

2026 Regular Session

SENATE BILL NO. 237

BY SENATOR BARROW

CHILDREN. Provides relative to child welfare. (8/1/26)

1 AN ACT  
2 To amend and reenact R.S. 24:525(C)(5), (6), and (13) and (D) through (G), R.S.  
3 46:56(F)(1), (2), (8), (9)(e) and (g), and (10)(a), Children's Code Arts. 508, 511(D),  
4 609(A)(3), the introductory paragraph of 610(A), the introductory paragraph of  
5 610(A)(1), the introductory paragraph of 610(A)(2), 610(A)(3) and (4)(a), and (D)  
6 through (H), 612(A), (B), and (C), 619(A)(1), 620(A), and 725.5(A), to enact R.S.  
7 17:15.1, R.S. 24:525(C)(14) and (H), R.S. 42:17(A)(12), R.S. 46:51(17), Children's  
8 Code Arts. 512(E), 524(B)(13), and 603(17)(p), and to repeal Children's Code Arts.  
9 509 and 610(I), relative to child welfare; to require schools to report allegations of  
10 child abuse by school employees; to provide for the duties and responsibilities of the  
11 state child ombudsman; to provide for the duties and responsibilities of the  
12 Department of Children and Family Services; to provide for exceptions to public  
13 meetings; to provide for confidentiality; to provide for multidisciplinary investigative  
14 teams; to provide for forensic interviews; to provide for definitions; to provide for  
15 mandatory reporter training; to provide for child abuse and neglect reporting  
16 procedures; to provide for the assignment of reports for investigation and  
17 assessment; to provide for instanter custody orders; and to provide for related

1 matters.

2 Be it enacted by the Legislature of Louisiana:

3 Section 1. R.S. 17:15.1 is hereby enacted to read as follows:

4 **§15.1. Reporting allegations of abuse; school employees; requirements**

5 **A. In addition to the mandatory reporter requirements provided for in**  
6 **Children's Code Article 610, a principal or school administrator shall**  
7 **immediately report to the state Department of Education if an allegation of**  
8 **physical or sexual abuse of a student has been made against a school employee.**

9 **B. Law enforcement shall notify the state Department of Education of**  
10 **the disposition of any investigation involving an allegation of physical or sexual**  
11 **abuse of a student by a school employee.**

12 **C. The state Department of Education shall maintain a database of all**  
13 **reports and the disposition of each report received from law enforcement.**

14 **D. Each school shall check the database prior to hiring any employee to**  
15 **assess whether previous allegations have been made against the prospective**  
16 **employee or if a pattern of allegations exists.**

17 **E. A person acting in good faith who reports or assists in the**  
18 **investigation of a report or who testifies or otherwise participates in a**  
19 **disciplinary process or judicial proceeding arising from a report shall be**  
20 **immune from civil liability and from criminal liability that might otherwise be**  
21 **incurred or imposed as a result of those actions.**

22 **F. For purposes of this Section, "school" means a public school, charter**  
23 **school, or private school.**

24 Section 2. R.S. 24:525(C)(5), (6), and (13) and (D) through (G) are hereby amended  
25 and reenacted and R.S. 24:525(C)(14) and (H) are hereby enacted to read as follows:

26 §525. State child ombudsman; duties

27 \* \* \*

28 C. The state child ombudsman shall have all of the following duties and  
29 responsibilities:

\* \* \*

(5) Periodically review the facilities and procedures of any institution or ~~residences~~ **residence**, public or private, where a child has been placed by any state agency or department.

(a) For purposes of this Section, the term "~~residences~~ **residence**" means congregate care facilities and does not include foster homes.

(b) For purposes of this Section, the term "access" means policies and availability of services.

(6) Recommend changes in state policies concerning children, including changes in the system of providing juvenile justice, ~~child-care~~ **childcare** assistance, foster care, and access to physical and mental health treatment.

\* \* \*

**(13) Notify the senator and representative who represent the district in which the death of any child whose death or injury is the subject of an alleged child abuse or neglect investigation within twenty-four hours of being notified by the department. The notification shall not include any identifying information.**

~~(13)~~**(14) Notify the senator and representative who represent the district in which a child has died as a result of abuse or neglect, within twenty-four hours of his knowledge being notified by the department of the death of the child. The notification shall include the information provided to the state child ombudsman pursuant to Subparagraphs (E)(2)(b) through (f) of this Section.**

D.~~(1)~~ Any state agency having responsibility for the custody or care of children shall provide monthly notice to the state child ombudsman of the death of a child in its custody or care.

~~(2)~~**E.** The Department of Children and Family Services shall notify the state child ombudsman ~~within three business days of receiving information~~ on the death of any child that had been reported to the department for alleged child abuse or neglect **that resulted in a child fatality or near fatality in accordance with the**

1 **following:-**

2 **(1) The Department of Children and Family Services shall notify the**  
3 **state child ombudsman in writing within three business days of receiving**  
4 **information on the death or near fatality of any child whose death or injury is**  
5 **the subject of a child abuse or neglect investigation. The notification shall**  
6 **include:**

7 **(a) The date of the child's death or near fatality.**

8 **(b) The age of the child at death or near fatality.**

9 **(c) The gender of the child.**

10 **(d) The parish of the child's death or near fatality.**

11 **(e) Information regarding prior department involvement, including:**

12 **(i) Whether the child's caretaker had previously been reported to the**  
13 **department for alleged child abuse or neglect of any child.**

14 **(ii) Whether the child who suffered the near fatality or fatality had**  
15 **previously been the subject of a child abuse or neglect report or investigation.**

16 **(iii) Whether the child's fatality or near fatality occurred during an**  
17 **active child protective services investigation or an open family services case.**

18 **(f) The assigned intake identification number.**

19 **(g) The date on which the report was accepted for investigation.**

20 **(2) The Department of Children and Family Services shall notify the**  
21 **state child ombudsman within three business days after the conclusion of an**  
22 **investigation into a fatality or near fatality of any child when it has been**  
23 **determined that the death or near fatality was a result of abuse or neglect. The**  
24 **notification shall include:**

25 **(a) The assigned intake investigation number if one had already been**  
26 **assigned and reported to the ombudsman or provided and indicated as new if**  
27 **one had not been previously provided.**

28 **(b) The date of the child's death or near fatality.**

29 **(c) The age of the child at death or near fatality.**

1                    (d) The gender of the child.

2                    (e) The parish of the child's residence and parish of the child's death or  
3 near fatality, if different.

4                    (f) Child's name, if previously made public.

5                    (g) Circumstances surrounding the child's death.

6                    (h) Updated information regarding prior department involvement if such  
7 new information is available since the department's reporting pursuant to  
8 Subparagraph (1)(e) of this Subsection, including:

9                    (i) Whether the child's caretaker or alleged perpetrator had previously  
10 been reported to the department for alleged child abuse or neglect of any child.

11                    (ii) Whether the child who suffered the near fatality or fatality had  
12 previously been the subject of a child abuse or neglect report or investigation.

13                    (iii) Whether the child's fatality or near fatality occurred during an  
14 active child protective services investigation or an open family services case.

15                    (3) The Department of Children and Family Services shall notify the  
16 state child ombudsman within three business days after the conclusion of an  
17 investigation by the department into a fatality or near fatality of any child when  
18 it has been determined by the department that the death or near fatality was not  
19 a result of abuse or neglect. The department shall provide the assigned intake  
20 identification number provided pursuant to Subparagraph (E)(1)(f) of this  
21 Section.

22                    ~~E.F.~~ The standing committee of each house of the legislature having  
23 responsibility for oversight shall perform a biennial review and evaluation of the  
24 state child ombudsman and the provisions of this Section.

25                    ~~F.G.~~ Notwithstanding any other provision of law to the contrary and to the  
26 extent allowed by federal law, the state child ombudsman shall **have unrestricted**  
27 **remote access to departmental computer networks, including access to any and**  
28 **all case management systems, databases and department policy and procedure**  
29 **systems, pertaining to state agencies that provide services to children through**



1 Section 4. R.S. 46:56(F)(1), (2), (8), (9)(e) and (g), and (10)(a) are hereby amended  
2 and reenacted and R.S. 46:51(17) is hereby enacted to read as follows:

3 §51. Duties of the department

4 The Department of Children and Family Services, through its secretary, shall  
5 administer the public assistance and welfare laws of the state as follows:

6 \* \* \*

7 **(17) Establish a law enforcement liaison position for each region of the**  
8 **state. Each law enforcement liaison shall have previous law enforcement**  
9 **experience and shall serve as a resource to determine cases that are appropriate**  
10 **for law enforcement referrals and facilitate joint investigations between the**  
11 **department and law enforcement.**

12 \* \* \*

13 §56. Applications and client case records; definitions; confidentiality; waiver;  
14 penalty

15 \* \* \*

16 F. The following information shall not be subject to waiver and shall not be  
17 released to applicants, recipients, or outside sources, except those outside sources  
18 engaged in the administration of the programs of the department or when specifically  
19 authorized by law:

20 (1) Records pertaining to foster care of children, investigations of abuse and  
21 neglect of children, and other child welfare services. For the purposes of this  
22 Paragraph, case records of children in abuse and neglect and foster care cases may  
23 be reviewed by **the state child ombudsman pursuant to R.S. 24:525**, attorneys  
24 who are appointed by a court of juvenile jurisdiction to represent the sole interest of  
25 the children, and pursuant to court order, such case records may be reviewed by  
26 court-appointed special advocates appointed pursuant to Children's Code Article  
27 424.1. Prior to a court hearing, the department may provide to such attorneys and  
28 court-appointed special advocates copies of the most recent case plan for the child  
29 and his family, the most recent court order and court report, and the child's most

1 recent medical ~~report~~ **reports, including but not limited to psychological**  
2 **counseling and behavioral health assessments.** Additionally, pursuant to Children's  
3 Code Article 616, a judge of a court exercising juvenile jurisdiction may request, in  
4 writing to the department, central registry record checks. However, in no instance  
5 shall the name or identifying information regarding a complainant in neglect and  
6 abuse cases or the case records of the foster parents be subject to such review. The  
7 department may, however, provide foster parents all information from the  
8 department's records and from other records to which the department has access  
9 concerning a child in the foster home, and concerning the child's family, where such  
10 information is necessary for the foster parents to properly care for the child. The  
11 department may also provide surrogate parents representing the special education  
12 interests of children in the department's custody with all information from the  
13 department's records and from other records to which the department has access  
14 where such information is necessary for the surrogate parents to properly advocate  
15 for the children. In any child custody proceeding, after the issue has been raised of  
16 the potential existence of a relevant departmental record concerning the abuse or  
17 neglect of a child who is the subject of that proceeding, the judge may contact the  
18 local child protection unit to determine if such a record exists. If the department has  
19 a substantiated report pursuant to Children's Code Article 615(B)(1) through (3), the  
20 local child protection unit shall verbally advise the judge that such report is in the  
21 possession of the unit. If the court finds that information which may be contained in  
22 the report is necessary for an issue before the court, the court may order the release  
23 of such information. If the report was unsubstantiated, such records shall be sealed  
24 and accessible only pursuant to Children's Code Article 615.

25 (2) Information furnished to the department by persons, governmental  
26 agencies, or other legal entities when such furnisher of information is subject to a  
27 confidentiality statute or regulation which prohibits release of such information to  
28 an outside source, ~~and~~

29 \* \* \*

1 (8)(a) Case records involving investigation of reports of child abuse and  
2 neglect shall be confidential in order to protect the rights of the child and his parents  
3 or guardians. Information contained in such records shall only be made available as  
4 provided in this Section or applicable state or federal laws or regulations.

5 (b) The department shall not disclose identifying information concerning an  
6 individual who initiated a report or complaint of alleged child abuse or neglect,  
7 except that the department shall disclose such information:

8 **(i) To law enforcement involved in the investigation of a report or**  
9 **complaint.**

10 **(ii) Pursuant** ~~pursuant~~ to a court order after such court has reviewed, in  
11 camera, the department's case record and finds reason to believe that the reporter  
12 knowingly made a false report.

13 (9) Notwithstanding any other provision of this Section, limited public  
14 disclosure of summary information contained in the child abuse or neglect records  
15 of the Department of Children and Family Services may be made as follows:

16 \* \* \*

17 (e) The department shall not publicly disclose any information concerning the  
18 individual initiating a report or complaint. **Providing information to law**  
19 **enforcement for purposes of investigating a report or complaint shall not be**  
20 **considered publicly disclosing the information.**

21 \* \* \*

22 (g) Nothing in this Paragraph shall limit the authority of the department to  
23 disclose requested information to the parent or guardian of an abused or neglected  
24 child as otherwise provided by law, **unless the parent or guardian is the alleged**  
25 **perpetrator or living with or in a relationship with the alleged perpetrator.**

26 \* \* \*

27 (10)(a) Upon written request, the department shall disclose limited  
28 information contained in child abuse or neglect records or reports to the following:

29 (i) An examining ~~physician~~ **healthcare provider** of a child whom he

1 reasonably believes has been abused or neglected.

2 (ii) A committee or subcommittee of the legislature which has subject matter  
3 jurisdiction over child protection legislation according to the rules of the respective  
4 house, provided that such information is reviewed in closed session and kept  
5 confidential.

6 (iii) The executive director of a ~~day care center~~ **an early learning center** or  
7 residential provider, provided that the use of such information is limited to a  
8 confidential employee disciplinary investigation of alleged abuse or neglect of a  
9 child within that facility and the employee who is the subject of the disciplinary  
10 investigation is the subject of the requested information. ~~However, the department~~  
11 ~~shall have the authority to fine, revoke, or suspend the license of any day care center~~  
12 ~~or residential provider, after due notice and a hearing, if the executive director~~  
13 ~~releases the confidential information to an unauthorized person or persons. The~~  
14 ~~proceedings shall be conducted in accordance with rules and regulations to be~~  
15 ~~promulgated by the department.~~

16 (iv) The attorney who represents the child, the ~~day care~~ **early learning**  
17 center, or an employee of the ~~day care~~ **early learning** center.

18 \* \* \*

19 Section 5. Children's Code Arts. 508, 511(D), 609(A)(3), the introductory paragraph  
20 of 610(A), the introductory paragraph of 610(A)(1), the introductory paragraph of 610(A)(2),  
21 610(A)(3) and (4)(a), and (D) through (H), 612(A), (B), and (C), 619(A)(1), 620(A), and  
22 725.5(A) are hereby amended and reenacted and Children's Code Arts. 512(E), 524(B)(13),  
23 and 603(17)(p) are hereby enacted to read as follows:

24 Art. 508. Multidisciplinary investigative team; scope of responsibility

25 A. ~~Not later than February 15, 2004, a~~ **A** multidisciplinary investigative team  
26 shall be established for the investigation of child abuse within each judicial district.

27 B. The team shall be responsible for the investigation of all child sexual  
28 abuse cases, abuse and neglect cases involving allegations of the commission of a  
29 felony-grade crime against a child, and any other case involving trauma to a child,

1 in accordance with their agency scope of services, which is referred to the team by  
2 any member and accepted by the team for investigation in compliance with the  
3 interagency protocols developed and instituted in accordance with ~~Articles 509 and~~  
4 **Article** 510 of this Part.

5 **C. Any child that the Department of Children and Family Services or**  
6 **law enforcement has received a report of suspected sexual or serious physical**  
7 **abuse shall be referred to a child advocacy center for a forensic interview. The**  
8 **department or law enforcement agency shall notify the child advocacy center**  
9 **within seventy-two hours of receiving the report and the child advocacy center**  
10 **shall notify members of the appropriate multidisciplinary team within twenty-**  
11 **four hours. Every child advocacy center shall accept referrals from both the**  
12 **department and law enforcement. The multidisciplinary team shall meet to**  
13 **review any case in which a forensic interview has occurred. Law enforcement**  
14 **or the department shall not close a case in which a forensic interview has**  
15 **occurred prior to the multidisciplinary team review.**

16 ~~C.D.~~ Each team shall develop and institute interagency protocols in  
17 accordance with ~~Articles 509~~ **this Article** and **Article** 510 of this Part **and shall**  
18 **update the protocols as necessary.**

19 \* \* \*

20 Art. 511. Forensic interviewer; qualifications

21 \* \* \*

22 D. The cost of employing and training the forensic interviewer is to be  
23 decided on in the interagency protocols developed and instituted in accordance with  
24 ~~Articles 509 and~~ **Article** 510 of this Part, and is not the responsibility of member  
25 agencies unless agreed to in the protocols.

26 Art. 512. Composition of the multidisciplinary investigative team

27 \* \* \*

28 **E. Each governmental entity provided for in Paragraph B of this Article**  
29 **shall have a representative in attendance at each multidisciplinary team**

1 meeting. Each child advocacy center shall submit the attendance records for  
 2 each multidisciplinary team in the center's jurisdiction to the attorney general  
 3 every six months. The attorney general shall review the records for compliance  
 4 with this Article and shall notify any agency that is out of compliance.

5 \* \* \*

6 Art. 524. Responsibilities

7 \* \* \*

8 B. A child advocacy center shall be governed and managed so as to provide  
 9 at a minimum, for the following:

10 \* \* \*

11 (13) Specialized policies for conducting forensic interviews with children  
 12 with disabilities or children who require special accommodations.

13 \* \* \*

14 Art. 603. Definitions

15 As used in this Title:

16 \* \* \*

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

18 \* \* \*

19 (p) A court-appointed supervised visit monitor.

20 \* \* \*

21 Art. 609. Mandatory and permitted reporting; training requirements

22 A. With respect to mandatory reporters:

23 \* \* \*

24 ~~(3)(a) To familiarize mandatory reporters, as defined by Children's Code~~  
 25 ~~Article 603, with their legal mandate for reporting suspected child abuse and neglect,~~  
 26 such mandatory **Mandatory** reporters shall be offered **complete annual** training on  
 27 the statutory requirements and responsibility of reporting child abuse and neglect  
 28 and how to identify the signs and symptoms of child neglect and abuse,  
 29 including sexual abuse and human trafficking. ~~This~~ The training shall be made

1 available by ~~the child welfare division of the Department of Children and Family~~  
2 ~~Services or any other mechanism as approved by the department as long as it~~  
3 ~~includes information on the reporting procedure and the consequences of failing to~~  
4 ~~report. **The department may provide for an annual competency assessment**~~  
5 ~~**which may be used to satisfy the training requirement.**~~

6 (b) Each mandatory reporter may obtain mandatory reporting training as each  
7 mandatory reporter believes to be necessary in accordance with Subsubparagraph (a)  
8 or (d) of this Subparagraph.

9 (e)(b) The appropriate state regulatory department, board, commission, or  
10 agency for each category of mandatory reporter ~~may~~ **shall** provide continuing  
11 education credit for the completion of the training pursuant to this Paragraph.

12 (d) ~~Any entity, including but not limited to hospitals, educational and~~  
13 ~~religious institutions, and nonprofits, may provide its employees, volunteers, or~~  
14 ~~educational attendees with equivalent training pursuant to Subsubparagraph (a) of~~  
15 ~~this Subparagraph.~~

16 \* \* \*

17 Art. 610. Reporting procedure; reports to the legislature and the United States

18 Department of Defense Family Advocacy Program

19 A. A reporter shall immediately report **to the Department of Children and**  
20 **Family Services as provided in Subparagraph (4) of this Paragraph** suspected  
21 child abuse or neglect or that child abuse or neglect was a contributing factor in a  
22 child's death, ~~in the following ways:~~

23 (1) ~~To the Department of Children and Family Services~~ **The department**  
24 **shall initiate and conduct an investigation pursuant to Article 612** if the reporter  
25 ~~has reason to believe~~ **indicates** that the perpetrator is any of the following:

26 \* \* \*

27 (2) ~~To a~~ **The department shall send the report to the appropriate** local or  
28 state law enforcement agency **pursuant to Paragraph E of this Article and the**  
29 **appropriate law enforcement agency shall initiate and conduct an investigation**

1 if the reporter ~~has reason to believe~~ **indicates** that the perpetrator is any of the  
2 following:

3 \* \* \*

4 (3) Dual reporting to both the department and the local or state law  
5 enforcement agency is permitted. However, the agency who receives a report  
6 pursuant to ~~Subparagraph (1) or (2)~~ of this Paragraph shall be the agency responsible  
7 for accepting and acting on the report and shall ensure referral to other agencies as  
8 necessary.

9 (4) Reports to the department shall be made as follows:

10 (a) A mandatory reporter shall make a report of suspected abuse or neglect  
11 requiring immediate assistance via the designated state child protection reporting  
12 hotline telephone number. A report of suspected abuse or neglect which is of a  
13 nonemergency nature may be reported via the Louisiana Department of Children and  
14 Family Services Mandated Reporter Portal. Reports may also be made in person at  
15 any child welfare office. **In receiving any report of child abuse or neglect, the**  
16 **department or law enforcement agency shall clearly inform the reporter that,**  
17 **unless the reporter requests anonymity, that the department or law enforcement**  
18 **agency may contact the reporter directly to obtain further information during**  
19 **the investigation.**

20 \* \* \*

21 ~~D. If the initial report was in oral form by a mandatory reporter, it shall be~~  
22 ~~followed by a written report made within five days via the online Mandated Reporter~~  
23 ~~Portal of the department or by mail to the centralized intake unit of the department~~  
24 ~~at the address provided on the website of the department; or, if necessary, to the local~~  
25 ~~law enforcement agency. The reporter may use a form for the written report, which~~  
26 ~~shall be developed, approved, and made available by the Department of Children and~~  
27 ~~Family Services. The form is optional and may be available electronically on the~~  
28 ~~department's website.~~

29 ~~E.D.~~(1) All reports made to any local or state law enforcement agency

1 involving abuse or neglect in which an individual provided for in Subparagraph  
2 (A)(1) of this Article is believed responsible shall be reported to the department  
3 within twenty-four hours in accordance with Paragraph A of this Article.

4 (2)(a) All reports made to the department involving abuse or neglect in which  
5 someone other than an individual provided for in Subparagraph (A)(1) of this Article  
6 is believed to be responsible shall be reported to the appropriate law enforcement  
7 agency within twenty-four hours by telephone. **The department shall notify the**  
8 **reporter of the specific law enforcement agency where the report was referred.**

9 (b) The department also shall report all cases of child death which involve  
10 a suspicion of abuse or neglect as a contributing factor in the child's death to the  
11 local and state law enforcement agencies, the office of the district attorney, **the state**  
12 **child ombudsman,** and the coroner.

13 (3) Reports involving a felony-grade crime against a child shall be promptly  
14 communicated to the appropriate law enforcement authorities as part of the  
15 interagency protocols for multidisciplinary investigations of child abuse and neglect  
16 in each judicial district as provided in ~~Articles 509 and~~ **Article** 510.

17 (4) The department shall communicate as soon as possible all reports  
18 involving alleged child victims of sex trafficking to the Louisiana State Police for  
19 referral to the appropriate local law enforcement agency for investigation or other  
20 action as appropriate.

21 ~~F.E.~~ Any commercial film or photographic print processor who has  
22 knowledge of or observes, within the scope of this professional capacity or  
23 employment, any film, photograph, video tape, negative, or slide depicting a child  
24 who he knows or should know is under the age of seventeen years, which constitutes  
25 child pornography or child sexual abuse materials as defined in Article 603, shall  
26 report immediately to the local law enforcement agency having jurisdiction over the  
27 case. The reporter shall provide ~~a copy of~~ the film, photograph, videotape, negative,  
28 or slide to the agency receiving the report.

29 ~~G.F.~~(1) If a physician has cause to believe that a newborn was exposed in

1 utero to an unlawfully used controlled dangerous substance, as defined by R.S.  
2 40:961 et seq., the physician shall order a toxicology test upon the newborn, without  
3 the consent of the newborn's parents or guardian, to determine whether there is  
4 evidence of prenatal neglect. If the test results are positive, the physician shall issue  
5 a report, as soon as possible, in accordance with this Article. If the test results are  
6 negative, all identifying information shall be obliterated if the record is retained,  
7 unless the parent approves the inclusion of identifying information. Positive test  
8 results shall not be admissible in a criminal prosecution.

9 (2) If there are symptoms of withdrawal in the newborn or other observable  
10 and harmful effects in his physical appearance or functioning that a physician has  
11 cause to believe are due to the chronic or severe use of alcohol by the mother during  
12 pregnancy or are the effects of fetal alcohol spectrum disorder, the physician shall  
13 issue a report in accordance with this Article.

14 ~~H.G.~~(1) All instances of alleged child abuse that occur in a school setting  
15 shall be immediately reported **by the school** to the child's parent or legal guardian  
16 and to ~~local or state law enforcement~~ **the Department of Children and Family**  
17 **Services**, regardless of the alleged perpetrator.

18 (2) If more than one child is involved in the allegations, the school shall  
19 immediately report to the parent or legal guardian of all involved children.

20 (3) **The Department of Children and Family Services shall immediately**  
21 **notify law enforcement if the alleged perpetrator is any individual identified in**  
22 **Subparagraph (A)(2) of this Article.** Law enforcement shall begin an investigation  
23 of the allegations within forty-eight hours of receiving the report.

24 (4) If more than one child is involved in the allegations, law enforcement  
25 shall interview the parent or legal guardian of all children involved.

26 (5) Any sexual abuse cases in which the alleged perpetrator is a child shall  
27 be ~~referred to~~ **accepted by** the Department of Children and Family Services. The  
28 department shall assess the family of the child victim and the alleged child  
29 perpetrator to ensure child safety and well-being in accordance with Children's Code

1 Article 612(A)(3).

2 (6) For purposes of this Article, the following definitions shall apply:

3 (a) "School setting" means in a school building, on school grounds, in school  
4 vehicles, or at any activities sponsored by a **public, private, or charter** school.

5 (b) "Sexual abuse" means the perpetration or attempted perpetration of R.S.  
6 14:41, 42, 42.1, 43, 43.1, 43.2, 43.3, 43.4, 80, 81, 81.1, 81.2, 86, 89, or 89.1.

7 ~~1.H.~~(1) The provisions of this Paragraph shall be known and may be cited as  
8 The Alfred C. Williams Child Protection Act.

9 \* \* \*

10 Art. 612. Assignment of reports for investigation and assessment

11 A. (1) Upon receiving a report of abuse or neglect of a child ~~who is not in the~~  
12 ~~custody of the state, the local child protection unit~~ of the department shall promptly  
13 **immediately** assign a level of risk to the child based on the information provided by  
14 the reporter.

15 (2) Reports of high and intermediate levels of risk shall be **immediately**  
16 investigated ~~promptly~~. This investigation shall include a preliminary investigation  
17 as to the nature, extent, and cause of the abuse or neglect and the identity of the  
18 person actually responsible for the child's condition. This preliminary investigation  
19 shall include an inquiry as to whether there is reason to know that the child is an  
20 Indian child. This preliminary investigation shall also include an interview with the  
21 child and the child's parents or other caretaker and shall include consideration of all  
22 available medical information provided to the department pertaining to the child's  
23 condition. **If the report is of sexual abuse, the preliminary interview with the**  
24 **child shall only be to assess the immediate safety of the child and a forensic**  
25 **interview at a child advocacy center shall be scheduled immediately.** This  
26 preliminary investigation shall also include an immediate assessment of any existing  
27 visitation or custody order or agreement involving the alleged perpetrator and the  
28 child. The department shall request a temporary restraining order pursuant to Article  
29 617, a protective order pursuant to Article 618, or an instanter safety plan order

1           pursuant to Article 619 or 620 if the department determines that any previously  
2           ordered visitation or custody would put the child's health, welfare, and safety at risk.  
3           Admission of the investigator on school premises or access to the child in school  
4           shall not be denied by school personnel. However, the request for a temporary  
5           restraining order or a protective order in accordance with this Article shall not  
6           independently confer exclusive jurisdiction on the juvenile court in accordance with  
7           Article 303.

8           (3) In lieu of an investigation, reports of low levels of risk ~~and reports from~~  
9           ~~law enforcement of child sexual abuse as provided for in Article 610~~ may be  
10          assessed promptly through interviews with the family to identify needs and available  
11          match to community resources. If during this assessment, it is determined that a child  
12          is at immediate substantial risk of harm, the local child protection unit shall promptly  
13          **immediately** conduct ~~or participate in~~ an intensive investigation.

14          **(4) Any reports of sexual abuse in which the alleged perpetrator shall be**  
15          **assessed immediately through interviews with family of the child victim and the**  
16          **alleged child perpetrator to identify needs and available match to community**  
17          **resources. If during this assessment, it is determined that a child is at immediate**  
18          **substantial risk of harm, the local child protection unit shall immediately**  
19          **conduct an intensive investigation.**

20          ~~(4)(5)~~ During the investigation of a report from a treating health care  
21          practitioner of physical **or sexual** abuse of a child ~~who is not in custody of the state,~~  
22          ~~at the request and expense of the child's parent or caregiver,~~ the department shall  
23          provide copies of all medical information pertaining to the child's condition or  
24          treatment obtained during the investigation to a board certified child abuse  
25          pediatrician for purposes of conducting an independent review of the information.  
26          Any resulting report shall be provided to the department and to the child's parent or  
27          caretaker and shall be utilized in the department's ongoing assessment of risk and to  
28          determine what action may be necessary to protect the health, welfare, and safety of  
29          the child. Nothing in this Subparagraph shall be construed to prohibit granting an

1 instanter removal order pursuant to Article 615(B).

2 B. All persons, including without limitation mandatory and permissive  
3 reporters, shall cooperate fully with investigative procedures, including independent  
4 investigations and psychological evaluations of the child ~~initiated by the parent on~~  
5 ~~behalf of the child~~. The provisions of this Paragraph shall not require the disclosure  
6 of any communications between an attorney and his client or any confession or other  
7 sacred communication between priest, rabbi, duly ordained minister, or Christian  
8 Science practitioner and his communicant.

9 C. All interviews of the child or his parents conducted in the course of a child  
10 protective investigation shall be tape-recorded, ~~if requested by the parent or parents~~.

11 \* \* \*

12 Art. 619. Instanter custody orders; instanter safety plan orders

13 A.(1) A peace officer, district attorney, or employee of the local child  
14 protection unit of the department may file a verified complaint alleging facts  
15 showing that there are reasonable grounds to believe that the child is in need of care  
16 and that emergency removal or the implementation of a safety plan is necessary to  
17 secure the child's health, welfare, and safety. **The department shall request**  
18 **instanter custody of any child that is in the custody of another state and located**  
19 **in Louisiana until the child can be returned to the state of original jurisdiction.**

20 \* \* \*

21 Art. 620. Oral instanter orders

22 A.(1) In exceptional circumstances, the facts supporting the issuance of an  
23 instanter order and the exceptional circumstances may be relayed orally, including  
24 telephonically, to the judge, and the order directing that a child be taken into custody  
25 or, upon request by the state, that an instanter safety plan order be implemented may  
26 be issued orally.

27 **(2) An oral instanter order may be executed if the department requests**  
28 **instanter custody of any child that is in the custody of another state and located**  
29 **in Louisiana until the child can be returned to the state of original jurisdiction.**



child ombudsman of the death of any child that had been reported to the department for alleged child abuse or neglect.

Proposed law requires DCFS to provide notification to the state child ombudsman upon DCFS receiving information of the death or near fatality of any child whose death or injury is the subject of a child abuse or neglect investigation and after the conclusion of the investigation. Proposed law further provides for specific information to be included in the notification.

Present law authorizes the state child ombudsman to have permission, upon request, to view and use documents and records relevant to the ombudsman's statutory authority.

Proposed law retains present law and additionally authorizes the ombudsman to have unrestricted remote access to department computer networks and systems for any state agency that provides services to children through state funds. Proposed law further prohibits the ombudsman from disclosing identifying information of a reporter of alleged child abuse or neglect contained within any network or system.

#### **Title 42**

Present law provides for reason in which a public body may hold executive session.

Proposed law adds testimony including identifying information and explicit details related to physical or sexual abuse of children as an allowable reason to hold executive session.

#### **Title 46**

Present law provides for the duties of DCFS.

Proposed law requires the department to establish a law enforcement liaison position for each region of the state and provide for qualification and responsibilities for the position.

Present law provides relative to access of records pertaining to foster care of children, investigations of abuse and neglect of children, and other child welfare services and provides instances where the records may be reviewed.

Proposed law allows the state child ombudsman to review the records.

Present law provides that case records involving investigation of reports of child and abuse and neglect are confidential and prohibits the disclosure of identifying information concerning an individual who reported alleged abuse or neglect except pursuant to certain court orders.

Proposed law authorizes DCFS to disclose identifying information of the reporter to law enforcement that is involved in the investigation of a report or complaint.

Present law authorizes DCFS to disclose requested information to the parent or guardian of an abused or neglected child.

Proposed law provides that DCFS's authority to share the information with the parent or guardian is limited if either is the alleged perpetrator or is living with or in a relationship with the alleged perpetrator.

Proposed law updated terminology and references to DCFS licensure of day care centers.

#### **Children's Code**

Present law requires the establishment of a multidisciplinary investigative team (MDT) for the investigation of child abuse in each judicial district and provides for the referral of cases

to the team in accordance with interagency protocols developed and instituted pursuant to present law.

Proposed law requires DCFS and law enforcement to refer any child that the department or agency has received a report of suspected sexual or serious physical abuse to a child advocacy center (CAC) for a forensic interview. Proposed law further requires DCFS or the law enforcement agency to notify the CAC within 72 hours of receiving the report and requires the CAC to notify the MDT within 24 hours.

Proposed law requires every CAC to accept referrals from both DCFS and law enforcement.

Proposed law requires the MDT to meet to review any case in which a forensic interview has occurred and prohibits DCFS or law enforcement from closing any case in which a forensic interview has occurred prior to the MDT review.

Present law provides for a drafting committee to confect interagency protocols for the MDTs in each judicial district no later than Aug. 15, 2006.

Proposed law repeals present law.

Present law provides for the composition of MDT teams including the following governmental entities: DCFS, the district attorney, the sheriff and other law enforcement agencies having responsibility in the district for the investigation of child abuse, the coroner or his designee who is a licensed medical professional with experience in the investigation of child abuse or the evaluation of child victims.

Proposed law provides that each governmental entity is required to have a representative at each MDT meeting. Proposed law further requires each CAC to submit the attendance records for each MDT in the CAC's jurisdiction to the attorney general every six months and requires the attorney general to review the records for compliance and notify any agency that is out of compliance.

Present law provides for the responsibilities and minimum standards for each CAC.

Proposed law required each CAC to have specialized policies for conducting forensic interviews with children with disabilities or who require special accommodations.

Present law defines "mandatory reporter".

Proposed law adds court-appointed supervised visit monitors as a mandatory reporter.

Present law requires mandatory reporters to be offered training made available by DCFS on the statutory requirements and responsibility of reporting child abuse and neglect and allows mandatory reporters to obtain training as the reporter believes is necessary.

Present law further allows any entity, including but not limited to hospitals, educational and religious institutions, and nonprofits to provide its employees, volunteers, or educational attendees with training that is equivalent to the DCFS training.

Proposed law repeals present law and requires all mandatory reporters to complete annual training provided by DCFS and requires the training to include the statutory requirements and responsibility of reporting child abuse and neglect and how to identify signs and symptoms of child neglect and abuse, including sexual abuse and human trafficking.

Proposed law further authorizes DCFS to provide for an annual competency assessment which may be used to satisfy the training requirement.

Present law requires reporters to report suspected child abuse or neglect to DCFS if the reporter believes the perpetrator is a parent, caretaker, or other individual identified in

present law and to report to law enforcement if the suspected perpetrator is a school employee or other individual not under DCFS's investigative jurisdiction.

Proposed law requires reporters to report all suspected child abuse or neglect to DCFS and requires DCFS to either investigate or refer the report to law enforcement.

Proposed law requires DCFS or law enforcement to clearly inform the reporter that the department or agency may contact the reporter directly to obtain further information during the investigation, unless the reporter requests anonymity.

Proposed law requires that if a mandatory reporter makes an initial report in oral form, the reporter shall follow up with a written report on the online Mandated Reporter Portal within five days.

Proposed law repeals present law.

Present law requires DCFS to notify law enforcement with 24 hours of reports made to the department in which the suspected perpetrator is an individual that is not under the investigative jurisdiction of DCFS.

Proposed law requires DCFS to notify the reporter of the specific law enforcement agency where the report was referred.

Present law requires all instances of alleged child abuse that occur in a school setting to be reported to the child's parent and legal guardian and to local or state law enforcement.

Proposed law adds that the school is required to make the reports and changes the required reporting from local or state law enforcement to DCFS and for DCFS to immediately notify law enforcement if the alleged perpetrator is an individual under the investigative jurisdiction of law enforcement.

Present law provides for the reports of high and intermediate levels of risk as determined by DCFS to be promptly investigated and include a preliminary investigation.

Proposed law changes "promptly" to "immediately" and requires that preliminary interviews for reports of sexual abuse shall only be to assess the immediate safety of the child and a forensic interview at a CAC shall be immediately scheduled.

Present law authorizes peace officers, district attorneys, and employees of the local child protection unit of DCFS to request an instanter order for emergency removal or the implementation of a safety plan for a child in need of care.

Proposed law requires DCFS to request an instanter order of any child that is in the custody of another state and located in Louisiana until the child can be returned to the state of original jurisdiction and provides that the an oral instanter order may be executed in those situations.

Effective August 1, 2026.

(Amends R.S. 24:525(C)(5), (6), and (13) and (D)-(G), R.S. 46:45(F)(1), (2), (8), (9)(e) and (g), and (10)(a), Ch.C. Arts. 508, 511(D), 609(A)(3), 610(A)(intro para), 610(A)(1)(intro para), 610(A)(2)(intro para), 610(A)(3) and (4)(a), and (D)-(H), 612(A), (B), and (C), 619(A)(1), 620(A), and 725.5(A); adds R.S. 17:15.1, R.S. 24:525(C)(14) and (H), R.S. 42:17(A)(12), R.S. 46:51(17), Ch.C. Arts. 512(E), 524(B)(13), and 603(17)(p); repeals Ch.C. Arts. 509 and 610(I))