

2026 Regular Session

SENATE BILL NO. 471

BY SENATOR HODGES

CHILDREN. Establishes the Child Welfare Death Review Panel. (1/1/27)

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AN ACT

To enact R.S. 46:261, relative to child death reviews; to establish the Child Welfare Death Review Panel; to provide for legislative intent; to provide for membership and duties of the panel; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 46:261 is hereby enacted to read as follows:

**§261. Child Welfare Death Review Panel**

**A. The legislature hereby finds and declares that:**

**(1) Protection of the health and welfare of the children of this state is a goal of its people, and child fatalities and the unexpected deaths of children in the custody or care of the department are important public health concerns that require legislative action.**

**(2) Collecting data on the causes of child fatalities and unexpected deaths of children in the custody or care of the department will better enable the state to protect some children from preventable deaths and will help reduce the incidence of such deaths.**

**(3) Multiagency reviews of child fatalities and unexpected deaths of**

1 children in the custody or care of the department can assist the state in the  
2 investigation of child fatalities and unexpected deaths of children in the custody  
3 or care of the department, in the development of a greater understanding of the  
4 incidence and causes of child fatalities and unexpected deaths of children in the  
5 custody or care of the department and the methods for preventing such deaths,  
6 and in identifying gaps in services to children and families.

7 (4) The purpose of this Section is to identify the cause of child fatalities  
8 and unexpected deaths of children in the custody or care of the department, and  
9 thereby reduce the incidence of injury and death to children by requiring that  
10 a death investigation be performed in the case of all child fatalities and  
11 unexpected deaths of children in the custody or care of the department, and  
12 establishing the Louisiana Child Welfare Death Review Panel to collect data  
13 from such investigations to identify patterns and systemic problems to support  
14 corrective actions and quality improvements in service delivery.

15 B. For the purpose of this Section, the following terms shall have the  
16 following meaning:

17 (1) "Child fatality" means the death of an individual under the age of  
18 eighteen in which abuse or neglect was medically determined by an examining  
19 physician to be a contributing factor in the cause of death.

20 (2) "Department" means the Department of Children and Family  
21 Services.

22 (3) "Unexpected death" means the death of an individual under the age  
23 of eighteen that is a result of undiagnosed disease, or trauma in which the  
24 surrounding circumstances are suspicious, obscure, or otherwise unexplained,  
25 or other death the circumstances of which are suspicious, obscure, or otherwise  
26 unexplained.

27 C. There is established within the department the Louisiana Child  
28 Welfare Death Review Panel, hereinafter referred to as the "review panel",  
29 which shall be composed of sixteen persons. Members of the panel shall include:

- 1                   **(1) The secretary of the department or his designee.**
- 2                   **(2) The assistant secretary of child welfare of the department or his**  
3 **designee.**
- 4                   **(3) The chief medical director of the department.**
- 5                   **(4) The superintendent of the office of state police or his designee.**
- 6                   **(5) The president of the Senate or his designee.**
- 7                   **(6) The speaker of the House of Representatives or his designee.**
- 8                   **(7) The assistant secretary of the office of behavioral health of the**  
9 **Louisiana Department of Health or his designee.**
- 10                  **(8) The assistant secretary of the office for citizens with developmental**  
11 **disabilities of the Louisiana Department of Health or his designee.**
- 12                  **(9) A forensic pathologist certified by the American Board of Pathology**  
13 **and licensed to practice medicine in the state appointed by the chairman of the**  
14 **Louisiana Child Welfare Death Review Panel.**
- 15                  **(10) A pathologist experienced in pediatrics appointed by the Louisiana**  
16 **Pathology Society.**
- 17                  **(11) A coroner appointed by the president of the Louisiana Coroner's**  
18 **Association.**
- 19                  **(12) Two persons appointed by the governor, subject to Senate**  
20 **confirmation, for a term of three years as follows:**
- 21                   **(a) A health professional with expertise in Sudden Infant Death**  
22 **Syndrome appointed from a list of three names submitted by the Louisiana**  
23 **State Medical Society.**
- 24                   **(b) A pediatrician with experience in diagnosing and treating child abuse**  
25 **and neglect appointed from a list of three names submitted by the state chapter**  
26 **of the American Academy of Pediatrics.**
- 27                  **(13) The state superintendent of education or his designee.**
- 28                  **(14) The director of the bureau of emergency medical services of the**  
29 **Louisiana Department of Health or his designee.**

1                   **(15) The state child ombudsman or his designee.**

2                   **D.(1) The review panel shall:**

3                   **(a) Review child fatalities and unexpected deaths of children in the**  
4 **custody or care of the department.**

5                   **(b) Obtain data and records relevant to the causes and circumstances of**  
6 **death from providers, including healthcare providers, as well as from other**  
7 **sources.**

8                   **(c) Identify patterns and systemic problems to determine what changes,**  
9 **if any, should be made in service delivery.**

10                  **(2) The review panel may analyze any data available through any state**  
11 **systems that may decrease the incidence of injury and unexpected death to**  
12 **children.**

13                  **E.(1) Notwithstanding any other provision of law to the contrary, the**  
14 **review panel shall be authorized to access medical and vital records in the**  
15 **custody of physicians, hospitals, clinics, other healthcare providers, and the**  
16 **office of public health, and any other information, documents, or records**  
17 **pertaining to the completed investigation of child fatalities and unexpected**  
18 **deaths of children in the custody or care of the department and in the custody**  
19 **of any law enforcement agency in order that it may perform its functions and**  
20 **duties as provided in this Section.**

21                  **(2) Notwithstanding any other provision of law to the contrary, including**  
22 **but not limited to the provisions of Children's Code Article 615 and R.S. 46:56,**  
23 **all of the following authorizations shall be effective when a child fatality or an**  
24 **unexpected death of a child in the custody or care of the department has**  
25 **occurred:**

26                  **(a) The review panel, in order that it may perform its functions and**  
27 **duties as provided in Subsection D of this Section, is authorized to have access**  
28 **to any information, documents, or records in the possession of the department**  
29 **involving a child abuse and neglect investigation which are pertinent to the**

1 review of a child fatality or unexpected death of a child in the custody or care  
2 of the department.

3 (b) All records obtained by the review panel or its agent in accordance  
4 with the provisions of this Section shall be confidential and shall not be  
5 available for subpoena nor shall such information be disclosed, discoverable, or  
6 compelled to be produced in any civil, criminal, administrative, or other  
7 proceeding nor shall such records be deemed admissible as evidence in any civil,  
8 criminal, administrative, or other tribunal or court for any reason.

9 (3) The furnishing of confidential information, documents, and reports  
10 in accordance with this Section by any person, agency, or entity furnishing such  
11 information, documents, and reports shall not expose such person, agency, or  
12 entity to liability and shall not be considered a violation of any privileged or  
13 confidential relationship, provided the participant has acted in good faith in the  
14 reporting as required in this Section.

15 Section 2. The provisions of this Act shall become effective January 1, 2027.

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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Senate Legislative Services. The keyword, summary, 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)]

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SB 471 Original	DIGEST 2026 Regular Session	Hodges
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Present law establishes a Child Death Review Panel under the La. Dept. of Health to identify the cause of death of children below the age of 15 and to reduce the incidence of injury and death to infants and children by requiring that a death investigation be performed in all cases of unexpected deaths of children below the age of 15.

Proposed law establishes a Child Welfare Death Review panel under the Dept. of Children and Family Services to review child fatalities and unexpected deaths of children under the age of 18 in the custody or care of the department.

Proposed law requires the panel to obtain data and records relevant to the causes and circumstances of the deaths from providers, including health care providers, and other sources and to identify patterns and systemic problems to determine what changes, if any, should be made in service delivery.

Effective January 1, 2027.

(Adds R.S. 46:261)