

2015 Regular Session

HOUSE BILL NO. 385

BY REPRESENTATIVE NANCY LANDRY

(On Recommendation of the Louisiana State Law Institute)

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

CHILDREN/ABUSE: Provides with respect to mandatory reporters

1 AN ACT

2 To amend and reenact Children's Code Article 603(17)(b), relative to mandatory reporters;
3 to define mental health/social service practitioner; to establish an exception for
4 certain mental health/social service practitioners; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. Children's Code Article 603(17)(b) is hereby amended and reenacted to
7 read as follows:

8 Art. 603. Definitions

9 As used in this Title:

10 * * *

11 (17) "Mandatory reporter" is any of the following individuals:

12 * * *

13 (b) "Mental health/social service practitioner" is any individual who provides
14 mental health care or social service diagnosis, assessment, counseling, or treatment,
15 including a psychiatrist, psychologist, marriage or family counselor, social worker,
16 behavioral health professional, member of the clergy, aide, or other individual who
17 provides counseling services to a child or his family. Notwithstanding any other
18 provision of law to the contrary, a mental health/social service practitioner shall not
19 be considered a mandatory reporter under the following limited circumstances: (i)
20 when the practitioner is engaged by an attorney to assist in the rendition of

Proposed law retains present law and adds behavioral health professional to the definition.

Proposed law further adds an exception to the definition for mental health/social service practitioners serving as part of the legal team rendering legal services to a client.

(Amends Ch.C. Art. 603(17)(b))