

# ACT No. 655

HOUSE BILL NO. 584

BY REPRESENTATIVES BOYD, BAYHAM, BEAULLIEU, BERAULT, BILLINGS, BOUDREAUX, BRASS, BRYANT, BUTLER, CARLSON, CARRIER, WILFORD CARTER, CHASSION, COX, DESHOTEL, DEWITT, DICKERSON, FISHER, FREEMAN, FREIBERG, GREEN, HEBERT, DANA HENRY, ILLG, JACKSON, JORDAN, KNOX, LACOMBE, LAFLEUR, JACOB LANDRY, MANDIE LANDRY, TERRY LANDRY, LARVADAIN, LYONS, MARCELLE, MARTINEZ, MOORE, MURRAY, NEWELL, PHELPS, SCHLEGEL, TAYLOR, WALTERS, WYBLE, AND YOUNG AND SENATORS BOUDREAUX, CLOUD, HODGES, LUNEAU, AND MCMATH

1 AN ACT

2 To amend and reenact the heading of Subpart D-1A of Part II of Chapter 3 of the Louisiana  
3 Revised Statutes of 1950 and R.S. 46:286.16(A), (B), (C)(introductory paragraph),  
4 (1), (3) through (7), (9), (12), and (15) through (18) and to enact R.S.  
5 46:286.16(C)(19) through (21), relative to children in foster care, to provide for the  
6 rights of children in foster care; to provide for age adjustments; to provide for the  
7 elimination of the practice of providing foster children with garbage bags to move  
8 between foster homes; to require proper luggage for a foster child's use; to provide  
9 for the right to safe transportation; to provide for the right to family or other suitable  
10 individual placement when available; to provide for definitions; to provide for the  
11 responsibilities of local social services districts; to provide for responsibilities of host  
12 families; and to provide for related matters.

13 Be it enacted by the Legislature of Louisiana:

14 Section 1. The heading of Subpart D-1A of Part II of Chapter 3 of the Louisiana  
15 Revised Statutes of 1950 and R.S. 46:286.16(A), (B), (C)(introductory paragraph), (1), (3)  
16 through (7), (9), (12), and (15) through (18) are hereby amended and reenacted to read as  
17 follows and R.S. 46:286.16(C)(19) through (21) are hereby enacted to read as follows:

1 SUBPART D-1A. FOSTER ~~YOUTH'S~~ CHILDREN'S BILL OF RIGHTS

2 §286.16. Short title; purpose; rights

3 A. This Subpart shall be cited as the "Foster ~~Youth's~~ Children's Bill of  
4 Rights".

5 B. The Department of Children and Family Services shall implement,  
6 promote, and support the rights contained in this Section through the policies and  
7 practices of the department as applied to ~~youth ages fourteen~~ children from birth  
8 through age eighteen who are in foster care in this state.

9 C. ~~Youth ages fourteen~~ Children from birth through age eighteen in foster  
10 care in this state are entitled to the following rights granted to them when it is  
11 determined by the department to be age appropriate and in the best interest of the  
12 ~~youth~~ child:

13 (1) The right to privacy concerning the ~~youth's~~ child's personal and  
14 confidential information.

15 \* \* \*

16 (3) The right to be in a stable and supportive setting that is free from neglect  
17 and emotional, verbal, physical, and sexual abuse or exploitation, and that is the least  
18 restrictive to meet the ~~youth's~~ child's needs.

19 (4) The right to participate in all case plan meetings, to include supportive  
20 adults of the ~~youth's~~ child's choice to be on the planning team, and to be provided a  
21 copy of the ~~youth's~~ child's case plan every six months or whenever changes are made  
22 to the plan.

23 (5) The right to have the ~~youth's~~ child's medical and mental health needs met  
24 on a regular and timely basis.

25 (6) The right to be provided adequate trauma-based counseling and  
26 therapeutic services throughout the ~~youth's~~ child's time in foster care.

27 (7) The right to be provided the contact information of the ~~youth's~~ child's  
28 caseworker, attorney, and CASA volunteer, and to attend meetings with them on a  
29 regular basis.

30 \* \* \*



1                   (c) It is the responsibility of the host family to ensure that the luggage  
2                   provided by the Department of Children and Family Services remains with each  
3                   child.

4                   (20) The right to reliable and safe transportation, including the right to the  
5                   age appropriate car restraint system necessary to protect the child as required by R.S.  
6                   32:295.

7                   (21) The right to be placed with a suitable family member or other suitable  
8                   individual as defined in Children's Code Article 603, when one has been identified  
9                   and is capable of safely and appropriately caring for the child.

\_\_\_\_\_  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
PRESIDENT OF THE SENATE

\_\_\_\_\_  
GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_