

SENATE BILL NO. 459

BY SENATOR BARROW

1 AN ACT

2 To amend and reenact the introductory paragraph of R.S. 46:56(F) and (7)(a) and to enact
3 R.S. 46:56(F)(7)(c), relative to child welfare information; to provide for authorized
4 release of information; to provide for consent; to provide for persons authorized to
5 receive information; to provide for information not to be disclosed; to provide for an
6 effective date; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. The introductory paragraph of R.S. 46:56(F) and (7)(a) are hereby
9 amended and reenacted and R.S. 46:56(F)(7)(c) is hereby enacted to read as follows:

10 §56. Applications and client case records; definitions; confidentiality; waiver;
11 penalty

12 * * *

13 F. The following information shall not be subject to waiver and shall not be
14 released to applicants, recipients, or outside sources, except those outside sources
15 engaged in the administration of the programs of the department **or when**
16 **specifically authorized by law:**

17 * * *

18 (7)(a) The department may release, upon written request **or consent of a**
19 **former foster child or his legal tutor**, the information described in Paragraph (1)
20 of this Subsection to the former foster child, ~~or his legal tutor,~~ **or to a designee who**
21 **is engaged in rendering services, treatment, or an assessment of services**
22 **previously provided to the child**, if in its discretion it believes the release of such
23 information to be in the best interest of the former foster child. Such information
24 shall not include any information regarding the identity of the birth parents or birth
25 siblings of a former foster child who was subsequently adopted or any information
26 regarding the identity of the reporter in a case of abuse or neglect.

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(c) The department, with the consent of the former foster child, may release information described in Paragraph (1) of this Subsection for the purpose of the education and training of foster youth and former foster youth, to the extent allowed by federal law. The information shall not include the identity of the birth parents or birth siblings of a former foster child or any information regarding the identity of the reporter in the case of abuse or neglect.

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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: _____