD, CARPENTER, CARRIER, CARVER, CHASSION, COATES, COX, DEWITT, DICKERSON, DOMANGUE, ECHOLS, EDMONSTON, EGAN, FISHER, FREEMAN, FREIBERG, GLORIOSO, GREEN, HEBERT, JACKSON, MIKE JOHNSON, JORDAN, KERNER, KNOX, LAFLEUR, JACOB LANDRY, TERRY LANDRY, LYONS, MACK, MARCELLE, MCMAKIN, MILLER, OWEN, RISER, SCHLEGEL, SPELL, ST. Provides BLANC, relative TAYLOR, to VENTRELLA, child WRIGHT welfare ~~AND WYBLE AN ACT To amend and reenact R.S.~~

~~(8/1/26) AN ACT To amend and reenact R.S.~~

~~46:56(F)(1), 44:4.1(B)(32), R.S. 46:56(F)(1), (2), (8), (9)(a), (e), (g), and (10)(a), Children's Code (2), (9), (9)(a), (e), and (g), and (10)(a), Children's Code Arts.~~

~~508, 511(D), 609(A)(3), the introductory paragraph of 610(A), the introductory paragraph 511(D), of 610(A)(1), the introductory paragraph of 610(A)(2), 610(A)(3) and (4)(a), and (D) 609(A)(3), 610(A)(4)(a) and (D) through (H), 612(A), (B), and (C), 619(A)(1), 620(A), and 725.5(A), to enact R.S.~~

~~24:525(C)(14) 24:525(H), and (H),~~ R.S.

~~46:1(7), 51(17) and (18), 52.2, and R.S. 52.3, and Children's Code Arts.~~

~~512(E), 49:191(2)(h) 524(B)(13), and 603(17)(p), and to repeal Children's Code Arts.~~

~~512(E), 524(B)(13), and 603(17)(p) and (33), and to repeal R.S.~~

~~49:191(1)(h) and Children's Code Arts.~~

~~to provide for public reporting of fatalities and near fatalities;~~

~~to provide for instanter Page custody orders; 1 of 28 Coding:~~

~~Words to which provide are for struck the through re-creation of are the deletions Department from of existing Children and Family Services and the statutory entities made a part of the department by law; words to in provide boldface for type the and effective underscored termination are date additions for all statutory authority for the existence of such statutory entities;~~

~~SLS to 26RS-9 provide RE-REENGROSSED for SB implementation; NO.~~

~~237 to custody provide orders; for effectiveness;~~

~~to provide relative to implementation;~~

~~Section Page 1.1 of 22 Coding:~~

~~Words which are struck through are deletions from existing law;~~

~~words in boldface type and underscored are additions.~~

~~SB NO.~~

~~237 ENROLLED Section 1.~~

~~24:525(C)(5), 24:525(C)(5), (6), (6), and (13) and (13) and (D) through (D) through~~ (G) are hereby amended and reenacted and R.S.

~~24:525(C)(14) 24:525(H) and is (H) are~~ hereby enacted to read as follows:

* * * ~~(13)(13)(a)~~ Notify the senator and representative who represent the district in which which a child has died as a result of abuse or neglect, within ~~the~~ twenty-four hours of his death knowledge of the death of the child. Notify all of the following within twenty-four hours of any being child notified whose by death or injury is the subject department of an the alleged fatality child abuse or neglect near investigation fatality within twenty-four hours of being a notified child: by the department.

~~(i) The notification senator shall and not representative who include represent any the identifying district information in which a child who has died, as a result of abuse or neglect, resided or, if unknown, the district in which the child died.~~

~~(13)(14)(ii) Notify The the speaker senator pro and tempore representative who represent the district in which a child has died as a result of abuse or neglect, within twenty-four hours of his knowledge being notified by the department of the death House of the Representatives. child.~~

~~(iii) The Page president 2 pro tempore of 28 the Coding Senate.~~

~~(iv) The chairs of the House and Senate committees on health and welfare.~~

~~Page 2 of 22 Coding:~~

~~SLS 26RS-9 RE-REENGROSSED~~ SB NO.

237 ENROLLED (b) The notification shall include the information provided to the state child ombudsman pursuant to Subparagraphs ~~(E)(2)(b)~~ (E)(1)(a) through ~~(f)(d)~~ of this Section.

~~(2)E.~~ (2) E. (1) The Department of Children and Family Services shall notify the state child ombudsman in writing within three business days of receiving information on the death of a child whose death or near fatality is the subject of a child abuse or neglect investigation. The notification shall include all of the following:

~~(a) The Department date of Children and Family Services shall notify the state child ombudsman within three business days of receiving information on the death of a child whose death or near fatality is the subject of a child abuse or neglect investigation. The notification shall include:~~

~~(1)(b) The Department age of Children and Family Services shall notify the state child ombudsman in writing within three business days of receiving information on the death or near fatality of any child whose death or injury is the subject of a child abuse or neglect investigation.~~

~~The notification shall include:~~

~~(a) The date of the child's death or near fatality.~~

~~(b) The age of the child at death or near fatality.~~

~~(d) The child's parish of residence.~~

~~(e) Information regarding identification prior to department assigned involvement, including the report.~~

~~(i)(f) Whether the date child's report was previously reported accepted to the department for alleged investigation, child abuse or neglect of any child.~~

~~(ii)(2) Whether the Department child of who Children suffered and Family Services shall notify the state child ombudsman in writing previously within three business days after the subject conclusion of an child investigation abuse into a fatality or neglect near report fatality or of investigation, any child.~~

~~(iii)(a) Whether when the child's determination fatality is or that near the fatality report occurred is during substantiated an the active notification child shall protective include services all investigation or the an following: open family services case.~~

~~(f)(i) The identification number assigned intake to identification the number, report.~~

~~(g)(ii) Whether the date the perpetrator which had previously been reported to the Department was of accepted Children and Family Services for investigation, alleged child abuse or neglect of any child.~~

~~(2)(iii) Whether the Department of child Children had and previously Family been Services the shall subject notify of the a Page child abuse or of 28 neglect Coding, report or investigation.~~

~~(iv) Whether the fatality or near fatality occurred during an active child~~

~~Page 3 of 22 Coding:~~

~~SLS 26RS-9 RE-REENGROSSED SB NO.~~

~~237 state ENROLLED child protective ombudsman services within three business days after the conclusion of an investigation into a fatality or near an fatality open of family any services child case, when it has been determined that the death or near fatality was a result of abuse or neglect.~~

~~The (b) When the determination is that the report is inconclusive or unsubstantiated the notification shall include: include all of the following:~~

~~(a)(i) The assigned identification intake investigation number if one had already been assigned and reported to the ombudsman report, or provided and indicated as new if one had not been previously provided.~~

~~(b)(ii) The A date statement of that the child's report death was or not near substantiated, fatality.~~

~~(c) The age of the child at death or near fatality.~~

~~(d) The biological sex of the child.~~

~~(e) The parish of the child's residence and parish of the child's death or near fatality, if different.~~

~~(f) Child's name, if previously made public.~~

~~(g) Circumstances surrounding the child's death.~~

~~(h) Updated information regarding prior department involvement if such new information is available since the department's reporting pursuant to Subparagraph (1)(e) of this Subsection, including:~~

~~(i) Whether the child's caretaker or alleged perpetrator had previously been reported to the department for alleged child abuse or neglect of any child.~~

~~(ii) Whether the child who suffered the near fatality or fatality had previously been the subject of a child abuse or neglect report or investigation.~~

~~(iii) Whether the child's fatality or near fatality occurred during an active child protective services investigation or an open family services case.~~

~~(3) The Department of Children and Family Services shall notify the state child ombudsman within three business days after the conclusion of an investigation by the department into a fatality or near fatality of any child when it has been determined by the department that the death or near fatality was not a result of abuse or neglect.~~

~~The department shall provide the assigned intake identification number provided pursuant to Subparagraph (E)(1)(f) of this Page 4 of 28 Coding:~~

~~Words which are struck through are deletions from existing law;~~

~~words in boldface type and underscored are additions.~~

~~SLS 26RS-9 RE-REENGROSSED SB NO.~~

~~237 Section.~~

Notwithstanding any other provision of law to the contrary and to the extent allowed by federal law, the state child ombudsman shall have unrestricted

~~remoteaccess to remoteaccess to departmental computer networks, including departmental computer networks, including~~
access to any and all case management systems, databases, and department policy and procedure systems, pertaining to state agencies that provide services to children through funds provided by the state.

The child ombudsman shall not have the ability to add to, edit, ~~delete, delete, alter,~~ reproduce, or ~~otherwise distribute~~ alter any document ~~data in or~~ document in any ~~departments'~~ department's system.

The child ombudsman ~~shall may not publish disclose reports, the findings, identifying information concerning an individual who initiated a report or complaint recommendations, or aggregate or de-~~
identified data derived from information of accessed alleged in child accordance abuse with or this
neglect Subsection contained provided within that any no network confidential or
case personal identifying information is disclosed in violation of state or federal law. ~~management system accessed pursuant to this Section.~~

~~The The child ombudsman shall not disclose the identifying information concerning~~ ombudsman an shall, individual upon who request, initiated have a permission report to or view complaint and of use alleged documents child and abuse records, or including neglect audio contained and within video any recordings, network relevant or to case the management ombudsman's system statutory duties, accessed pursuant to this Section.

~~To The the ombudsman extent shall, allowed upon by request, federal have law, permission such documents and records shall include but not be limited to the view applications and case use files physical of documents the Louisiana Department of Health and the records,~~

~~Department of Children and Family Services except for the name and any identifying including information of the reporter of child abuse or neglect and restrictions provided in Title audio IV-D of the Social Security Act and the video Internal recordings, Revenue relevant Code, to juvenile court judgments and court minute entries, records and reports of children in the custody ombudsman's of statutory duties, or under the supervision of the office of juvenile justice, student records in the possession of the State Department of Education, any parish or city school board, and any elementary or secondary education school, including charter schools.~~

~~The To state child ombudsman the extent allowed by federal law, such documents and records shall comply with include any and all restrictions imposed by law on but documents, data, or information considered confidential or privileged and furnished not be limited to the state applications child and ombudsman case files of the Louisiana Department of Health and the Department of Children and Family Services except for the name and any identifying information of the reporter of child abuse or neglect and restrictions provided in Title IV-D of the Social Security Act and the Internal Revenue Code, juvenile court Page 4 of 22 Coding:~~

~~Page 5 of 28 Coding:~~

~~SLS 26RS-9 RE-REENGROSSED SB NO.~~

237 G.H. ENROLLED judgments and court minute entries, records and reports of children in the custody of or under the supervision of the office of juvenile justice, student records in the possession of the State Department of Education, any parish or city school board, and any elementary or secondary education school, including charter schools.

~~Notwithstanding The any state child ombudsman shall comply with other any and all restrictions imposed provision by law on of documents, data, or information considered confidential or privileged and furnished law to the contrary, the state child ombudsman ombudsman. shall not be compelled to be a witness or be deposed in any case where the state child ombudsman is not personally a defendant.~~

G.H.

Notwithstanding any other provision of law to the contrary, the state child ombudsman shall not be compelled to be a witness or be deposed in any case where the state child ombudsman is not personally a defendant.

~~46:56(F)(1), 44:4.1(B)(32) (2), is (8), hereby (9)(a), amended (e), and (g), reenacted and (10)(a) are hereby amended and reenacted and R.S. 46:1(7), 51(17) and (18), 52.2, and 52.3 are hereby enacted to read as follows:~~

Sec. 4.1.

Exceptions * * * B. The legislature further recognizes that there exist exceptions, exemptions, and limitations to the laws pertaining to public records throughout the revised statutes and codes of this state. Therefore, the following exceptions, exemptions, and limitations are hereby continued in effect by incorporation into this Chapter by citation:

* * * (32) R.S.

46:56, R.S.

46:52.2, 56, 123(K), 236.1.1 through 238, 284, 286.1,

439.1, 446.1, 1073, 1355, 1806, 1831.5, 1844, 1862, 1923, 2124.1, 2134, 2187, 2356, 2416, 2597, 2603, 2625 Page 5 of 22 Coding:

Words which are struck through are deletions from existing law;

words in boldface type and underscored are additions.

SB NO.

237 ENROLLED * * * Section 4.

R.S.

46:56(F)(1), (2), (8), (9)(a), (e), and (g), and (10)(a) are hereby amended and reenacted and R.S.

46:1(7), 51(17) and (18), and 52.2 are hereby enacted to read as follows:

* * * (7) "Near ~~fatality~~" means fatality means an act that, as certified by ~~the~~ a physician physician, ~~who places~~ ~~examined the child which placed~~ the child in serious or critical condition.

* * * (17) Establish a law enforcement liaison position for ~~each region of~~ the state.

~~Each~~ The law enforcement liaison shall have previous law enforcement experience and shall serve as a resource for law enforcement referrals and to facilitate joint investigations between the department and law enforcement, as necessary.

Page (18) 6 Designate of an 28 employee Coding: primarily responsible for overseeing all matters regarding child fatalities and near fatalities, including but not limited to child death notification to the state child ombudsman in accordance with R.S.

~~Words 24:525. which are struck through are deletions from existing law;~~

~~words in boldface type and underscored are additions.~~

~~SLS 26RS-9 RE-REENGROSSED SB NO.~~

~~237 (18) Designate the chief medical director as the employee primarily responsible for overseeing all matters regarding child fatalities and near fatalities, including but not limited to child death notification to the state child ombudsman in accordance with R.S.~~

~~24:525 and for management of the public~~

~~website on incidents involving a child fatality or near fatality in accordance with R.S.~~

~~46:52.2.~~

Incidents Critical involving incident fatality review team A. Each child fatality and near fatality substantiated by the department as being the result of abuse or near neglect fatality; shall be reviewed by the critical incident review team, hereinafter referred to as the review team.

public Any website child The Department of Children and Family Services shall promptly provide fatality information or to near fatality that was unsubstantiated by the public department regarding as a being substantiated the case result of child abuse or neglect that may have resulted reviewed in by a the fatality review or team near at fatality the on discretion it of public the website chair as of follows: the review team.

(1) The department shall provide the following preliminary information: Page 6 of 22 Coding:

(a) The age, biological sex, parish, and general location of the residence of the child who has suffered a fatality or a near fatality.

(b) The fact that a child suffered a fatality or near fatality as the result of abuse or neglect.

(c) The name, city, town, or general location of the residence of the alleged perpetrator, if available, unless the disclosure would violate any privacy laws of this state.

(d) Whether there have been reports, or any current or past cases, of abuse or neglect involving the child or the alleged perpetrator.

(e) Actions taken by the department in response to the fatality or near fatality of the child.

(f) A detailed synopsis of prior reports or cases of abuse or neglect involving the child or the alleged perpetrator and of the actions taken or determinations made by the department in response to these reports or cases.

(2) Each fatality or near fatality shall be reviewed by a critical incident review team in accordance with R.S.

~~46:52.3.~~

~~Page 7 of 28 Coding:~~

~~SLS 26RS-9 RE-REENGROSSED SB NO.~~

~~237 (3) ENROLLED Within B. one hundred twenty days after the date of the report for a case involving a fatality or a near fatality, the department shall provide to the public a summary report that includes any actions taken by the department in response to the case, any changes in policies or practices that have been made to address any issues raised in the review of the case, and any recommendations made by the critical incident review team for further changes in policies, practices, rules, or statutes to address those issues.~~

Sec. 52-3. The review team shall consist of the following members:

Critical (1) These secretary of the Department of Children and Family Services, or incident his review designee. -A-

~~Each case of child abuse or neglect received by the department that has resulted in a fatality or near fatality, whether substantiated or unsubstantiated by the department, shall be reviewed by a multidisciplinary critical incident review team as provided for in this Section.~~

~~B-~~

~~The team shall consist of the following members:~~

~~(1) A representative of the Department of Children and Family Services designated by the secretary of the Department of Children and Family Services.~~

C. The department shall provide to the review team the following within (9) A quality-improvement or continuous-improvement employee of the Page Department 8 of Children and Family Services with training in safety science or human-factors analysis appointed by the secretary of 29 the Coding department.

~~Words C. (1) The which representative of are the struck Department through of are Justice deletions designated from by existing the law; attorney general shall serve as the chair of the review team.~~

~~words (2) in The boldface representative type of the chair shall direct and underscored coordinate are meetings additions of the review team.~~

SLS (3) 26RS-9 The RE-REENGROSSED review SB team NO shall hold regular meetings at least quarterly and shall hold special meeting as determined by the chair.

~~237 thirty days of reaching a disposition in a fatality or near fatality case:~~

~~(1) The investigation report and all evidence collected or generated as part of the investigation of the fatality or near fatality.~~

~~(2) All prior reports of suspected abuse or neglect received by the department concerning the child, the child's caretakers, or the alleged perpetrator.~~

~~(3) All prior investigation reports concerning the child, the child's caretakers, and the alleged perpetrator.~~

~~(4) Any additional records requested by the review team that the review team deems relevant after reviewing the materials provided in Paragraphs (1) through (3) of this Subsection.~~

The Each member of the review team shall do provide all any information created or obtained by their representative organization related to a child fatality or near fatality that is being reviewed within thirty days of being notified that the following child fatality or near fatality is being reviewed.

~~(1) Evaluate means by which the death might have been prevented.~~

~~(2) Report its findings to appropriate agencies and make recommendations that may help to reduce the number of child deaths caused by abuse or neglect.~~

~~(3) Make specific recommendations to the Department of Children and Family Services of any changes in policies or practices needed to address any issues raised in the review of the case and any recommendations for further changes in policies, practices, rules, or statutes to address those issues.~~

~~The attorney review general team shall be do responsible all for coordinating meetings of the review following: team.~~

~~The Page review 7 team of shall 22 hold Coding: regular meetings at least quarterly and shall hold special meetings if determined necessary by the attorney general.~~

~~F. (1) The review team, in order that it may perform its functions and duties as provided in this Section, shall have access to any information, documents, or records in the possession of the Department of Children and Family Services involving a child abuse and neglect investigations which are pertinent as decided by the review team to the alleged child abuse or neglect Page 9 of 28 Coding:~~

~~SLS 26RS-9 RE-REENGROSSED SB NO.~~

~~237 that ENROLLED led (1) to Evaluate the means death by of which the a child fatality or near fatality might have been prevented.~~

~~(2) All (2) such Report records its obtained findings by to the appropriate review agencies team and in make accordance recommendations with that the may provision of this Subsection, shall be confidential and shall not be available for help subpoena nor shall such information be disclosed, discoverable, or compelled to be reduce produced the in number any of civil, child criminal, deaths administrative, caused or by other abuse proceeding nor shall such records be deemed admissible as evidence in any civil, criminal, administrative, or other neglect. tribunal or court for any reason.~~

(3) Make specific recommendations about policy or procedure needed to address any issues raised in the review of the case and any recommendations for further changes in policies, practices, rules, or statutes to address those issues.

F. (1) The review team, in order that it may perform its functions and duties as provided in this Section, shall have access to any information, documents, or records in the possession of any represented organization which are pertinent to a fatality or near fatality selected for review.

(2) All records obtained by the review team, in accordance with the provisions of this Section, shall be confidential and shall not be available for subpoena nor shall such information be disclosed, discoverable, or compelled to be produced in any civil, criminal, administrative, or other proceeding nor shall such records be deemed admissible as evidence in any civil, criminal, administrative, or other tribunal or court for any reason.

(4) The furnishing of confidential information, documents, and reports in accordance with this Section by any person, agency, or entity furnishing such information, documents, and reports shall not expose such person, agency, or entity to liability and shall not be considered a violation of any privileged or confidential relationship, provided the participant has acted in good faith in the confidential relationship if the participant has acted in good faith in the reporting as required in this Section.

penalty * * * ~~F.~~ Page 8 of 22 Coding:

Words which are struck through are deletions from existing law;
words in boldface type and underscored are additions.

SB NO.

237 ENROLLED F.

24:525, attorneys who ~~are appointed~~ appointed by a court of juvenile jurisdiction to ~~represent the~~ represent the sole interest of the children, and pursuant to court order, such case records may be reviewed by Page court-appointed 10 special of advocates 28 appointed Coding: pursuant to Children's Code Article 424.1.

~~Words which are struck through are deletions from existing law;~~
~~words in boldface type and underscored are additions.~~

~~SLS 26RS-0 RE-REENGROSSED SB NO.~~

~~237 court-appointed special advocates appointed pursuant to Children's Code Article 424.1.~~

The department may, however, provide foster parents all information from the department's records and from other records to which the department has access concerning a child concerning a child in the ~~foster foster home, and concerning the child's home, family, and where such concerning the child's family, where such~~ information is necessary for the foster parents to properly care for the child.

In any child custody proceeding, after the issue has been raised of the potential existence of a relevant departmental record concerning the abuse or ~~neglect~~ Page of 9 a child who is the subject of that 22 proceeding, Coding: the judge may contact the local child protection unit to determine if such a record exists.

Words which are struck through are deletions from existing law;
words in boldface type and underscored are additions.

SB NO.

237 ENROLLED neglect of a child who is the subject of that proceeding, the judge may contact the local child protection unit to determine if such a record exists.

(2) Information furnished to the department by persons, governmental ~~Page agencies, 11 or other legal entities when such furnisher of 28 information Coding: is subject to a confidentiality statute or regulation which prohibits release of such information to an outside source, and.~~

Words* which* are* struck (8)(a) through Case are records deletions involving from investigation existing of law; reports of child abuse and neglect shall be confidential in order to protect the rights of the child and his parents or guardians.

~~words in boldface type and underscored are additions.~~

~~SLS 26RS-0 RE-REENGROSSED SB NO.~~

~~237 agencies, or other legal entities when such furnisher of information is subject to a confidentiality statute or regulation which prohibits release of such information to an outside source, and.~~

~~* * * (8)(a) Case records involving investigation of reports of child abuse and neglect shall be confidential in order to protect the rights of the child and his parents or guardians.~~

(a) When there has been a child fatality or near fatality in which abuse or neglect was medically determined by an examining physician to be a contributing ~~factor~~ Page in 10 the cause of death 22 or Coding: near fatality.

Words which are struck through are deletions from existing law;
words in boldface type and underscored are additions.

SB NO.

237 ENROLLED factor in the cause of death or near fatality.

Page* 12* * (g) Nothing in this Paragraph shall limit the authority of 28 the Coding: department to disclose requested information to the parent or guardian of an abused or neglected child as otherwise provided by law, unless the parent or guardian is the alleged perpetrator or living with or in a relationship with the alleged perpetrator.

~~Words which are struck through are deletions from existing law;~~

~~words in boldface type and underscored are additions.~~

~~SLS 26RS-9 RE-RENGROSSED SB NO.~~

~~237 * * * (g) Nothing in this Paragraph shall limit the authority of the department to disclose requested information to the parent or guardian of an abused or neglected child as otherwise provided by law, unless the parent or guardian is the alleged perpetrator or living with or in a relationship with the alleged perpetrator.~~

(ii) A committee or subcommittee of the legislature which has subject matter jurisdiction over child protection legislation according to ~~according to~~ the rules of the respective house, provided that such information is reviewed in closed session and kept confidential.

The proceedings ~~Page shall 11 be of conducted 22 in Coding: accordance with rules and regulations to be promulgated by the department.~~

~~(iv) The attorney who represents the child, the day care early learning center, or an employee of the day care early learning center.~~

~~* * * Section 4. Children's Code Arts. 508, 511(D), 609(A)(3), the introductory paragraph of 610(A), the introductory paragraph of 610(A)(1), the introductory paragraph of 610(A)(2), Page 13 of 28 Coding: SLS 26RS-9 RE-RENGROSSED SB NO.~~

~~237 610(A)(3) ENROLLED and proceedings (4)(a), shall and be (D) conducted through in (H), accordance 612(A), with (B), rules and (C), regulations 619(A)(1), to 620(A), be and promulgated 725.5(A) by are hereby amended the and department. reenacted and Children's Code Arts.~~

~~512(E), (iv) 524(B)(13), The and attorney 603(17)(p) who are represents hereby enacted the to child, read the as day follows: care early learning center, or an employee of the day care early learning center.~~

~~* * * Section 5.~~

~~Children's Code Arts.~~

~~508, 511(D), 609(A)(3), 610(A)(4)(a) and (D)~~

~~through (H), 612(A), (B), and (C), 619(A)(1), 620(A), and 725.5(A) are hereby amended and reenacted and Children's Code Arts. 512(E), 524(B)(13), and 603(17)(p) and (33) are hereby enacted to read as follows:~~

~~C. C. Any child for whom the Department of Children and Family Services or law enforcement has received a report of suspected sexual abuse or severe physical abuse shall be referred to a child advocacy center for a forensic interview in accordance with interagency protocols.~~

~~Any The child department that or the law Department enforcement of agency Children shall and notify Family the Services child or advocacy law center enforcement within has seventy-two received hours a of report receiving of the suspected report sexual and or the serious child physical advocacy abuse center shall be notify referred members to of the child appropriate advocacy multidisciplinary center team for within a twenty-four forensic hours. interview.~~

~~The Every department child or advocacy law center enforcement shall agency accept shall referrals notify from both the child department advocacy and center law within enforcement. The multidisciplinary seventy-two team shall hours meet to review any of case receiving in which a forensic interview has occurred. Law enforcement or the department the shall report not and close the a child case advocacy in center which shall a notify forensic members interview of has the occurred appropriate prior multidisciplinary to team within the twenty- Page four 12 hours. of 22 Coding:~~

~~Every Words child which advocacy are center struck shall through accept are referrals deletions from both existing the law; department and law enforcement.~~

~~The words multidisciplinary team shall meet to review any case in which boldface a type forensic and interview underscored has are occurred. additions.~~

~~Law SB enforcement NO. or the department shall not close a case in which a forensic interview has occurred prior to the multidisciplinary team review.~~

~~237 ENROLLED multidisciplinary team review.~~

~~qualifications Page* 14* of* 28 D. Coding:~~

~~Words The which cost are of struck employing through and are training deletions the from forensic existing interviewer law; is to be decided on in the interagency protocols developed and instituted in accordance with Articles 509 and Article 510 of this Part, and is not the responsibility of member agencies unless agreed to in the protocols.~~

~~words in boldface type and underscored are additions.~~

~~SLS 26RS-9 RE-RENGROSSED SB NO.~~

~~237 * * * D.~~

~~The cost of employing and training the forensic interviewer is to be decided on in the interagency protocols developed and instituted in accordance with Articles 509 and Article 510 of this Part, and is not the responsibility of member agencies unless agreed to in the protocols.~~

Each child advocacy center shall submit the attendance records for each multidisciplinary team in the

center's jurisdiction to the attorney general ~~every six~~ every six months. ~~months~~

~~*Page 13 * (17) "Mandatory reporter" is any of the 22 following~~ Coding: individuals:

~~* * * (p) A court-appointed supervised visit monitor.~~

~~* * * Page 15 of 28 Coding:~~

~~SLS 26RS-9 RE-REENGROSSED SB NO.~~

~~237 Art.~~ ENROLLED * * * (17) "Mandatory reporter" is any of the following individuals:

~~* * * (p) A court-appointed supervised visit monitor.~~

~~* * * (33) "Near fatality" means an act that, as certified by a physician, places the child in serious or critical condition.~~

~~* * * Art.~~

(d)(c) Any entity, including but not limited to hospitals, educational and religious institutions, and nonprofits, may provide its employees, volunteers, or ~~educational~~ Page attendees 14 ~~with equivalent training pursuant to Subsubparagraph (a) of this 22 Subparagraph.~~ Coding:

Words which are struck through are deletions from existing law;

words in boldface type and underscored are additions.

SB NO.

237 ENROLLED educational attendees with equivalent training pursuant to Subsubparagraph (a) of this Subparagraph.

~~A reporter shall report immediately report shall to immediately the report Department suspected of child Children abuse and or Family neglect Services or as that provided child in abuse Subparagraph or (4) neglect of was this Paragraph contributing suspected factor Page in 16a of child's 28 death Coding: in the following ways:~~

~~Words* which* are* struck (4) through Reports are to deletions the from department existing shall law, be made as follows:~~

~~words in boldface type and underscored are additions.~~

~~SLS 26RS-9 RE-REENGROSSED SB NO.~~

~~237 child abuse or neglect or that child abuse or neglect was a contributing factor in a child's death. in the following ways:~~

~~(1) To the Department of Children and Family Services The department shall initiate and conduct an investigation pursuant to Article 612 if the reporter has reason to believe indicates that the perpetrator is any of the following:~~

~~* * * (2) To a The department shall refer the information provided by the mandatory reporter to the appropriate local or state law enforcement agency pursuant to Paragraph E of this Article and the appropriate law enforcement agency shall initiate and conduct an investigation if the reporter has reason to believe indicates that the perpetrator is any of the following:~~

~~* * * (3) Dual reporting to both the department and the local or state law enforcement agency is permitted.~~

~~However, the agency who receives a report pursuant to Subparagraph (1) or (2) of this Paragraph shall be the agency responsible for accepting and acting on the report and shall ensure referral to other agencies as necessary.~~

~~(4) Reports to the department shall be made as follows:~~

In receiving any report of child abuse or neglect, the department or law enforcement agency shall clearly inform the reporter that, ~~unless the reporter requests anonymity, that the department or law enforcement~~ unless the reporter requests anonymity, the department or law enforcement agency may contact the reporter directly to obtain further information during the investigation.

~~* * * Page D. 17 of 28 Coding:~~

~~Words which are struck through are deletions from existing law;~~

~~words in boldface type and underscored are additions.~~

~~SLS 26RS-9 RE-REENGROSSED SB NO.~~

~~237 D.~~

The reporter ~~may~~ may use a form for the written report, which shall be developed, approved, and made available by the Department of Children and Family Services.

E.D.(1) All reports made to any local or state law enforcement agency ~~involving~~ Page abuse 15 ~~or neglect in which an individual provided for in Subparagraph (A)(1) of this 22 Article~~ Coding: is believed responsible shall be reported to the department within twenty-four hours in accordance with Paragraph A of this Article.

Words which are struck through are deletions from existing law;

words in boldface type and underscored are additions.

SB NO.

237 ENROLLED involving abuse or neglect in which an individual provided for in Subparagraph (A)(1) of this Article is believed responsible shall be reported to the department within twenty-four hours in accordance with Paragraph A of this Article.

(b) The department also shall notifyreport theall reporterofcases thespecificlawof ~~enforcementagencychild wheredeath~~ which involve a suspicion of abuse or neglect as a contributing factor in the ~~reportwaschild's referred~~ death to the localand ~~statelawenforcementagencies,theofficeofthedistrictattorney,the~~ state child ombudsman, and the coroner.

~~(b)(3) TheReports departmentinvolving alsoa shallfelony-gradecrime reportagainst alla cases-of~~ child deathshall ~~whichbe involvepromptly acommunicated suspicionof the abuseappropriate orlaw~~ neglectenforcement ~~authorities as apart contributingof factorthe~~ interagencyprotocolsformultidisciplinaryinvestigationsofchildabuseandneglect in ~~theeach child'sjudicial~~ deathdistrict ~~toas theprovided~~ localandstatelawenforcementagencies,theofficeofthedistrictattorney,the~~statein~~ childArticles ombudsman,509 and theArticle coroner,510.

~~(3) Reports involving a felony-grade crime against a child shall be promptly communicated to the appropriate law enforcement authorities as part of the interagencyprotocolsformultidisciplinaryinvestigationsofchildabuseandneglect in each judicial district as provided in Articles 509 and Article 510.~~

PageF.E.-18 of 28 Coding:

Any commercial film or photographic print processor who has knowledge of or observes, within the scope of this professional capacity or employment, any film, photograph, video tape, negative, or slide depicting a child whoheknowsorshouldknowisundertheageofseventeenyears,whichconstitutes child pornography or child sexual abuse materials as defined in Article 603, shall report immediatelyto the local lawenforcementagencyhavingjurisdictionoverthe case.The reportershall provide a copyof the film, photograph, videotape, negative, or slide to the agency receiving the report.

G.F.(1) If a physician has cause to believe that a newborn was exposed in utero to an unlawfully used controlled dangerous substance, as defined by R.S.

40:961 etseq.,thephysicianshallorderatoxicologytest uponthenewborn,without Page 16 of 22 Coding:

SLS 26RS-9 RE-REENGROSSED SB NO.

237 F.E.-ENROLLED the consent of the newborn's parents or guardian, to determine whether there is evidence of prenatal neglect.

Any commercial film or photographic print processor who has knowledge of or observes, within the scope of this professional capacity or employment, any film, photograph, video tape, negative, or slide depicting a child whoheknowsorshould knowisundertheageofseventeenyears,whichconstitutes child pornography or child sexual abuse materials as defined in Article 603, shall reportimmediatelyto thelocallawenforcementagencyhavingjurisdiction over the case.The reportershall provide a copyof the film, photograph, videotape, negative, or slide to the agency receiving the report.

G.F.(1) If a physician has cause to believe that a newborn was exposed in utero to an unlawfully used controlled dangerous substance, as defined by R.S.

40:961 etseq.,thephysicianshallorderatoxicologytest uponthenewborn,without the consent of the newborn's parents or guardian, to determine whether there is evidence of prenatal neglect.

H.G.(1) All instances of alleged child abuse that occur in a school setting shall be immediately reported by the school to the child's parent or legal guardian and to local or state law ~~enforcementenforcement,~~ the Department of Children and Family Services, regardless of the alleged perpetrator.

(3) ~~TheLaw Departmentenforcement ofshall Childrenbegin andan Familyinvestigation Servicesof shallthe~~ immediatelyallegations ~~Pagewithin 19forty-eight hours of 28receiving Coding:the report.~~

Words which are struck through are deletions from existing law;

words in boldface type and underscored are additions.

SLS 26RS-9 RE-REENGROSSED SB NO.

237 ~~notify law enforcement if the allegedperpetratoris any individual identified in Subparagraph(A)(2)ofthisArticle.Lawenforcementshallbeginaninvestigation of the allegations within forty-eight hours of receiving the report.~~

(5) Any sexual abuse cases in which the alleged perpetrator is a child shall ~~be~~ referredtotheDepartmentofChildrenandFamilyServices.The departmentshall ~~referred~~ assessthefamilyofthechildvictim toand ~~acceptedthe byalleged thechild~~ Departmentperpetrator~~to~~ ofensure Childrenchild safety and Familywell-being Services.in accordance with Children's Code Article 612(A)(3).

~~The department shall assess the family of the child victim and the alleged child perpetrator~~to~~ensurechild~~safetyandwell-being~~inaccordancewithChildren'sCode Article 612(A)(3).~~

I.H.(1) The provisions of this Paragraph shall be known and maybe cited as ~~The~~Page Alfred17 C of 22
Coding:

Words which are struck through are deletions from existing law;
words in boldface type and underscored are additions.

SB NO.

237 ENROLLED The Alfred C.

Assignment of reports for investigation and assessment

~~A.(1) Upon receiving a report of abuse or neglect of a child, who is~~A.(1) not Upon in the receiving a custody of report of
abuse or neglect of a child who is not in the custody of the state, the local child protection unit of of,
the department shall promptly ~~immediately~~immediately assign a level of risk to ~~assign the child~~
~~a level of risk to the child based on the information provided~~based by on the information provided by the reporter.

This preliminary investigation shall also

~~Page include an interview with the child and the child's parents or other caretaker and shall~~ 20 include consideration
of ~~28 all Coding: available medical information provided to the department pertaining to the child's~~
condition.

~~Words which are struck through are deletions from existing law;~~
~~words in boldface type and underscored are additions.~~

~~SLS 26RS-0 RE-REENGROSSED SB NO.~~

~~237 include an interview with the child and the child's parents or other caretaker and shall include consideration of~~
~~all available medical information provided to the department pertaining to the child's condition.~~

(3) In lieu of an investigation, reports of low levels of risk and reports from ~~law~~Page enforcement18 of
child 22 sexual Coding: abuse as provided for in Article 610 may be
assessed promptly through interviews with the family to identify needs and available
match to community resources. If during this assessment, it is determined that a child
is at immediate substantial risk of harm, the local child protection unit shall promptly ~~immediately~~ conduct or
participate in an intensive investigation.

~~(4) Any report of sexual abuse in which the alleged perpetrator is a child~~
~~shall be assessed immediately through interviews with family of the child victim and the alleged child perpetrator~~
~~to identify needs and available matches to community resources.~~

~~If during this assessment, it is determined that a child is at immediate substantial risk of harm, the~~
~~local child protection unit shall immediately conduct an intensive investigation.~~

~~(4)(5) During the investigation of a report from a treating health care~~ Page 21 of 28 Coding:

~~SLS 26RS-0 RE-REENGROSSED SB NO.~~

237 ~~practitioner~~ENROLLED of law physical enforcement or of child sexual abuse of as a provided child for who
~~is not in custody of Article the 610 state, may at be~~
~~the assessed promptly through interviews with the family to identify needs and available~~
~~request match to community resources. If during this assessment, it is determined that a child~~
~~and is at immediate substantial risk of harm, the local child protection unit shall promptly~~ expense immediately
of conduct the child's parent or caregiver, participate the in department shall provide copies of all
~~medical information pertaining to the child's condition or treatment obtained during the investigation~~
~~to a board certified child abuse pediatrician for purposes of conducting an independent~~ intensive
review investigation. of the information.

~~Any (4) Any report of sexual abuse in which the alleged perpetrator is a child~~
~~resulting may be assessed immediately through interviews with family of the child report victim shall be provided to~~
~~the department and to the child's alleged parent child or perpetrator caretaker and to shall identify be needs~~
~~utilized and in available the matches department's ongoing assessment of risk and to determine community~~
~~what resources. action may be necessary to protect the health, welfare, and safety of the child.~~

If, during this assessment, it is determined that a child is at immediate substantial risk of harm, the
local child protection unit shall immediately conduct an intensive investigation.

(4)(5) During the investigation of a report from a treating health care practitioner of physical abuse
of a child who is not in custody of the state, at the request and expense of the child's parent or
caregiver, the department shall provide copies of all medical information pertaining to the child's
condition or treatment obtained during the investigation to a board certified child abuse pediatrician
for purposes of conducting an independent review of the information.

Any resulting report shall be provided to the department and to the child's parent or caretaker and
shall be utilized in the department's ongoing assessment of risk and to determine what action may be
necessary to protect the health, welfare, and safety of the child.

C. All interviews of the child or his parents conducted in the course of a child protective investigation shall Page
be tape recorded, if requested by the 19 parent or parents. of 22 Coding:

Words which are struck through are deletions from existing law;
words in boldface type and underscored are additions.

SB NO.

237 ENROLLED protective investigation shall be recorded tape-recorded, if requested by the parent or parents recorded.

The department shall request ~~instant custody of any~~ instant custody of any ~~any child that is in the custody of another state and~~ child located that is in the custody of another state and located in Louisiana until the child ~~can be returned to~~ be returned to the state of original jurisdiction.

* * * Page Art. 22 of 28 Coding:

~~Words which are struck through are deletions from existing law; words in boldface type and underscored are additions.~~

~~SLS 26RS-0 RE-REENGROSSED SB NO.~~

~~237 Art.~~

Oral instant orders A.(1) In exceptional circumstances, the facts supporting the issuance of an instant order and the exceptional circumstances may be relayed orally, including ~~telephonically, to the judge, and the order directing that a child be taken into custody~~ telephonically, to the judge, and the order directing that a child be taken into or, upon custody request by the or, state, upon that request and by the instant state, safety plan that an instanters safety plan order be implemented ~~order be implemented may~~ be issued orally.

(2) An oral instant order may be executed if the department requests ~~instant custody of any child that is in the custody of another state and~~ instant custody of any child that is located in the custody of another state and located in Louisiana until the child can be returned to the state of original jurisdiction.

* * * Section 6.5-

~~Children's Pursuant to Code R.S. Articles 500 and 610(I) are hereby repealed.~~

~~Section 49:193, 6- the Department of Children and Family Services~~ Page 20 of 22 Coding:

~~The implementation of the provisions of this Act shall be subject to the appropriation of funds by the legislature for this purpose.~~

~~The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Senate Legislative Services.~~

~~The keyword, summary, and digest do not constitute part of the law or proof or indicia of legislative intent.~~

~~[R.S.~~

~~1:13(B) and 24:177(E)] DIGEST SB 237 Re-Engrossed 2026 Regular Session Barrow Title 24 Present law provides for the duties and responsibilities of the state child ombudsman, including the duty to notify the senator and representative who represent the district in which a child has died as a result of abuse or neglect.~~

~~Proposed law requires the state child ombudsman to also notify the senator or representative when a child in their district is the subject of an alleged child abuse or neglect investigation.~~

~~Proposed law further requires that the notification shall not include any identifying~~ Page 23 of 28 Coding:

~~SLS 26RS-0 RE-REENGROSSED SB NO.~~

237 information. ENROLLED and the statutory entities made a part of the department by law shall be re-created effective June 30, 2026, and all statutory authority therefor is continued in accordance with the provisions of Part XII of Chapter 1 of Title 49 of the Louisiana Revised Statutes of 1950.

Present Section 7. All statutory authority for the existence of the Department of Children and law Family requires Services and the Dept. statutory entities made a part of the department as re-created by Section 6 of this Act shall cease as of July 1, 2029, pursuant to R.S.

~~of 49:191. Children and Family Services (DCFS) to notify the state child ombudsman of the death of any child that had been reported to the department for alleged child abuse or neglect.~~

Proposed However, law requires DCFS to provide notification to the state Department child ombudsman upon DCFS receiving information of the Children death and or Family near Services fatality of may any child be whose re-created death prior or to injury such is date the in subject accordance with of the provisions of Part XII of Chapter 1 of Title 49 of the Louisiana Revised child Statutes abuse or neglect investigation and after the conclusion of the 1950. investigation.

Proposed Section law 8. further provides for specific information to be included in the notification.

Present law authorizes the state child ombudsman to have permission, upon request, to view The and provisions use documents and records relevant to the ombudsman's statutory authority, excluding the name and identifying information of a R.S. reporter of child abuse or neglect.

Proposed 49:193 law removes the exclusion are for the reporter's hereby identity and other wise retains superseded present to law. the extent that those provisions are in conflict with the provisions of this Act.

Proposed Section law 9. additionally authorizes the ombudsman to have unrestricted remote access to

~~department computer networks and systems for any state agency that provides services to children through state funds. Proposed law further prohibits the ombudsman from disclosing identifying information of a reporter of alleged child abuse or neglect contained within any network or system.~~

~~Title R.S. 42 Present law provides for a reason in which a public body may hold executive session.~~

~~Proposed 49:191(2)(h) law is hereby testimony enacted including identifying information and explicit details related to physical read or sexual abuse of children as follows: allowable reason to hold executive session.~~

~~Title Sec. 191. 46 Present law provides for the duties of DCFS.~~

~~Proposed Termination law of requires legislative the authority department to establish a law enforcement liaison position for each existence region of the statutory entities; state and provide for qualification and responsibilities for the position.~~

~~Present phase- law out provides period relative for to statutory access entities; of records pertaining to foster care of children, investigation of abuse and neglect of children, and other child welfare services and provides instances where the records may be reviewed.~~

~~Proposed table law of allows dates Notwithstanding any termination dates set by any previous Act of the state legislature, the statutory entities set forth in this Section shall begin to terminate their child operations ombudsman on to July review first of each of the records, following years, and all legislative authority for the existence of any statutory entity, as defined in R.S.~~

~~Present 49:190, law shall provides cease that as a case of records July involving first investigation of reports the of following child year, abuse which and shall neglect be are confidential and prohibits the disclosure termination of date: identifying information concerning an individual who reported alleged abuse or neglect except pursuant to certain court orders.~~

~~Proposed* law* authorizes* DCFS(2) to July disclose 1, identifying 2028: information of the reporter to law enforcement that is involved in the investigation of a report or complaint.~~

~~Present* law* authorizes* DCFS(h) to The disclose Department requested information of to Children the and parent Family or Services guardian and of all a statutory abused entities or made neglected a child. part of the department by law.~~

~~Proposed* law* provides* that Section DCFS's 10. authority to share the information with the parent or guardian is limited if either is the alleged perpetrator or is living with or in a relationship with the alleged perpetrator.~~

~~Page R.S. 24 of 28 Coding:~~

~~49:191(1)(h) is hereby repealed.~~

~~Section 11.~~

~~Children's Code Articles 509 and 610(I) are hereby repealed.~~

~~Section 12. This Section and Sections 6 through 10 of this Act shall become effective on June 30, 2026;~~

~~if vetoed by the governor and subsequently approved by the legislature, this Section and Sections 6 through 10 of this Act shall become effective on June 30, 2026, Page 21 of 22 Coding:~~

~~SLS 26RS-0 RE-RENGROSSED SB NO.~~

~~237 Proposed ENROLLED law or updated on terminology the and day references following to such DCFS approval licensure by of the day legislature, care whichever centers is later.~~

~~Proposed Section law 13.(A) requires The DCFS provisions to of designate Sections the 1 chief through medical 5 director and as 11 the of employee this responsible for overseeing all matters regarding child fatalities and near fatalities, including Act notifying shall the become child effective ombudsman January and 1, posting 2027. information on the public website.~~

~~Proposed (B) law The requires provisions DCFS of to this post Section certain shall information become one effective its upon public signature website by relative the to governor each or, substantiated if case not signed by the governor, upon expiration of child the abuse time or for neglect bills that to resulted become in law a without fatality signature or by near the fatality, governor, as provided by Article III, Section 18 of the Constitution of Louisiana.~~

~~Proposed If law vetoed establishes by a the multidisciplinary governor critical and incident subsequently review approved team, by under the direction legislature, of the attorney provisions general, of to this review Section all shall substantiated become and effective unsubstantiated fatalities and near fatalities received by DCFS and make recommendations on changes the today policies, following procedures, such rules approval. and statutes.~~

~~Children's PRESIDENT Code OF Present THE law SENATE requires SPEAKER the OF establishment THE of HOUSE a OF multidisciplinary REPRESENTATIVES investigative GOVERNOR team OF (MDT) THE for STATE the investigation of child abuse in OF each judicial LOUISIANA district APPROVED: and provides for the referral of cases to the team in accordance with interagency protocols developed and instituted pursuant to present law.~~

~~Proposed Page law 22 requires DCFS and law enforcement to refer any child that the department or agency has received a report of suspected 22 sexual Coding: or serious physical abuse to a child~~

~~advocacy center (CAC) for a forensic interview.~~

~~Proposed law further requires DCFS or the law enforcement agency to notify the CAC within 72 hours of receiving the report and requires the CAC to notify the MDT within 24 hours.~~

~~Proposed law requires every CAC to accept referrals from both DCFS and law enforcement.~~

~~Proposed law requires the MDT to meet to review any case in which a forensic interview has occurred and prohibits DCFS or law enforcement from closing any case in which a forensic interview has occurred prior to the MDT review.~~

~~Present law provides for a drafting committee to confer and develop interagency protocols for the MDTs in each judicial district no later than Aug.~~

~~15, 2006.~~

~~Proposed law repeals present law.~~

~~Present law provides for the composition of MDT teams including the following governmental entities:~~

~~DCFS, the district attorney, the sheriff and other law enforcement agencies having responsibility in the district for the investigation of child abuse, the coroner or his designee who is a licensed medical professional with experience in the investigation of child abuse or the evaluation of child victims.~~

~~Proposed law provides that each governmental entity is required to have a representative at each MDT meeting.~~

~~Proposed law further requires each CAC to submit the attendance records for each MDT in the CAC's jurisdiction to the attorney general every six months and requires the attorney general to review the records for compliance and notify any agency that is out of compliance.~~

~~Present law provides for the responsibilities and minimum standards for each CAC.~~

~~Proposed law requires each CAC to have specialized policies for conducting forensic interviews with children with disabilities or who require special accommodations.~~

~~Present law defines "mandatory reporter".~~

~~Proposed law adds court-appointed supervised visit monitors as a mandatory reporter.~~

~~Page 25 of 28 Coding:~~

~~Words which are struck through are deletions from existing law; words in boldface type and underscored are additions.~~

~~SLS 26RS-0 RE-REENGROSSED SB NO.~~

~~237 Present law requires mandatory reporters to be offered training made available by DCFS on the statutory requirements and responsibility of reporting child abuse and neglect.~~

~~Proposed law requires mandatory reporters to be offered training provided by DCFS to include how to identify signs and symptoms of child neglect and abuse, including sexual abuse and human trafficking.~~

~~Present law allows each mandatory reporter to obtain training as the reporter believes is necessary.~~

~~Proposed law repeals present law.~~

~~Present law further allows any entity, including but not limited to hospitals, educational and religious institutions, and nonprofits to provide its employees, volunteers, or educational attendees with training that is equivalent to the DCFS training.~~

~~Proposed law retains present law.~~

~~Proposed law further authorizes DCFS to provide for an annual competency assessment which may be used for training purposes.~~

~~Present law requires reporters to report suspected child abuse or neglect to DCFS if the reporter believes the perpetrator is a parent, caretaker, or other individual identified in present law and to report to law enforcement if the suspected perpetrator is a school employee or other individual not under DCFS's investigative jurisdiction.~~

~~Proposed law requires reporters to report all suspected child abuse or neglect to DCFS and requires DCFS to either investigate or refer the information provided by the mandatory reporter to law enforcement.~~

~~Proposed law requires DCFS or law enforcement to clearly inform the reporter that the department or agency may contact the reporter directly to obtain further information during the investigation, unless the reporter requests anonymity.~~

~~Present law requires that if a mandatory reporter makes an initial report in oral form, the reporter shall follow up with a written report on the online Mandated Reporter Portal within five days.~~

~~Proposed law repeals present law.~~

~~Present law requires DCFS to notify law enforcement with 24 hours of reports made to the department in which the suspected perpetrator is an individual that is not under the investigative jurisdiction of DCFS.~~

~~Proposed law requires DCFS to notify the reporter of the specific law enforcement agency where the report was referred.~~

~~Present law requires all instances of alleged child abuse that occur in a school setting to be reported~~

~~to the child's parent and legal guardian and to local or state law enforcement.~~

~~Proposed law adds that the school is required to make the reports and changes the required reporting from local or state law enforcement to DCFS and for DCFS to immediately notify law enforcement if the alleged perpetrator is an individual under the investigative jurisdiction of law enforcement.~~

~~Present law provides for the reports of high and intermediate levels of risk as determined by DCFS to be promptly investigated and include a preliminary investigation.~~

~~Page 26 of 28 Coding:~~

~~Words which are struck through are deletions from existing law; words in boldface type and underscored are additions.~~

~~SLS 26RS-9 RE-REENGROSSED SB NO.~~

~~237 Proposed law requires reports of high risk to be investigated "immediately" and reports of intermediate levels of risk to be investigated "promptly".~~

~~Proposed law further requires that preliminary interviews for reports of sexual abuse shall only be to assess the immediate safety of the child and a forensic interview at a CAC shall be immediately scheduled.~~

~~Present law authorizes peace officers, district attorneys, and employees of the local child protection unit of DCFS to request an instant order for emergency removal or the implementation of a safety plan for a child in need of care.~~

~~Proposed law requires DCFS to request an instant order of any child that is in the custody of another state and located in Louisiana until the child can be returned to the state of original jurisdiction and provides that the oral instant order may be executed in those situations.~~

~~Implementation of the provisions of proposed law is subject to the appropriation of funds by the legislature for this purpose.~~

~~Effective August 1, 2026.~~

~~(Amends R.S. 24:525(C)(5), (6), and (13) and (D)-(G), R.S. 46:56(F)(1), (2), (8), (9)(a), (e), and (g), and (10)(a), Ch.C. Arts. 508, 511(D), 600(A)(3), 610(A)(intro para), 610(A)(1)(intro para), 610(A)(2)(intro para), 610(A)(3) and (4)(a), and (D)-(H), 612(A), (B), and (C), 610(A)(1), 620(A), and 725.5(A); adds R.S. 24:525(C)(14) and (H), R.S. 42:17(A)(12), R.S. 46:1(7), 51(17) and (18), 52.2, and 52.3, and Ch.C.~~

~~Arts.~~

~~512(E), 524(B)(13), and 603(17)(p);~~

~~repeals Ch.C.~~

~~Arts.~~

~~509 and 610(I)) Summary of Amendments Adopted by Senate Committee Amendments Proposed by Senate Committee on Health and Welfare to the original bill 1.~~

~~Adds provisions relative to false reporting of alleged abuse or neglect perpetrated by school employees to the Dept.~~

~~of Education.~~

~~2.~~

~~Adds provisions relative to the child ombudsman's access to external departments' systems.~~

~~3.~~

~~Requires DCFS to publish certain information relative to each substantiated case of child abuse or neglect that resulted in a fatality or near fatality on its public website.~~

~~4.~~

~~Establishes a multidisciplinary critical incident review team to review all substantiated and unsubstantiated fatalities and near fatalities received by DCFS.~~

~~5.~~

~~Makes technical changes.~~

~~Committee Amendments Proposed by Senate Committee on Finance to the engrossed bill 1.~~

~~Remove provision excluding the identity of a reporter of child abuse or neglect from documents and records accessible by the state child ombudsman.~~

~~2.~~

~~Clarify the responsibilities of the law enforcement liaison position within DCFS.~~

~~3.~~

~~Require DCFS to refer the information provided by the mandatory reporter Page 27 of 28 Coding:~~

~~Words which are struck through are deletions from existing law; words in boldface type and underscored are additions.~~

~~SLS 26RS-9 RE-REENGROSSED SB NO.~~

~~237 to law enforcement.~~

~~4.~~

~~Require reports of high risk to be investigated "immediately" and reports of intermediate levels of risk to be investigated "promptly" by DCFS.~~

~~5.~~

~~Remove provision requiring a principal or school administrator to immediately report to the Dept. of Education if an allegation of physical or sexual abuse of a student has been made against a school employee.~~

~~6.~~

~~Remove provision requiring the state Dept. of Education to maintain a database of reports.~~

~~7.~~

~~Remove immunity provisions.~~

~~8.~~

~~Restores provision allowing any entity, including but not limited to hospitals, educational and religious institutions, and nonprofits to provide its employees, volunteers, or educational attendees with training that is equivalent to the DCFS training.~~

~~9.~~

~~Remove requirement that mandatory reporters complete annual training.~~

~~10.~~

~~Provide that the implementation of the provisions of proposed law is subject to the appropriation of funds by the legislature.~~

~~11.~~

~~Make technical changes.~~

~~Senate Floor Amendments to reengrossed bill 1.~~

~~Makes technical changes.~~

~~Page 28 of 28 Coding.~~