2024 Regular Session

HOUSE BILL NO. 335

BY REPRESENTATIVE CARVER

## CHILDREN/ABUSE: Provides relative to mandatory reporters of child abuse

1	AN ACT
2	To amend and reenact Children's Code Articles 603(17)(d), 609(A)(3)(a), and 610(A)(1),
3	relative to mandatory reporting of child abuse or neglect; to provide for definitions;
4	to provide for mandatory reporters who are teaching or child care providers; to
5	provide for mandatory reporting procedures and training requirements; and to
6	provide for related matters.
7	Be it enacted by the Legislature of Louisiana:
8	Section 1. Children's Code Articles 603(17)(d), 609(A)(3)(a), and 610(A)(1) are
9	hereby amended and reenacted to read as follows:
10	Art. 603. Definitions
11	As used in this Title:
12	* * *
13	(17) "Mandatory reporter" is any of the following individuals:
14	* * *
15	(d) "Teaching or child care provider" is any person who provides or assists
16	in the teaching, training and supervision of a child, including any public or private
17	teacher, teacher's aide, instructional aide, school principal, school staff member, bus
18	driver, coach, professor, technical or vocational instructor, technical or vocational
19	school staff member, college or university administrator, college or university staff
20	member, social worker, probation officer, foster home parent, group home or other

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CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

1	child care institutional staff member, personnel of residential home facilities, a
2	licensed or unlicensed day care provider, or any individual who provides such these
3	services to a child in a voluntary or professional capacity.
4	* * *
5	Art. 609. Mandatory and permitted reporting; training requirements
6	А.
7	* * *
8	(3)(a) To familiarize mandatory reporters, as defined by Children's Code
9	Article 603, with their legal mandate for reporting suspected child abuse and neglect,
10	such all mandatory reporters shall be offered training on the statutory requirements
11	and responsibility of reporting child abuse and neglect. This training shall be made
12	available by the child welfare division of the Department of Children and Family
13	Services or any other mechanism as approved by the department as long as it
14	includes information on the reporting procedure and the consequences of failing to
15	report.
16	* * *
17	Art. 610. Reporting procedure; reports to the legislature and the United States
18	Department of Defense Family Advocacy Program
19	A.(1) Reports of child abuse or neglect or that such the abuse or neglect was
20	a contributing factor in a child's death, where the abuser is believed to be a parent or
21	caretaker, a person who maintains an interpersonal dating or engagement relationship
22	with the parent or caretaker, or a person living in the same residence with the parent
23	or caretaker as a spouse whether married or not, shall be made immediately to the
24	department. A permitted reporter shall make a report through the designated state
25	child protection reporting hotline telephone number or in person at any child welfare
26	office. A mandatory reporter shall make a report through the designated state child
27	protection reporting hotline telephone number, via the Louisiana Department of
28	Children and Family Services Mandated Reporter Portal online, or in person at any
29	child welfare office. Reports in which the abuse or neglect is believed to be

1 perpetrated by someone other than a caretaker, a person who maintains an 2 interpersonal dating or engagement relationship with the parent or caretaker, or a 3 person living in the same residence with the parent or caretaker as a spouse whether 4 married or not, and the caretaker is not believed to have any responsibility for the abuse or neglect shall be made immediately to a local or state law enforcement 5 6 agency. Dual reporting to both the department and the local or state law enforcement agency is permitted. If a report involves alleged sex trafficking, all mandatory 7 8 reporters shall report to the department regardless of whether there is alleged 9 parental or caretaker culpability.

10 \* \*

## DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 335 Original2024 Regular SessionCarver

Abstract: Provides relative to mandatory reporters of child abuse.

Proposed law modifies certain definitions in present law and otherwise retains present law.

<u>Present law</u> provides that certain mandatory reporters shall be offered training on the statutory requirements and responsibility of reporting child abuse and neglect.

<u>Proposed law</u> requires all mandatory reporters to be offered training on the statutory requirements and responsibility of reporting child abuse and neglect and otherwise retains <u>present law</u>.

(Amends Ch.C. Arts. 603(17)(d), 609(A)(3)(a), and 610(A)(1))