
DIGEST

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HB 550 Engrossed

2019 Regular Session

Turner

Abstract: Provides that the identity of a person making a complaint relative to an early learning center, family child care or in-home provider, or fraud pertaining to the Child Care Assistance Program and related state Dept. of Education investigation records shall be confidential and shall not be public records.

Present law (R.S. 44:1 et seq.—Public Records Law) provides for access and retention of public records. Establishes a framework for the ready availability of public records to requesting persons.

Present law (R.S. 17:407.28) provides for the transition of lead agency authority from the Dept. of Children and Family Services to the state Dept. of Education (DOE) for the Child Care Development Fund and authorizes DOE to accept and direct disbursement of funds appropriated by congress and apportioned to the state for use in connection with any Child Care and Development Fund programs. Present law (R.S. 17:407.30) provides for the administration of the fund. Provides that monies in the fund shall be used for the purpose of funding early childhood care and education slots through the Child Care Assistance Program.

Proposed law retains present law. Additionally provides that the identity of a person making a complaint about fraud in the Child Care Assistance Program and the records of investigations of such complaints by DOE shall be confidential and shall not be subject to present law (Public Records Law).

Present law (R.S. 17:407.31 et seq.) provides for a licensing program for early learning centers administered by DOE.

Present law (R.S. 17:407.47) requires DOE to report all complaints, including but not limited to complaints alleging child abuse or the prevention or spread of communicable diseases, against any early learning center to the appropriate agencies for investigation and disposition.

Proposed law retains present law. Additionally provides that the identity of a person making a complaint against an early learning center and the records of investigations by the department of such complaints, including complaints about fraud in the Child Care Assistance Program, shall be confidential and shall not be subject to present law (Public Records Law).

Present law (R.S. 17:407.61 et seq.) requires family child care providers and in-home providers to be registered if they directly or indirectly receive state or federal funds related to the child care provided. Provides for penalties.

Present law (R.S. 17:407.65) authorizes DOE to visit and inspect registered family child care providers and in-home providers. Present law (R.S. 17:407.67) authorizes the department to deny, revoke, or refuse to renew a registration of a registered family child care provider or in-home provider if an applicant has failed to comply with the provisions of present law, any applicable published rule or regulation relating to registered family child care providers or in-home providers, or any other state, federal, or local rule or regulation.

Proposed law retains present law. Additionally provides that the identity of a person making a complaint against a family child care or in-home provider and the records of investigations of such complaints by the department, including complaints about fraud in the Child Care Assistance Program, shall be confidential and shall not be subject to present law (Public Records Law).

Present law (R.S. 44:4.1) provides a listing of exceptions, exemptions, and limitations to the laws pertaining to public records. Proposed law retains present law and adds references to proposed law.

(Amends R.S. 17:407.47 and 407.65 and R.S. 44:4.1(B)(9); adds R.S. 17:407.28(E))