

Prior law provided that upon receiving a report of abuse or neglect of a child who is not in the custody of the state, the Dept. of Children and Family Services shall assign a level of risk to the child based on information provided by the reporter. Provides for investigatory procedures for reports of high, intermediate, and low levels of risk.

New law retains prior law and adds that when the department receives a report from a health care practitioner of abuse or neglect of a child who is not in the custody of the state, upon request of the child's parent or caretaker, the department shall provide copies of all medical information pertaining to the child's condition to the child's parents or caregiver for the purpose of having a medical expert chosen by the parents or caregiver conduct an independent review of the information provided. Further requires any report generated by the independent review to be submitted to the department and considered in assigning a level of risk.

Prior law provided that the court may order a physical, psychological, or psychiatric examination of the child, parent, or caretaker upon application by the investigator in certain circumstances.

New law retains prior law and authorizes the parents or caretaker of a child to execute an affidavit requesting further examination and authorizes the court to order the additional physical evaluation of child or other children in the household when the court has conducted a contradictory hearing and has found that good cause exists. Prohibits application of new law in cases of alleged sexual abuse.

Effective August 1, 2013.

(Amends Ch.C. Art. 612(A)(2) and adds Ch.C. Arts. 612(A)(4) and 614(E))