

2022 Regular Session

SENATE BILL NO. 62

BY SENATOR MIZELL

CHILDREN/FAMILY SERVICES DEPT. Provides relative to the state central registry.  
(8/1/22)

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AN ACT

To amend and reenact Children's Code Article 616.1.1, relative to appeals of determinations of abuse and neglect; to provide for notice of a determination; to provide for notice of appeal rights; to provide for the method of delivery of the notice; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Children's Code Article 616.1.1 is hereby amended and reenacted to read as follows:

Art. 616.1.1. Appeal and review; correction of central registry entries; procedure

A. When a report alleging abuse or neglect is determined to be justified by the department, the individual who is or was the subject of the determination may make a formal written request to the division of administrative law for an administrative appeal of the justified determination, in accordance with the procedures set forth in Title 67 of the Louisiana Administrative Code.

**B.(1) The department shall provide a written notice to the individual who is or was the subject of the determination in clear, concise, and understandable language that is easy to read, containing all of the following:**

1 (a) An explanation of the determination by the department.

2 (b) An explanation of the consequences of the determination.

3 (c) The individual's right to an administrative appeal.

4 (d) The specific procedure for requesting an appeal, including the  
5 deadline.

6 (e) The name and contact information of a department representative  
7 the individual may contact for additional information.

8 (2) The notice required by Paragraph (1) of this Subsection shall be sent  
9 to the individual who is or was the subject of the determination by certified  
10 mail.

11 ~~B.C.~~ The department shall promulgate, in accordance with the Administrative  
12 Procedure Act, all rules and regulations necessary to implement the provisions of this  
13 Article.

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The original instrument and the following digest, which constitutes no part  
of the legislative instrument, were prepared by Brandi Cannon.

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DIGEST

SB 62 Original

2022 Regular Session

Mizell

Present law provides, when a report alleging abuse or neglect is determined to be justified by the Dept. of Children and Family Services (DCFS), the individual who is the subject of the determination may make a formal written request to the division of administrative law for an administrative appeal of the justified determination, in accordance with the procedures promulgated by DCFS.

Proposed law retains present law and provides that DCFS shall provide a written notice to the individual in clear, concise, and understandable language that is easy to read, containing all of the following:

- (1) An explanation of the determination, including the consequences of the determination.
- (2) The individual's right to an administrative appeal and the specific procedure for requesting an appeal, including the deadline.
- (3) The name and contact information of a DCFS representative the individual may contact for additional information.

Proposed law provides that the notice shall be sent by certified mail.

Effective August 1, 2022.

(Amends Ch. C. Art. 616.1.1)