

SENATE SUMMARY OF HOUSE AMENDMENTS**SB 237****2026 Regular Session****Barrow****KEYWORD AND SUMMARY AS RETURNED TO THE SENATE**

CHILDREN: Provides relative to child welfare. (See Act)

SUMMARY OF HOUSE AMENDMENTS TO THE SENATE BILL

1. Provides for the notification of certain legislators of a child's fatality or near fatality.
2. Makes changes to the information required to be reported by DCFS to the state child ombudsman regarding a child's fatality or near fatality.
3. Provides for certain limitations on the ombudsman's authority relative to information accessed from a department's system.
4. Exempts information reviewed by critical incident review team from the public records law.
5. Requires DCFS to designate an employee to oversee child fatalities and near fatalities related to abuse.
6. Requires DCFS to establish one law enforcement liaison position.
7. Removes the requirement for DCFS to provide information regarding child fatalities and near fatalities on its public website.
8. Makes changes to the information required to be reviewed by the critical incident review team and adds a member to the team.
9. Removes the requirement for all reports of suspected child abuse and neglect to be reported to DCFS for review for acceptance or referral to law enforcement.
10. Removes the requirement for DCFS to notify a reporter of the specific law enforcement agency where a report was referred if the report was made to DCFS and referred to law enforcement.
11. Provides discretion for DCFS to determine whether to accept cases of child on child sexual abuse.
12. Reverts requirements relative to independent review of reports from a treating health care professional to present law.
13. Requires all interviews conducted in the course of a child protective investigation to be recorded.
14. Recreates DCFS and the statutory entities made a part of that department for another 2 years.
15. Adds effective dates.
16. Makes technical changes.

DIGEST OF THE SENATE BILL AS RETURNED TO THE SENATE

DIGEST

Title 24

Present law provides for the duties and responsibilities of the state child ombudsman, including the duty to notify the senator and representative who represent the district in which a child has died as a result of abuse or neglect.

Proposed law additionally requires the ombudsman to notify the speaker pro tempore of the House of Representatives, president pro tempore of the Senate, and the chairs of House and Senate committees on health and welfare when a child has died as a result of abuse or neglect.

Present law requires the Dept. of Children and Family Services (DCFS) to notify the state child ombudsman of the death of any child that had been reported to the department for alleged child abuse or neglect.

Proposed law requires DCFS to provide notification to the state child ombudsman upon DCFS receiving information of the death or near fatality of any child whose death or injury is the subject of a child abuse or neglect investigation and after the conclusion of the investigation. Proposed law further provides for specific information to be included in the notification.

Present law authorizes the state child ombudsman to have permission, upon request, to view and use documents and records relevant to the ombudsman's statutory authority, excluding the name and identifying information of a reporter of child abuse or neglect.

Proposed law removes the exclusion for the reporter's identity and otherwise retains present law.

Proposed law additionally authorizes the ombudsman to have unrestricted remote access to department computer networks and systems for any state agency that provides services to children through state funds. Proposed law further prohibits the ombudsman from disclosing identifying information of a reporter of alleged child abuse or neglect contained within any network or system.

Title 42

Present law provides a reason under which a public body may hold an executive session.

Proposed law adds testimony, including identifying information and explicit details related to physical or sexual abuse of children, as an allowable reason to hold an executive session.

Title 46

Present law provides for the duties of DCFS.

Proposed law requires the department to establish a law enforcement liaison position and provides for qualifications and responsibilities of the position.

Present law provides relative to access to records pertaining to foster care of children, investigations of abuse and neglect of children, and other child welfare services and provides instances where the records may be reviewed.

Proposed law allows the state child ombudsman to review the records.

Present law provides that case records involving the investigation of reports of child abuse and neglect are confidential and prohibits the disclosure of identifying information concerning an individual who reported alleged abuse or neglect except pursuant to certain court orders.

Proposed law authorizes DCFS to disclose identifying information of the reporter to law enforcement that is involved in the investigation of a report or complaint.

Present law authorizes DCFS to disclose requested information to the parent or guardian of an abused or neglected child.

Proposed law provides that DCFS's authority to share the information with the parent or guardian is limited if either is the alleged perpetrator or is living with or in a relationship with the alleged perpetrator.

Proposed law updated terminology and references to DCFS licensure of day care centers.

Proposed law requires DCFS to designate an employee responsible for overseeing all matters regarding child fatalities and near fatalities, including notifying the child ombudsman.

Proposed law establishes a multidisciplinary critical incident review team, under the direction of the attorney general, to review all substantiated fatalities and near fatalities received by DCFS and make recommendations on changes to policies, procedures, rules, and statutes.

Proposed law authorizes the review unsubstantiated fatalities and near fatalities at the discretion of the chair of the review team.

Children's Code

Present law requires the establishment of a multidisciplinary investigative team (MDT) for the investigation of child abuse in each judicial district and provides for the referral of cases to the team in accordance with interagency protocols developed and instituted pursuant to present law.

Proposed law requires DCFS and law enforcement to refer any child for whom the department or agency has received a report of suspected sexual or severe physical abuse to a child advocacy center (CAC) for a forensic interview in accordance with interagency protocols. Proposed law further requires DCFS or the law enforcement agency to notify the CAC within 72 hours of receiving the report and requires the CAC to notify the MDT within 24 hours.

Proposed law requires every CAC to accept referrals from both DCFS and law enforcement.

Proposed law requires the MDT to meet to review any case in which a forensic interview has occurred and prohibits DCFS or law enforcement from closing any case in which a forensic interview has occurred prior to the MDT review.

Present law provides for a drafting committee to confect interagency protocols for the MDTs in each judicial district no later than Aug. 15, 2006.

Proposed law repeals present law.

Present law provides for the composition of MDT teams including the following governmental entities: DCFS, the district attorney, the sheriff and other law enforcement agencies having responsibility in the district for the investigation of child abuse, the coroner or his designee who is a licensed medical professional with experience in the investigation of child abuse or the evaluation of child victims.

Proposed law provides that each governmental entity is required to have a representative at each MDT meeting. Proposed law further requires each CAC to submit the attendance records for each MDT in the CAC's jurisdiction to the attorney general every six months and requires the attorney general to review the records for compliance and notify any agency that is out of compliance.

Present law provides for the responsibilities and minimum standards for each CAC.

Proposed law required each CAC to have specialized policies for conducting forensic interviews with children with disabilities or who require special accommodations.

Present law defines "mandatory reporter".

Proposed law adds court-appointed supervised visit monitors as a mandatory reporter.

Present law requires mandatory reporters to be offered training made available by DCFS on the statutory requirements and responsibilities of reporting child abuse and neglect.

Proposed law requires mandatory reporters to be offered training provided by DCFS to include how to identify signs and symptoms of child neglect and abuse, including sexual abuse and human trafficking.

Present law allows each mandatory reporter to obtain training as the reporter believes is necessary.

Proposed law repeal present law.

Present law further allows any entity, including but not limited to hospitals, educational and religious institutions, and nonprofits to provide its employees, volunteers, or educational attendees with training that is equivalent to the DCFS training.

Proposed law retains present law.

Proposed law further authorizes DCFS to provide for an annual competency assessment which may be used for training purposes.

Proposed law requires DCFS or law enforcement to clearly inform the reporter that the department or agency may contact the reporter directly to obtain further information during the investigation, unless the reporter requests anonymity.

Present law requires that if a mandatory reporter makes an initial report in oral form, the reporter shall follow up with a written report on the online Mandated Reporter Portal within five days.

Proposed law repeals present law.

Present law requires DCFS to notify law enforcement with 24 hours of reports made to the department in which the suspected perpetrator is an individual that is not under the investigative jurisdiction of DCFS.

Present law provides for the reports of high and intermediate levels of risk as determined by DCFS to be promptly investigated and include a preliminary investigation.

Proposed law requires reports of high risk to be investigated "immediately" and reports of intermediate levels of risk to be investigated "promptly". Proposed law further requires that preliminary interviews for reports of sexual abuse shall only be to assess the immediate safety of the child and a forensic interview at a CAC shall be immediately scheduled.

Present law authorizes peace officers, district attorneys, and employees of the local child protection unit of DCFS to request an instanter order for emergency removal or the implementation of a safety plan for a child in need of care.

Proposed law requires DCFS to request an instanter order of any child that is in the custody of another state and located in Louisiana until the child can be returned to the state of original jurisdiction and provides that an oral instanter order may be executed in those situations.

Present law provides that the Dept. of Children and Family Services and all the statutory entities made a part of that department by law shall begin to terminate their operations on July 1, 2026, and that all legislative authority for such entities shall cease as of July 1, 2027,

unless the legislature enacts a bill authorizing the re-creation of the department and its statutory entities prior thereto.

Proposed law provides for the general re-creation of the Dept. of Children and Family Services and its statutory entities, effective June 30, 2026, in accordance with the sunset law.

Proposed law sets out the procedure for review and re-creation, which require a separate bill to re-create each statutory entity within the department along with additional provisions.

Proposed law makes July 1, 2028, the new termination date and provides that termination would begin July 1, 2029, unless the department is again re-created.

(Amends R.S. 24:525(C)(5), (6), and (13) and (D)-(G), R.S. 44:4.1(B)(32), R.S. 46:56(F)(1), (2), (8), (9)(a), (e), and (g), and (10)(a), Ch.C. Arts. 508, 511(D), 609(A)(3), 610(A)(4)(a) and (D)-(H), 612(A), (B), and (C), 619(A)(1), 620(A), and 725.5(A); Adds R.S. 24:525 (H), R.S. 42:17(A)(12), R.S. 46:1(7), 51(17) and (18), and 52.2, R.S. 49:191(3)(b) and Ch.C. Arts. 512(E), 524(B)(13), and 603(17)(p) and (33); Repeals R.S. 49:191(1)(h) and Ch.C. Arts. 509 and 610(I))