

RÉSUMÉ DIGEST

ACT 960 (SB 237)

2026 Regular Session

Barrow

Title 24

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

New 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.

Existing 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.

New 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. New law further provides for specific information to be included in the notification.

Existing 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.

New law removes the exclusion for the reporter's identity and otherwise retains existing law.

New 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. New 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

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

New 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

Existing law provides for the duties of DCFS.

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

Existing 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.

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

Existing 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.

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

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

New 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.

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

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

New 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.

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

Children's Code

Existing 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 existing law.

New 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. New 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.

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

New 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.

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

New law repeals prior law.

Existing 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.

New law provides that each governmental entity is required to have a representative at each MDT meeting. New 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.

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

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

Existing law defines "mandatory reporter".

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

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

New 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.

Prior law allowed each mandatory reporter to obtain training as the reporter believes is necessary.

New law repeals prior law.

Existing 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.

New law retains existing law.

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

New 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.

Prior law required 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.

New law repeals prior law.

Existing 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.

Existing 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.

New law requires reports of high risk to be investigated "immediately" and reports of intermediate levels of risk to be investigated "promptly". New 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.

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

New law requires DCFS to request an instant 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 instant order may be executed in those situations.

Existing 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.

New 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.

New law makes July 1, 2028, the new termination date for the department and provides that statutory authority for the existence of the Dept. of Children and Family Services ceases on 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)