

2026 Regular Session

HOUSE BILL NO. 420

BY REPRESENTATIVE BERAULT

CHILDREN/DCFS: Requires the Department of Children and Family Services to obtain background checks on all employees

1 AN ACT

2 To amend and reenact R.S. 36:474(B)(1)(a)(introductory paragraph) and R.S. 46:51.2
3 (A)(1)(introductory paragraph) and (2) and to enact R.S. 36:474(B)(1)(a)(iv), relative
4 to employees of the Department of Children and Family Services; to provide for the
5 authority of the secretary of the Department of Children and Family Services; to
6 provide for hiring requirements; to require a criminal background check; to require
7 review of the central registry; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 36:474(B)(1)(a)(introductory paragraph) is hereby amended and
10 reenacted and R.S. 36:474(B)(1)(a)(iv) is hereby enacted to read as follows:

11 §474. Powers and duties of the secretary of the Department of Children and Family
12 Services

13 * * *

14 B. The secretary shall have authority to:

15 (1)(a) Except as otherwise specifically provided in R.S. 36:801 ~~and 802-9:~~

16 * * *

17 (iv) Conduct a criminal background check and a search of the state central
18 registry of substantiated abuse or neglect reports for all employees and prospective
19 employees of the department in accordance with R.S. 46:51.2.

20 * * *

1 Section 2. R.S. 46:51.2(A)(1)(introductory paragraph) and (2) are hereby amended
2 and reenacted to read as follows:

3 §51.2. Criminal history and central registry information

4 A.(1) No person shall be hired by the department ~~whose duties include the~~
5 ~~investigation of child abuse or neglect, supervisory or disciplinary authority over~~
6 ~~children, direct care of a child, or performance of licensing surveys,~~ until both the
7 following conditions are met:

8 * * *

9 (2) Any employee of the department ~~whose duties include the investigation~~
10 ~~of child abuse or neglect, supervisory or disciplinary authority over children, direct~~
11 ~~care of a child, or performance of licensing surveys~~ and whose name is recorded on
12 the state central registry subsequent to January 1, 2010, shall be terminated by the
13 department. A permanent classified employee shall not be terminated until he has
14 exhausted his administrative appeal rights pursuant to Children's Code Article
15 616.1.1.

16 * * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, 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)]

HB 420 Engrossed 2026 Regular Session Berault

Abstract: Provides for employment standards of employees of the Dept. of Children and Family Services (DCFS).

Present law provides for the authority of the secretary of DCFS.

Proposed law modifies present law by adding that the secretary has the authority to conduct criminal background checks and searches of the state central registry of substantiated abuse or neglect (central registry) on all current and prospective employees of DCFS in accordance with proposed law.

Present law provides that no person shall be hired by DCFS for duties including the investigation of child abuse or neglect, supervisory or disciplinary authority over children, direct care of a child, or performance of licensing surveys until the employee has submitted to a criminal background check and DCFS has inspected the central registry for the employee's name.

Present law provides that any employee of DCFS whose duties include the investigation of child abuse or neglect, supervisory or disciplinary authority over children, direct care of a child, or performance of licensing surveys whose name is found on the central registry shall be terminated except that a permanent classified employee shall not be terminated until he has exhausted his administrative appeal rights pursuant to present law.

Proposed law extends the requirements of present law to all employees of DCFS.

(Amends R.S. 36:474(B)(1)(a)(intro. para.) and R.S. 46:51.2(A)(1)(intro. para.) and (2); Adds R.S. 36:474(B)(1)(a)(iv))