

2015 Regular Session

HOUSE CONCURRENT RESOLUTION NO. 132

BY REPRESENTATIVE HENRY

A CONCURRENT RESOLUTION

To urge and request the Department of Children and Family Services and the Department of Health and Hospitals, jointly, to study prospective implementation of an information system to enhance the ability of health practitioners to identify child abuse, and to report findings of the study and recommendations to the legislative committees on health and welfare.

WHEREAS, two agencies of this state that are charged with critical public functions related to the health and well-being of children are the Department of Children and Family Services, referred to hereafter as "DCFS", and the Department of Health and Hospitals, referred to hereafter as "DHH"; and

WHEREAS, one of several areas in which the duties of the two departments intersect is in the realm of child welfare; and

WHEREAS, DCFS carries out the state's major tasks related to child welfare through its child welfare division, which works to protect children against abuse and neglect and to find permanent homes for foster children; and

WHEREAS, though less direct, the involvement of DHH in the child welfare system is still significant; and

WHEREAS, among the types of professionals who are classified by the provisions of Title VI of the Louisiana Children's Code as "mandatory reporters", and thus are required by law to report suspected child abuse and neglect, are health practitioners; and

WHEREAS, "health practitioner" is defined in Children's Code Article 603 as any individual who provides health care services, including a physician, surgeon, physical therapist, dentist, resident, intern, hospital staff member, podiatrist, chiropractor, licensed nurse, nursing aide, dental hygienist, any emergency medical technician, a paramedic, optometrist, medical examiner, or coroner, who diagnoses, examines, or treats a child or his family; and

WHEREAS, these health practitioners are licensed by regulatory boards and commissions created within DHH, and the great majority practice their professions in healthcare facilities that are licensed by the health standards section of DHH; and

WHEREAS, beyond the exercise of their duties as mandatory reporters, health practitioners play other key roles in the child welfare system as they treat victims of child abuse, provide expert testimony in abuse and neglect cases before courts of law, and advise others concerning the health dimensions of abuse; and

WHEREAS, because health practitioners are uniquely situated in the child welfare system, and because victims of abuse cannot be treated and cared for if the abuse is not identified, it is important that health practitioners are empowered to the greatest extent possible to carry out their duties as mandatory reporters of child abuse; and

WHEREAS, access to information on reports of prior abuse or neglect of a certain child could make the difference in whether a health practitioner is able to identify an instance of abuse of that child.

THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby urge and request the Department of Children and Family Services and the Department of Health and Hospitals, jointly, to study prospective implementation of an information system that would enhance the ability of health practitioners to identify child abuse.

BE IT FURTHER RESOLVED that the study to be conducted by the departments shall include an analysis of the feasibility and cost-effectiveness of operating a system through which health practitioners may access information on whether a specific child has been the subject of a prior report of suspected abuse or neglect.

BE IT FURTHER RESOLVED that in performing the analysis of the prospective information system requested by this Resolution, the departments shall consider the extent to which the system could be incorporated within existing technology infrastructure of the state, and shall prioritize cost-minimizing options for implementing the system.

BE IT FURTHER RESOLVED that the departments, jointly, shall submit a written report of recommendations for implementation of the system described in this Resolution, along with any other findings and recommendations relative to enhancing the ability of health practitioners to identify child abuse, to the House Committee on Health and Welfare

and the Senate Committee on Health and Welfare no later than sixty days prior to the convening of the 2016 Regular Session of the Legislature of Louisiana.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the secretary of the Department of Children and Family Services and the secretary of the Department of Health and Hospitals.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE