

2018 Regular Session

HOUSE BILL NO. 520

BY REPRESENTATIVE JOHNSON

1 AN ACT

2 To amend and reenact Children's Code Article 616(B) and to repeal Children's Code Article
3 616(B) as amended and reenacted by Act No. 348 of the 2017 Regular Session of the
4 Legislature, relative to child abuse cases; to provide relative to certain information
5 in the state central registry of reports of child abuse and neglect; to provide for
6 disclosure of certain information to the district attorney or court; and to provide for
7 related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. Children's Code Article 616(B) is hereby amended and reenacted to read
10 as follows:

11 Art. 616. Central registry; screening court-appointed special advocates volunteers;
12 confidentiality

13 * * *

14 B. ~~Except as provided in this Article or R.S. 46:56, all records of reports of~~
15 ~~child abuse or neglect are confidential. The department shall promulgate rules~~
16 ~~regarding the maintenance, deletion, and release of information in the central~~
17 ~~registry, determined by the types of disposition made pursuant to Article 615.~~
18 Within the state repository, the department shall maintain a state central registry of
19 certain justified reports of abuse and neglect as set forth in rules promulgated by the
20 department. The name of an individual who was placed on the state central registry
21 as a perpetrator of abuse or neglect prior to the effective date of Children's Code
22 Article 616.1.1 shall not be released outside of the department until that individual's
23 administrative appeals are exhausted. After the effective date of Children's Code
24 Article 616.1.1, the name of an individual who is determined to be a perpetrator of

1 abuse or neglect shall not be placed on the state central registry until that individual's
 2 administrative appeals are exhausted. All decisions rendered by an administrative
 3 law judge are final, and the decisions shall exhaust the individual's administrative
 4 remedy. However, notwithstanding any other provision of law, the department shall
 5 provide information involving an investigation from either the repository or the state
 6 central registry immediately to the local district attorney's office, or its designee, or
 7 to the court, when taking court action is necessary to protect the child from abuse or
 8 neglect. The department shall provide information involving an open investigation
 9 or a completed investigation determined to be justified from either the repository or
 10 the state central registry to another state's child welfare agency upon written request
 11 when the request is made pursuant to an ongoing child protective services
 12 investigation in the other state.

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14 Section 2. Children's Code Article 616(B) as amended and reenacted by Act No. 348
 15 of the 2017 Regular Session of the Legislature is hereby repealed in its entirety.

16 Section 3. This Act shall become effective upon the adoption and publication of
 17 rules and regulations by the Department of Children and Family Services necessary to
 18 implement the provisions of this Act.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____