

2026 Regular Session

SENATE BILL NO. 265

BY SENATOR BARROW

CHILDREN. Abolishes the Department of Children and Family Services. (10/1/26)

1 AN ACT
2 To amend and reenact Section 27(C) of Act No. 478 of the 2025 Regular Session, R.S.
3 6:333(F)(14), R.S. 9:58(4), 252(C), 254, 303(A), 311(A)(2) and the introductory
4 paragraph of 311(C), the introductory paragraph of 311.1(C), 311.1(C)(2), (D), and
5 (G)(3)(a)(i), 315.16(A) and (B)(9), 315.22.1(C)(2) and (F), 315.24(A) and the
6 introductory paragraph of 315.24(B), 315.31(5), 315.40(1) and (3), 377.18(B)(2),
7 396(B)(1), 399.1(A) and (F)(3) and (4), 404, 406(B)(2) and (C)(2), 2720.4(A)(2) and
8 (C), and 3261.1(B)(6), R.S. 11:441.1(F), R.S. 13:844.1(B), 992.1(A), 998(B) and
9 (E)(1) and (3), 1000.12(B), 1141(B) and (E)(1) and (3), 1414(B), the introductory
10 paragraph of (E)(1), and 1414(E)(3), 3881(A)(1)(a), 3928, 4291(B)(1) and (C),
11 4521(A)(3) and (4), 5108.2, and 5713(J), R.S. 14:46.4(B)(1) and (2), 74(D)(2),
12 91.3(A), 403(A)(2) and (4)(a), and 403.3(A)(1)(b)(i), R.S. 15:305(A)(1), (D), and
13 (E)(1), 440.2(A)(1)(a) and (c), 440.4(A)(5), 440.7(C), 578(E), 587(A)(1)(a) and
14 (2)(a) and (b), 587.1(A)(1) and (I), 587.5(A)(6), 934(A), 951(C)(1), 1081, 1083,
15 1084(A) and (B), the introductory paragraph of 1084(C), 1084(C)(1) and (D), and
16 1085(A) through (C), 1086(A), the introductory paragraph of 1199.4(D), and
17 1428(C)(3) and (D), R.S. 17:15(A)(1)(a), the introductory paragraph of

1 15(A)(1)(b)(i), 15(A)(1)(b)(i)(bb), 15(A)(2)(a)(ii) and (vi), (D)(1)(b), (2), and (3),
2 and (E)(1), 192.1(A)(1)(a) and (3) and (C), 238(A) through (C), 406.9(C),
3 407.23(B)(4), 407.35(C), 407.42(A)(2), (B)(1)(b) and (3), 407.71(A)(1) and (2),
4 (B)(1)(b) and (3), 1687(B) and (C), 1972(1)(d), 1974(A)(7), 3129(D)(2),
5 3399.18(B)(11), and 3399.21(1), R.S. 22:1023(D)(7), R.S. 23:73(E)(2), 1372,
6 1605(A)(4), 1801(B)(1) and 2043(A)(3), R.S. 24:525(D)(2) and (F), 933(B)(9), and
7 936(B)(1), R.S. 27:2(D), 24(A)(5)(b), (c), and (e), and 364(A)(1)(b)(vi), R.S. 28:31,
8 470(B)(8) and (10), and 621, R.S. 29:725.6(B)(6)(d)(i)(ff) and 766(G)(3), R.S.
9 30:2351.53(A), R.S. 33:9039.41(D)(1)(e), R.S. 36:3(7), 8.1(C)(8) and (20), 9(C),
10 108(B)(6), and 254(A)(12)(b), R.S. 37:1021, 1023(A) and (B), 1024(B)(5),
11 1025(A)(2), and 1031(B), R.S. 39:33(A)(2), 36(A)(3)(b)(ix)(dd), 100.181(A),
12 362(F), the introductory paragraph of 1554(N)(1) and 1554(N)(3), and 1590(B)(4),
13 R.S. 40:31.3(B)(2), 34.5(E), 41(N), 46.12(D) and (F), 79(A)(1) and (C)(2),
14 600.91(A)(28)(b)(ii)(dd), 1061.14(B)(3)(b)(i), 1061.17(C)(1)(e), 1061.17.1(8),
15 1061.21(A)(5)(c)(i) and (vi) and (E), and 1086.11, R.S. 43:111(A)(8), R.S. 44:38,
16 R.S. 46:1(2), (4), and (6), 2(A) and (B), 16, the heading of Chapter 2 of Title 46 of
17 the Louisiana Revised Statutes of 1950, the heading of Part I of Chapter 2 of Title
18 46 of the Louisiana Revised Statutes of 1950, the introductory paragraph of 51, 51.3,
19 52.1(A), 54, 56(A), (B)(1) and (3), and (F)(4)(b), the introductory paragraph of
20 56(F)(9), 56(F)(9)(h), 59, 60, 107(A)(1) and (2), 114(A) and (B), the introductory
21 paragraph of 114(C)(1), 114(C)(2), (D), and (E)(1), 114.2, 114.3(A) and (B), 116,
22 123(A)(2)(a)(vi), 230.1(A) and (B), 231(11) and (24), 231.4(A) and (D), 232(A), the
23 introductory paragraph of 233.1(C), the introductory paragraph of 233.1(D), 236,
24 236.1.1(3), (5), and (16), 236.1.4(C) and (E), 236.1.7(B), 236.1.8(D), 236.1.9(B),
25 236.1.12(C) and (F)(2), 236.3(A)(2) and (G), the introductory paragraph of 236.5(A),
26 236.6(A)(1), (C), (E), and (G), 236.7(A)(1), (B)(1), and (F), 236.8(A) and (G)(5) and
27 (6), 236.9(B), (G), and (K), 236.10(A), (D), and (E), 236.11(A), (B)(2), and (C),
28 236.12(B)(1), 236.13(A), 236.14(C), the introductory paragraph of 236.14(D)(1), the
29 introductory paragraph of 236.14(D)(2), (E)(2)(b), (G)(1) and (2), and (J),

1 236.15(A)(1), 236.16, 237(A), (C)(5), and (E) through (G), 238(B) through (D), the
2 introductory paragraph of 238(E), 238(E)(7) and (F) through (H), 281, 282(A)
3 through (C), 283(A), (B), and (C)(1)(b), the introductory paragraph of 285(A),
4 285(B), (C), (E), (H), and (I), 286, 286.1(A), (B), (C)(1) and (3), the introductory
5 paragraph of 286.1(D), 286.1(D)(2), (E)(2), (F), (G), and (J), the introductory
6 paragraph of 286.2(A), 286.2(B), 286.12, the introductory paragraph of 286.13,
7 286.13(3), 286.16(B), 288.2(1) and (2), 352(1)(a), 356, 401, 441, 443, 444, 447,
8 447.3, 448, the introductory paragraph of 450(A), 450.1(A), 460.1, 460.5(A),
9 460.7(A) and (C), 460.8(A)(1) and (B), 460.10, 932(12), 972.1(A)(1), 1002(A), the
10 introductory paragraph of 1002(B), 1002(C), 1251(B), 1259(B), 1352(1) and (2),
11 1353(D) and (G), 1402, 1403(3), 1404(B), 1414.1(A), 1425(C), the introductory
12 paragraph of 1427, 1428(B) through (D), 1430(A)(1) and (D)(2), 1442.1(2) and (3),
13 1442.2(A) and (C), 1445.3(1) and (3), 1445.4, 1445.13(A), 1451(1) and (3),
14 1844(W)(1)(a), (3), and (5)(a) and (c), 1906.2, 2122, 2136.2(F), 2145(A), 2147(D),
15 2148(B)(1), the introductory paragraph of 2161(A), 2161(B) and (C), the
16 introductory paragraph of 2161.1(A), 2161.1(C), 2169.1(9), 2402(4), 2404(B)(1)(b),
17 2406(G), 2411(2), 2552, 2553, 2605(B)(11), 2605.1(B)(2) and (3), 2607(C)(1)(f),
18 and 2758.2(A), R.S. 47:299.5(B)(2), the introductory paragraph of 299.11, 299.11(1)
19 and (4), 299.41(B), 305.7(C)(2), 305.38, 463.122(C), 1508(B)(23), 1676(4)(d),
20 1677(F)(5), 6003(C)(4)(i), 6028(B)(2)(d)(ix), 6042(E)(2) and (F)(3) and (4),
21 6102(2), 6105(A), and 9027(C)(10), R.S. 49:121(E), 149.23, the introductory
22 paragraph of 992(D)(2)(b), 992(D)(2)(b)(iii)(bb) and (9), 1212(B)(5), 1512(B), and
23 1513(1) and (4), the introductory paragraph of R.S. 51:1045.2(A), 1045.3(A),
24 1057(A) and (C)(1) and 1442(4), Code of Civil Procedure Art. 10(A)(1), 683(D),
25 732(D), 2785(5), 3601(B), 3603(C), and 4521(A)(3), Code of Evidence Art. 902(10),
26 Children's Code Art. 308(A), 311(B)(1)(b), 323(2), 324(A)(1) and (3), 328.1(C),
27 405(G), 412(D)(2), 436(3)(a), 441(A)(3), 512(B)(1), 522(A)(2), 523(D)(2),
28 544(A)(1), 581(A)(1), 603(11), (13), and (17)(o), 603.1(B), 608(A)(1), 609(A)(3)(a),
29 610(A)(1), (4)(a), (5), (D), and (H)(5), 612(G), 615(E)(1) and (2), 631(A), the

1 heading of Children's Code Art. 645, 672(A)(1), 672.2(C), the introductory
2 paragraph of 672.3(A), 672.3(A)(5), (B), (D), and (E), 725, 725.1(1), 725.4, the
3 heading of Children's Code Art. 725.5, the introductory paragraph of 730, 731(C)(5),
4 745(C), 749(A)(5), 767.1(C), 791.3(B), 811.1(F) and (G), 822(B), 1003(2) and (6),
5 1036.2(E), 1103(1) and (4), 1109, 1117, 1122(B)(9) and (11) and (F), 1127.1(D),
6 1150(1), 1152(C)(3), 1169(1) and (4), 1180(C), 1182, 1186(B), 1200(B) and (H),
7 1201(C), the introductory paragraph of 1223(B), 1223(H), 1223.1(C), 1269.3(F),
8 1270(B), 1274, the heading of Chapter 16 of the Children's Code, 1281.3(1) and (4),
9 1282.5, 1283.2(H), 1283.3(C), 1283.16, 1284.5, 1285.2(H), 1285.3(C), 1285.16,
10 1301.3, 1303.10, 1307.3, the introductory paragraph of 1307.4(A), 1307.5(D),
11 1307.8(C)(2), 1351(4), 1427(C)(1)(c) and (2), 1515(A)(7) and (B), the introductory
12 paragraph of 1517(E), 1518(B), 1519, 1567(B), and 1641(A), to enact R.S.
13 36:258(N) and 308(E) and R.S. 46:107(E), and to repeal Act. No. 384 of the 2013
14 Regular Session of the Legislature, Sections 1 through 9, 11 through 18, and 19(A)
15 of Act No. 477 of the 2025 Regular Session, Section 13 of Act No. 478 of the 2025
16 Regular Session, and R.S. 15:587.5(A)(4) and 1199.4(D)(7), R.S. 17:407.51(B)(2),
17 407.101(C)(1)(ff), and 3138.12(C)(1)(b), R.S. 29:726.5(B)(19), R.S. 36:4(A)(10),
18 8(E)(2)(d), 8.1(C)(5), 471 through 478, R.S. 39:21.3(E)(2)(f) and (l), R.S.
19 40:600.151(D)(1)(c) and 1061.17.1(9), R.S. 46:51(2) and (14), 230.1(C), 233.1(A)
20 and (B), 352(2)(b), 353(A)(1)(b), 936, 2146(A)(1)(m), 2166(A)(7), 2168.1(C)(8),
21 2352(B)(5), 2525(D)(2), 2602(B)(1), 2605.4(C)(1)(e), and 2757, R.S.
22 49:74(A)(5)(i)(aa)(IX), 191(1)(h), 219.2(B)(1)(a)(iv), 219.5(B)(2), 220.46(B)(14),
23 966(B)(17), 1053(C)(16), and 1222(B)(6)(b), R.S. 51:1037(D) and 1057(B)(1), and
24 Children's Code Article 509, relative to the Department of Children and Family
25 Services; to abolish the Department of Children and Family Services; to transfer
26 child welfare functions to the Louisiana Department of Health; to transfer child
27 support enforcement functions to Louisiana Works; to change references to the
28 Department of Children and Family Services to the appropriate agencies for
29 functions that have been previously transferred; to repeal the creation of the

1 Department of Elderly Affairs upon abolition of a executive branch department; to
2 provide for an effective date; and to provide for related matters.

3 Be it enacted by the Legislature of Louisiana:

4 Section 1. Section 27(C) of Act No. 478 of the 2025 Regular Session is hereby
5 amended and reenacted to read as follows:

6 Section 27.

7 * * *

8 (C) Sections 3, 5, 11, ~~13~~, 17, 19, and 21 of this Act shall become effective
9 October 1, ~~2027~~ **2026**.

10 * * *

11 Section 2. R.S. 6:333(F)(14) is hereby amended and reenacted to read as follows:

12 §333. Disclosure of financial records; reimbursement of costs

13 * * *

14 F. The following disclosures by a bank or any affiliate are hereby specifically
15 authorized and, except as otherwise provided in this Subsection, nothing in this
16 Section shall prohibit, restrict, or otherwise apply to:

17 * * *

18 (14) The disclosure by a bank or any affiliate of data match information on
19 an individual to the secretary of ~~the Department of Children and Family Services~~
20 **Louisiana Works**, or his designee ~~in the office of children and family services, child~~
21 ~~support enforcement section~~, for use in attempting to establish, modify, or enforce
22 a child support obligation of such individual. Such disclosure to the department shall
23 be limited to the name, record address, social security or taxpayer identification
24 number, and an average daily account balance for the most recent thirty-day period,
25 of a noncustodial parent who maintains an account at such institution and who owes
26 past-due support as identified by the state by name and social security or taxpayer
27 identification number. The disclosure authorization provided for in this Paragraph
28 shall apply to all co-owners listed on the applicable account.

29 * * *

1 Section 3. R.S. 9:58(4), 252(C), 254, 303(A), 311(A)(2) and the introductory
2 paragraph of 311(C), the introductory paragraph of 311.1(C), 311.1(C)(2), (D), and
3 (G)(3)(a)(i), 315.16(A) and (B)(9), 315.22.1(C)(2) and (F), 315.24(A) and the introductory
4 paragraph of 315.24(B), 315.31(5), 315.40(1) and (3), 377.18(B)(2), 396(B)(1), 399.1(A)
5 and (F)(3) and (4), 404, 406(B)(2) and (C)(2), 2720.4(A)(2) and (C), and 3261.1(B)(6) are
6 hereby amended and reenacted to read as follows:

7 §58. Definitions

8 For purposes of this Part:

9 * * *

10 (4) "Domestic violence shelter" means a community-based shelter for victims
11 of domestic violence that is managed by the **Louisiana** Department of ~~Children and~~
12 ~~Family Services~~ **Health**.

13 * * *

14 §252. Duplicate records of marriage licenses issued; preservation; filing of duplicate
15 copy with state division of vital records; penalty for failure to file

16 * * *

17 C. The other copy shall be filed with the division of vital records of the
18 **Louisiana** Department of ~~Children and Family Services~~ **Health** within ten days of
19 the expiration of each month, and the failure, neglect, or refusal to do so shall be
20 punished by a fine of not less than ten dollars nor more than fifty dollars.

21 * * *

22 §254. Penalty for failure to file or complete marriage certificate

23 Any person authorized to perform marriages in this state who fails to
24 complete the forms provided by the **Louisiana** Department of ~~Children and Family~~
25 ~~Services~~ **Health**, and specifically fails to fill in the date and place the ceremony was
26 performed, or neglects or fails to file the two executed copies with the clerk of court
27 in the parish where the license was issued or, if in Orleans Parish, with the state
28 office of vital records, within ten days after the date of the marriage as provided by
29 law, shall be fined not less than twenty dollars for the first offense, fifty dollars for

1 the second offense, and one hundred dollars for a third offense, and the offender shall
2 be prohibited thereafter from officiating at any marriage in this state.

3 * * *

4 §303. Income assignment; new orders; deviation

5 A. In all new child support orders after January 1, 1994, that are not being
6 enforced by ~~the Department of Children and Family Services~~ **Louisiana Works**, the
7 court shall include as part of the order an immediate income assignment unless there
8 is a written agreement between the parties or the court finds good cause not to
9 require an immediate income assignment.

10 * * *

11 §311. Modification or suspension of support; material change in circumstances;
12 periodic review by ~~Department of Children and Family Services~~
13 **Louisiana Works**; medical support

14 A.

15 * * *

16 (2) ~~The Department of Children and Family Services~~ **Louisiana Works** shall
17 prepare and distribute information, forms, and rules for the modification or
18 suspension of support orders, in accordance with this Subsection, and for proceeding
19 in forma pauperis. The information provided by ~~the Department of Children and~~
20 ~~Family Services~~ **Louisiana Works** shall specifically include what may constitute a
21 material change in circumstances. The clerks of court in all parishes shall make this
22 information available to the public upon request. This information shall also be
23 distributed by the Department of Public Safety and Corrections or the sheriff of any
24 parish, as appropriate, to every person incarcerated in every state and parish jail and
25 prison facility. When the initial support order is entered, either the court or the
26 department, if providing services, shall provide this information to the parties.

27 * * *

28 C. For purposes of this Section, in cases where ~~the Department of Children~~
29 ~~and Family Services~~ **Louisiana Works** is providing support enforcement services:

* * *

§311.1. Child support during the obligor's incarceration; ~~Department of Children and Family Services~~ **Louisiana Works** providing support enforcement services

* * *

C. The Department of Public Safety and Corrections or the sheriff of any parish, as appropriate, shall notify ~~the Department of Children and Family Services~~ **Louisiana Works** of any person who has been in their custody and may be subject to a child support order if either:

* * *

(2) The person who was the subject of notification under Paragraph (1) of this Subsection is scheduled to be released from incarceration. The timeframe for such notification under this Paragraph shall be determined by an interagency agreement between the ~~Department of Children and Family Services~~ **Louisiana Works** and the Department of Public Safety and Corrections.

D. When ~~the Department of Children and Family Services~~ **Louisiana Works** is providing support enforcement services, the department shall, upon receipt of notice in accordance with Subsection C of this Section, provide notice to the custodial party by regular mail.

* * *

G.

* * *

(3)(a)(i) If the obligor is released from incarceration while the child is a minor, ~~the Department of Children and Family Services~~ **Louisiana Works** or either party shall petition the court prior to the first day of the second full month after the obligor's release from incarceration for a modification hearing to establish the terms of the previously suspended child support order. Unless the terms of the order of support have been otherwise modified, the suspended order of support shall resume at the same terms that existed before the suspension.

* * *

§315.16. Review of guidelines

A. The guidelines set forth in this Part shall be reviewed by the legislature not less than once every four years. A review of the guidelines shall take place in 2012 and every four years thereafter, and it shall be the responsibility of ~~the office of children and family services, child support enforcement section of the Department of Children and Family Services,~~ **Louisiana Works** and the Louisiana District Attorneys Association, in consultation with the child support review committee provided in Subsection B of this Section, to obtain all information required to comply with the provisions of 42 U.S.C. 667(a) and present the same to the legislature sixty days prior to the beginning of the 2008 Regular Session of the Legislature and every four years thereafter.

B. The child support review committee shall serve without compensation, except for the members of the legislature who shall receive a per diem as provided by law, and shall consist of the following members:

* * *

(9) The secretary or a designee of ~~the Department of Children and Family Services~~ **Louisiana Works**.

* * *

§315.22.1. Support for disabled children

* * *

C.

* * *

(2) Nothing in this Section or any other provision of law shall be construed to require the **Louisiana** Department of ~~Children and Family Services~~ **Health** to obtain an order of continuing tutorship or judgment of interdiction.

* * *

F. Nothing in this Section shall require ~~the Department of Children and Family Services~~ **Louisiana Works** to provide support enforcement services to a

1 family not otherwise qualified to receive them under Title IV-D of the Social
2 Security Act and related portions of Title IV-A of such Act.

3 * * *

4 §315.24. Child support enforcement; revocatory and oblique actions

5 A. A party to whom child support is owed, including ~~the Department of~~
6 ~~Children and Family Services~~ **Louisiana Works** when rendering child support
7 enforcement services, may seek enforcement of a child support obligation by any
8 lawful means provided by law, including the use of a revocatory or oblique action
9 brought pursuant to the provisions of Civil Code Article 2036 et seq.

10 B. In cases wherein ~~the Department of Children and Family Services~~
11 **Louisiana Works** is providing support enforcement services and has reason to
12 believe that an obligor acted or failed to act in such a way that caused or increased
13 his insolvency, the department shall seek either of the following:

14 * * *

15 §315.31. Definitions

16 As used in this Subpart:

17 * * *

18 (5) "Department" means ~~the Department of Children and Family Services~~
19 **Louisiana Works** when rendering child support enforcement services in TANF or
20 non-TANF cases.

21 * * *

22 §315.40. Definitions

23 As used in this Subpart:

24 (1) "Administrator" means the administrator of the child support enforcement
25 ~~section, office of children and family services, Department of Children and Family~~
26 ~~Services~~ **division of Louisiana Works.**

27 * * *

28 (3) "Department" means ~~the Department of Children and Family Services,~~
29 ~~office of children and family services~~ **Louisiana Works.**

1 * * *

2 §377.18. Limits of privilege

3 * * *

4 B. The privileges in accordance with R.S. 9:377.16 for a collaborative family
5 law communication do not apply to the extent that a communication is any of the
6 following:

7 * * *

8 (2) Sought or offered to prove or disprove abuse, neglect, abandonment, or
9 exploitation of a child or adult, unless the **Louisiana** Department of ~~Children and~~
10 ~~Family Services~~ **Health** is a party to or otherwise participates in the process.

11 * * *

12 §396. Authority for test; ex parte orders; use of results

13 * * *

14 B.(1) The district attorney, in assisting ~~the Department of Children and~~
15 ~~Family Services~~ **Louisiana Works** in establishing paternity as authorized by R.S.
16 46:236.1.1 et seq., may file a motion with a court of proper jurisdiction and venue
17 prior to and without the necessity of filing any other legal proceeding. Upon ex parte
18 motion of the district attorney and sworn affidavit of the party alleging specific facts
19 tending to prove paternity and other facts necessary to establish the jurisdiction and
20 venue of the court, the court shall issue an ex parte order directing the mother, her
21 husband or former husband, child, and alleged father to appear at a certain date and
22 time to submit to the collection of blood or tissue samples, or both, and shall direct
23 that inherited characteristics in the samples, including but not limited to blood and
24 tissue type, be determined by appropriate testing procedures. The order shall be
25 personally served upon the alleged father. If any party refuses to submit to such tests,
26 the court, in a subsequent civil action in which paternity is a relevant fact, may
27 resolve the question of paternity against such party or enforce its order if the rights
28 of others and the interests of justice so require.

29 * * *

1 §399.1. Dismissal of final order following judgment of paternity; time periods;
2 procedure; effects

3 A. Notwithstanding any other provision of law, a judgment establishing
4 paternity may be set aside or vacated by the adjudicated father of a child, the child,
5 the mother of the child, or the legal representative of any of these persons. The
6 proceeding shall be instituted by ordinary process in a court of competent
7 jurisdiction and service shall be made upon the office of ~~children and family~~
8 ~~services~~; child support ~~enforcement section of the Department of Children and~~
9 ~~Family Services~~, **Louisiana Works** if services are being provided by the department.
10 The burden of proof shall be upon the party seeking to set aside or vacate the
11 judgment of paternity. The proceeding shall be brought within a two-year period
12 commencing with the date on which the adjudicated father knew or should have
13 known of a judgment that established him as the father of the child or commencing
14 with the date the adjudicated father knew or should have known of the existence of
15 an action to adjudicate the issue of paternity, whichever is first.

16 * * *

17 F.

18 * * *

19 (3) The judgment dismissing an established order of support shall be served
20 upon the office of ~~children and family services~~; child support ~~enforcement section~~
21 ~~of the Department of Children and Family Services~~, **Louisiana Works** if services
22 are being

23 (4) Neither the state of Louisiana, its officers, employees, agents, contractors,
24 nor the office of ~~children and family services~~; child support ~~enforcement section of~~
25 ~~the Department of Children and Family Services~~, **Louisiana Works** shall be liable
26 in any case to compensate any person for child support paid or for any other costs as
27 a result of the judgment setting aside or vacating the judgment of paternity or support
28 entered in accordance with this Section.

29 * * *

1 §404. Father's paternity action; time period; exception

2 The peremptive periods in Civil Code Article 198 shall apply to ~~the~~
3 ~~Department of Children and Family Services~~ **Louisiana Works** when providing
4 services in accordance with 42 USC 666.

5 * * *

6 §406. Revocation or annulment of authentic act; with and without cause; procedure

7 * * *

8 B.

9 * * *

10 (2) The petitioner shall institute the annulment proceeding by ordinary
11 process in a court of competent jurisdiction upon notice to the other party who
12 executed the notarial act of acknowledgment and other necessary parties including
13 the office of ~~children and family services~~, child support enforcement section of the
14 ~~Department of Children and Family Services~~, **Louisiana Works**.

15 * * *

16 C.

17 * * *

18 (2) Neither the state of Louisiana, its officers, employees, agents, contractors,
19 nor the office of ~~children and family services~~, child support enforcement section of
20 ~~the Department of Children and Family Services~~, **Louisiana Works** shall be liable
21 to compensate any person for child support paid or any other costs as a result of the
22 revocation of any authentic act of acknowledgment or the annulment of any
23 judgment of paternity or support in accordance with this Section.

24 * * *

25 §2720.4. Institution of records check

26 A. Upon the initiation of the summary proceeding, the court shall do all of
27 the following:

28 * * *

29 (2) Order that the **Louisiana** Department of ~~Children and Family Services~~

* * *

B. The clerks of the respective district courts, within thirty days of the close of each fiscal year, shall remit all funds collected pursuant to this Section to be deposited in the state treasurer's account for credit to a special statutorily dedicated fund account after meeting the requirements of Article VII, Section 9 of the Constitution of Louisiana. The monies in this account shall be invested by the state treasurer in the same manner as monies in the state general fund, and interest earned on the investment of these monies shall be credited to the account following compliance with the requirement of Article VII, Section 9(B) of the Constitution of Louisiana relative to the Bond Security and Redemption Fund. Disbursement of funds shall be made by the office of ~~children and family services~~ **women's health and community health** in the Louisiana Department of ~~Children and Family Services~~ **Health**, or its successor, in accordance with Paragraph (E)(2) of this Section and only in amounts appropriated by the legislature. Monies deposited into this account shall be categorized as fees and self-generated revenue for the sole purpose of reporting related to the executive budget, supporting documents, and general appropriations bills and shall be available for annual appropriations by the legislature.

* * *

E.(1) Within thirty days of receipt of such funds, the office of ~~children and family services~~ **women's health and community health** shall distribute the funds among those qualifying organizations. A qualifying organization must be recognized as a nonprofit organization under Section 501(c)(3) of the Internal Revenue Code and be located and operated within Caddo, Calcasieu, Caldwell, East Carroll, West Carroll, Franklin, Jackson, St. Landry, Lincoln, Madison, Morehouse, St. Bernard, Ouachita, Union, Richland, Tensas, Sabine, DeSoto, Vermilion, or Lafayette Parish and shall provide:

* * *

(3) Organizations seeking to be qualified shall apply on an annual basis to the

1 office of ~~children and family services~~ **women's health and community health**
2 within the time and in the manner designated by the office of ~~children and family~~
3 ~~services~~ and afford such reasonable proof as is required to establish its entitlement
4 to funds.

5 * * *

6 §1000.12. Twenty-Fourth Judicial District Court; additional support obligation fee;

7 Domestic Commissioner's Fund

8 * * *

9 B. The provisions of this Section shall not apply in cases in which ~~the~~
10 ~~Department of Children and Family Services~~ **Louisiana Works** is providing support
11 enforcement services.

12 * * *

13 §1141. Domestic Relations Section; nonrefundable fee; assessment and disposition

14 * * *

15 B. The clerk of the civil district court, within thirty days of the close of each
16 fiscal year, shall remit all costs collected pursuant to this Section to be deposited in
17 the state treasurer's account for credit to a special statutorily dedicated fund account
18 after meeting the requirements of Article VII, Section 9 of the Constitution of
19 Louisiana. The monies in this account shall be invested by the state treasurer in the
20 same manner as monies in the state general fund, and interest earned on the
21 investment of these monies shall be credited to the account following compliance
22 with the requirement of Article VII, Section 9(B) of the Constitution of Louisiana
23 relative to the Bond Security and Redemption Fund. Disbursement of funds shall be
24 made by the office of ~~children and family services~~ **women's health and community**
25 **health** in the **Louisiana** Department of ~~Children and Family Services~~ **Health**, or its
26 successor, in accordance with Paragraph (E)(2) of this Section and only in amounts
27 appropriated by the legislature. Monies deposited into this account shall be
28 categorized as fees and self-generated revenue for the sole purpose of reporting
29 related to the executive budget, supporting documents, and general appropriations

1 bills and shall be available for annual appropriation by the legislature.

2 * * *

3 E.(1) Within thirty days of the receipt of such funds, the office of ~~children~~
4 ~~and family services~~ **women's health and community health** shall distribute the
5 funds among those qualifying organizations. A qualifying organization must be
6 recognized as a non-profit organization under Section 501(c)(3) of the Internal
7 Revenue Code and be located within the parish of Orleans, and shall provide:

8 * * *

9 (3) Organizations seeking to be qualified shall apply on an annual basis to the
10 office of ~~community services~~ **women's health and community health** within the
11 time and in the manner designated by the office of ~~community services~~ and afford
12 such reasonable proof as is required to establish its entitlement to funds.

13 * * *

14 §1414. Nonrefundable fee; assessment and disposition

15 * * *

16 B. The clerk of the 19th Judicial District Court, within thirty days of the close
17 of each fiscal year, shall remit all costs collected pursuant to this Section to be
18 deposited in the state treasurer's account for credit to a special statutorily dedicated
19 fund account after meeting the requirements of Article VII, Section 9 of the
20 Constitution of Louisiana. The monies in this account shall be invested by the state
21 treasurer in the same manner as monies in the state general fund, and interest earned
22 on the investment of these monies shall be credited to the account following
23 compliance with the requirement of Article VII, Section 9(B) of the Constitution of
24 Louisiana relative to the Bond Security and Redemption Fund. Disbursement of
25 funds shall be made by the office of ~~children and family services~~ **women's health**
26 **and community health** in the Louisiana Department of ~~Children and Family~~
27 ~~Services~~ **Health**, or its successor, in accordance with Paragraph (E)(2) of this Section
28 and only in amounts appropriated by the legislature. Monies deposited into this
29 account shall be categorized as fees and self-generated revenue for the sole purpose

1 of reporting related to the executive budget, supporting documents, and general
2 appropriations bills and shall be available for annual appropriations by the
3 legislature.

4 * * *

5 E.(1) Within thirty days of the receipt of such funds, the office of ~~children~~
6 ~~and family services~~ **women's health and community health** shall distribute the
7 funds among those qualifying organizations. A qualifying organization must be
8 recognized as a non-profit organization under Section 501(c)(3) of the Internal
9 Revenue Code and be located within the parish of East Baton Rouge, and shall
10 provide:

11 * * *

12 (3) Organizations seeking to be qualified shall apply on an annual basis to the
13 office of ~~children and family services~~ **women's health and community health**
14 within the time and in the manner designated by the office of ~~children and family~~
15 ~~services~~ and afford such reasonable proof as is required to establish its entitlement
16 to funds.

17 * * *

18 §3881. General exemptions from seizure

19 A. The following income or property of a debtor is exempt from seizure
20 under any writ, mandate, or process whatsoever, except as otherwise herein
21 provided:

22 (1)(a) Seventy-five percent of his disposable earnings for any week, but in
23 no case shall this exemption be less than an amount in disposable earnings which is
24 equal to thirty times the federal minimum hourly wage in effect at the time the
25 earnings are payable or a multiple or fraction thereof, according to whether the
26 employee's pay period is greater or less than one week. However, the exemption
27 from disposable earnings for the payment of a current or past due support obligation,
28 or both, for a child or children is fifty percent of disposable earnings, and the
29 exemption from seizure of the disposable earnings for the payment of a current or

1 past due support obligation, or both, for a spouse or former spouse is sixty percent
 2 of the disposable earnings. For purposes of this Subsection, if ~~the Department of~~
 3 ~~Children and Family Services~~ **Louisiana Works** is providing support enforcement
 4 services to the spouse and a judgment or order for support includes an obligation for
 5 both a child or children and a spouse or former spouse, or in any case wherein the
 6 judgment or order does not clearly indicate which amount is attributable to support
 7 of the child or children and which amount is attributable to support of the spouse or
 8 former spouse, the support obligation shall be treated as if it is exclusively for the
 9 support of a child or children.

10 * * *

11 §3928. Priority of judgment, decree, or order of support

12 In any criminal or civil matter, a judgment, decree, order, or sentence of
 13 court, or a sale, transfer, or assignment of earnings by which a person is obligated to
 14 pay for the current or past due support, or both, of a child or children, or of a parent
 15 of a child or children if ~~the Department of Children and Family Services~~ **Louisiana**
 16 **Works** is providing support enforcement services to the parent, shall prime in
 17 enforcement any prior or subsequent judgment, decree, order, or sentence of court,
 18 or sale, transfer, or assignment of earnings, and shall be satisfied out of the
 19 nonexempt portion of disposable earnings.

20 * * *

21 §4291. Effect of child support payments; judicial mortgage and privilege; affidavit
 22 of support owed; prescription

23 B.(1) In all cases where ~~the Department of Children and Family Services~~
 24 **Louisiana Works** is enforcing child support services, a judgment created by
 25 operation of law pursuant to Subsection A of this Section shall be executory in all
 26 respects, without the necessity of a judicial proceeding to determine the amount
 27 actually owed. The director of the ~~child support enforcement section~~, office of
 28 ~~children and family services~~ **child support**, ~~Department of Children and Family~~
 29 ~~Services~~ **Louisiana Works**, or his designee shall certify the actual amount in an

1 affidavit entitled "Child Support Mortgage and Privilege by Affidavit of ~~DCFS~~".
2 Such affidavit shall have the effect of a judgment. Notwithstanding any other law to
3 the contrary, prescription shall not begin to run against any such judgment until the
4 child reaches the age of majority or the obligation to provide child support ceases.

5 * * *

6 C. The department shall provide notice by certified mail, by personal service,
7 or by domiciliary service, to the child support obligor thirty days prior to a "Child
8 Support Mortgage and Privilege by Affidavit of ~~DCFS~~" being filed and recorded.
9 The notice shall advise the child support obligor that he has fifteen days to file an
10 appeal. Upon notice of appeal, the department shall schedule a judicial hearing.
11 Notwithstanding any other law to the contrary, prescription shall not begin to run
12 against any such judgment until the child reaches the age of majority or the
13 obligation to provide child support ceases.

14 * * *

15 §4521. State and its subdivisions; temporary deferral of court costs; exceptions

16 A.

17 * * *

18 (3) This Section shall not apply to ~~the Department of Children and Family~~
19 ~~Services~~ **Louisiana Works** for any proceedings brought by ~~the Department of~~
20 ~~Children and Family Services~~ **Louisiana Works** or any district attorney, on behalf
21 of ~~the Department of Children and Family Services~~ **Louisiana Works**, to establish
22 filiation or enforce support, when such proceedings are subject to a cooperative
23 agreement between the agency and the clerk of court of the appropriate jurisdiction.
24 Any cooperative agreement entered into between the clerk of court and the agency
25 shall include reimbursement for sheriff's costs. The provisions of this Paragraph shall
26 not apply if federal funds are not available to cover the cost of the agreement.

27 (4) Neither the **Louisiana** Department of ~~Children and Family Services~~
28 **Health** nor any district attorney's office shall be required to pay court costs in any
29 child welfare proceeding instituted by such department of district attorney's office.

* * *

§5108.2. Child protective services workers; legal defense

The Department of Justice shall provide any worker of the ~~child protection services division~~ of the office of ~~children and family services~~ **child welfare** of the **Louisiana** Department of ~~Children and Family Services~~ **Health** with a legal defense in any civil action arising from any activity within the course and scope of the worker's employment.

* * *

§5713. Duties; autopsies and investigations

* * *

J. Upon request, the **Louisiana** Department of ~~Children and Family Services~~ **Health** shall be entitled to obtain at no charge the name, age, preliminary diagnosis, and manner of death of a deceased minor or any other findings of abuse or neglect of the minor from the office of the coroner conducting the autopsy while the final autopsy is pending. If the coroner finds that the cause of death of a minor child was due to abuse or neglect or finds evidence of any other abuse or neglect of the child, he shall notify the **Louisiana** Department of ~~Children and Family Services~~ **Health**. The coroner shall provide the department with his findings in a timely manner, or immediately when requested to protect any other minor child.

* * *

Section 6. R.S. 14:46.4(B)(1) and (2), 74(D)(2), 91.3(A), 403(A)(2) and (4)(a), and 403.3(A)(1)(b)(i) are hereby amended and reenacted to read as follows:

§46.4. Re-homing of a child

* * *

B. Re-homing does not include:

(1) Placement of a child with a relative, stepparent, licensed adoption agency, licensed attorney, or the **Louisiana** Department of ~~Children and Family Services~~ **Health**.

(2) Placement of a child by a licensed attorney, licensed adoption agency, or

1 the Louisiana Department of ~~Children and Family Services~~ **Health**.

2 * * *

3 §74. Criminal neglect of family

4 * * *

5 D.

6 * * *

7 (2) If a fine is imposed, the court shall direct it to be paid in whole or in part
8 to the spouse or to the tutor or custodian of the child, to the court approved fiduciary
9 of the spouse or child, or to ~~the Louisiana Department of Children and Family~~
10 **Services Louisiana Works** in a FITAP or Family Independence Temporary
11 Assistance Program case or in a non-FITAP or Family Independence Temporary
12 Assistance Program case in which the said department is rendering services,
13 whichever is applicable; hereinafter, said payee shall be referred to as the "applicable
14 payee." In addition, the court may issue a support order, after considering the
15 circumstances and financial ability of the defendant, directing the defendant to pay
16 a certain sum at such periods as the court may direct. This support shall be ordered
17 payable to the applicable payee. The amount of support as set by the court may be
18 increased or decreased by the court as the circumstances may require.

19 * * *

20 §91.3. Unlawful participation in a child-related business

21 A. No person who has been convicted of, or who has pled guilty or nolo
22 contendere to, an offense listed in R.S. 15:587.1(C) or whose name is recorded on
23 the Louisiana Department of ~~Children and Family Services~~ **Health's** state central
24 registry on or after August 1, 2018, shall own, operate, or in any way participate in
25 the governance of any early learning center as defined by R.S. 17:407.33, residential
26 home as defined by R.S. 46:1403, or residence in which child care services are
27 provided by a family child care provider or in-home provider who is registered
28 pursuant to R.S. 17:407.61 et seq.

29 * * *

1 §403. Abuse of children; reports; waiver of privilege

2 A.

3 * * *

4 (2) Any person, any employee of a local child protection unit of the
5 **Louisiana** Department of ~~Children and Family Services~~ **Health**, any employee of
6 any local law enforcement agency, any employee or agent of any state department,
7 or any school employee who knowingly and willfully violates the provisions of
8 Chapter 5 of Title VI of the Children's Code, or who knowingly and willfully
9 obstructs the procedures for receiving and investigating reports of child abuse or
10 neglect or sexual abuse, or who discloses without authorization confidential
11 information about or contained within such reports shall be fined not more than five
12 hundred dollars or imprisoned for not more than six months, or both.

13 * * *

14 (4)(a) Notwithstanding the provisions of Paragraph (1) of this Subsection,
15 any person who is eighteen years of age or older who witnesses the sexual abuse of
16 a child and knowingly and willfully fails to report the sexual abuse to law
17 enforcement or to the **Louisiana** Department of ~~Children and Family Services~~
18 **Health** as required by Children's Code Article 610, shall be fined not more than ten
19 thousand dollars, imprisoned with or without hard labor for not more than five years,
20 or both.

21 * * *

22 §403.3. Reports of missing children; procedures; false reports or communications;
23 penalties

24 A.(1) Any state or local law enforcement agency receiving a report of a
25 missing child or the recovery of a missing child and having reasonable grounds to
26 believe the report is accurate shall do all of the following immediately after receiving
27 the report:

28 * * *

29 (b) Notify each of the following of the facts and contents of the report:

1 (i) The Louisiana Department of ~~Children and Family Services~~ Health to the
2 extent that the reporting is required pursuant to Chapter Five of Title VI of the
3 Children's Code.

4 * * *

5 Section 7. R.S. 15:305(A)(1), (D), and (E)(1), 440.2(A)(1)(a) and (c), 440.4(A)(5),
6 440.7(C), 578(E), 587(A)(1)(a) and (2)(a) and (b), 587.1(A)(1) and (I), 587.5(A)(6), 934(A),
7 951(C)(1), 1081, 1083, 1084(A) and (B), the introductory paragraph of 1084(C), 1084(C)(1)
8 and (D), and 1085(A) through (C), 1086(A), the introductory paragraph of 1199.4(D), and
9 1428(C)(3) and (D) are hereby amended and reenacted to read as follows:

10 §305. Probation in neglect of family cases

11 A.(1) Whenever a person has pleaded guilty or been found guilty of the
12 misdemeanor of criminal neglect of family or has been found in contempt of court
13 for failing to pay support as ordered under the provisions of Children's Code Article
14 1353, the judge may suspend the execution or imposition of sentence and release the
15 offender on unsupervised probation or probation under the supervision of ~~the~~
16 ~~Department of Children and Family Services~~ Louisiana Works. The judge may
17 suspend the sentence and place the defendant on probation although he has begun to
18 serve the sentence imposed and may impose any specific conditions reasonably
19 related to the offender's rehabilitation, including but not limited to the conditions of
20 probation as set forth in Code of Criminal Procedure Article 895.

21 * * *

22 D. The clerk of court shall give notice to ~~the Department of Children and~~
23 ~~Family Services~~ Louisiana Works in every case in which an offender is placed on
24 probation under this Section.

25 E.(1) If the court finds that the defendant has violated a condition of his
26 probation, it shall order that the probation be revoked and shall sentence the
27 defendant to imprisonment for not more than six months. The court shall also order
28 the defendant to pay the total amount of unpaid support to the spouse, to the tutor or
29 custodian of the child, to the court-approved fiduciary of the spouse or child, or to

1 ~~the Department of Children and Family Services~~ **Louisiana Works** in a FITAP case
 2 or in a non-FITAP case in which the department is rendering services, whichever is
 3 applicable; hereinafter, said payee shall be referred to as the applicable payee. Such
 4 judgment shall have the same force and effect as a final judgment for money
 5 damages against the defendant. This judgment may be made executory by any
 6 Louisiana court of competent jurisdiction on petition of the department or the district
 7 attorney.

8 * * *

9 §440.2. Authorization

10 A.(1) A court with original criminal jurisdiction or juvenile jurisdiction may
 11 require that a statement of a protected person be recorded on videotape by any of the
 12 following:

13 (a) Motion of the court or motion of the district attorney, a parish welfare unit
 14 or agency, the **Louisiana** Department of ~~Children and Family Services~~ **Health**, or
 15 a child advocacy center operating in the judicial district.

16 * * *

17 (c) Execution of a written protocol between the court and law enforcement
 18 agencies, a parish welfare unit or agency, the **Louisiana** Department of ~~Children and~~
 19 ~~Family Services~~ **Health**, or a child advocacy center operating in the judicial district
 20 that authorizes the videotaping of any protected person without the necessity of the
 21 issuance of an order by the court in any individual case.

22 * * *

23 §440.4. Method of recording videotape; competency

24 A. A videotape of a protected person may be offered in evidence either for
 25 or against a defendant. To render such a videotape competent evidence, it must be
 26 satisfactorily proved:

27 * * *

28 (5) That the taking of the protected person's statement was supervised by a
 29 physician, a social worker, a law enforcement officer, a licensed psychologist, a

1 medical psychologist, a licensed professional counselor, an authorized representative
2 of the **Louisiana** Department of ~~Children and Family Services~~ **Health**, or a civilian
3 investigator.

4 * * *

5 §440.7. Admissibility in civil, family, and administrative proceedings; discovery;
6 confidentiality

7 * * *

8 C. Nothing in this Section shall prevent the **Louisiana** Department of
9 ~~Children and Family Services~~ **Health** or law enforcement from sharing information
10 as authorized or required by state or federal law.

11 * * *

12 §578. Functions, powers, and duties of the bureau; crime laboratory

13 * * *

14 E. Upon written request, the bureau shall provide specified criminal history
15 information to the **Louisiana** Department of ~~Children and Family Services~~ **Health**
16 to provide for the well-being of children, as provided in R.S. 15:587.1.

17 * * *

18 §587. Duty to provide information; processing fees; Louisiana Bureau of Criminal
19 Identification and Information

20 A.(1)(a) The bureau shall make available upon request, or at other times as
21 the deputy secretary shall designate, to any eligible criminal justice agency and the
22 division of administration, office of technology services, the Department of
23 Education, the Louisiana Department of Health, the state fire marshal when
24 reviewing applications for licensure, the Louisiana Manufactured Housing
25 Commission when reviewing applications for licensure, ~~the Department of Children~~
26 ~~and Family Services~~, the Department of Insurance, the Louisiana State Racing
27 Commission, the Senate Committee on Senate and Governmental Affairs , the House
28 Committee on House and Governmental Affairs, the secretary of Louisiana Works
29 or his designee, the Board of River Port Pilot Commissioners, the Louisiana State

1 Board of Home Inspectors, the Office of Financial Institutions in the office of the
 2 governor, the office of the disciplinary counsel of the Louisiana Attorney
 3 Disciplinary Board of the Louisiana State Bar Association; however, as to any
 4 licensed attorney this information shall be provided only after the issuance of a
 5 formal charge against the attorney, the Louisiana Supreme Court Committee on Bar
 6 Admissions, the municipal or parish department or personnel responsible for
 7 reviewing applications for alcoholic beverage outlet permits, and the legislative
 8 auditor any information contained in the criminal history record and identification
 9 files of the bureau. ~~The Department of Children and Family Services~~ **Louisiana**
 10 **Works** may provide information secured pursuant to this Subsection to all federal
 11 and state agencies providing child support enforcement services.

12 * * *

13 (2)(a) The bureau, in accordance with its powers to regulate and to enforce
 14 provisions herein, may further restrict those agencies eligible to receive information.
 15 However, the bureau shall make available to the ~~Department of Children and Family~~
 16 **Services Louisiana Department of Health** all criminal history record information
 17 as defined in R.S. 15:576 related to foster and adoptive parent applicants and adult
 18 members of foster and adoptive parent households; parents whose children have been
 19 removed from their custody; parents or caretakers involved in investigations of abuse
 20 or neglect; potential caretakers of a child who is either in the custody of the
 21 department, is the subject of an investigation of abuse or neglect, or is or has been
 22 receiving services through the office of ~~children and family services~~ **child welfare**;
 23 potential employees of the department whose duties include the investigation of child
 24 abuse or neglect, the supervisory or disciplinary authority over children, direct care
 25 of a child, or performance of licensing surveys; and individuals employed directly
 26 or indirectly by institutions or facilities providing, or with the potential of providing,
 27 daily care or supervision to any child or youth in the custody of or under the
 28 supervision of any Louisiana state government agency. For the purposes of this
 29 Section, the bureau shall employ such methods and procedures and shall observe

1 such duty hours as to provide information upon request within forty-eight hours from
2 its receipt.

3 (b) The bureau shall facilitate national criminal history record checks of
4 prospective foster and adoptive parent applicants and adult members of foster and
5 adoptive parent households; parents whose children have been removed from their
6 custody; parents or caretakers involved in investigations of abuse or neglect;
7 potential caretakers of a child who is either in the custody of the department, is the
8 subject of an investigation of abuse or neglect, or is or has been receiving services
9 through the office of ~~children and family services~~ **child welfare**; potential employees
10 of the department whose duties include the investigation of child abuse or neglect,
11 the supervisory or disciplinary authority over children, direct care of a child, or
12 performance of licensing surveys; and individuals employed directly or indirectly by
13 institutions or facilities providing, or with the potential of providing, daily care or
14 supervision to any child or youth in the custody of or under the supervision of any
15 Louisiana state government agency by receiving and forwarding fingerprint cards to
16 the Federal Bureau of Investigation. The Louisiana Department of ~~Children and~~
17 ~~Family Services~~ **Health** is authorized to receive and screen the results of the state
18 and national criminal history record checks in order to determine foster or adoptive
19 parent applicants' eligibility for certification or recertification as a placement
20 resource for children; to assist in the determination of the appropriateness of a parent
21 or potential caregiver as a placement resource for a child; to assess the situation for
22 safety issues and risks to the child and worker; to assess the qualifications of a
23 potential department employee; and to assess the qualifications of individuals
24 employed, directly or indirectly, by institutions or facilities providing, or with the
25 potential of providing, daily care or supervision to any child or youth in the custody
26 of or under the supervision of any Louisiana state government agency. The
27 department shall maintain the confidentiality of criminal history information
28 received in accordance with applicable federal or state law.

29 * * *

1 §587.1. Provision of information to protect children

2 A.(1) As provided in R.S. 15:825.3, R.S. 17:8.9, 15, 407.42, and 407.71,
3 Children's Code Article 424.1, and R.S. 46:51.2, any employer or others responsible
4 for the actions of one or more persons who have been given or have applied to be
5 considered for a position of supervisory or disciplinary authority over children, and
6 as provided in R.S. 46:51.2(A), the **Louisiana** Department of ~~Children and Family~~
7 ~~Services~~ **Health** as employer of one or more persons who have been given or have
8 applied to be considered for a position whose duties include the investigation of child
9 abuse or neglect, supervisory or disciplinary authority over children, direct care of
10 a child, or performance of licensing surveys, and for individuals who are employed
11 by or contracted staff of a child care institution, as defined in 42 U.S.C. 672, licensed
12 by the department, shall request in writing that the bureau supply information to
13 ascertain whether that person or persons have been arrested for or convicted of, or
14 pled nolo contendere to, any criminal offense. The request must be on a form
15 prepared by the bureau and signed by a responsible officer or official of the
16 organization or department making the request. It must include a statement signed
17 by the person about whom the request is made which gives his permission for such
18 information to be released.

19 * * *

20 I. Notwithstanding any other provision of law to the contrary, the **Louisiana**
21 Department of ~~Children and Family Services~~, ~~office of children and family services~~,
22 **Health** may utilize the National Crime Information Center to conduct background
23 checks authorized in R.S. 15:587 when investigating or responding to reports of
24 abuse or neglect as provided for in Section 151 of P.L. 109-248.

25 * * *

26 §587.5. Agencies with access to federal tax information; criminal history
27 information

28 A. For purposes of this Section, "agency" means any agency that has an
29 agreement with the Internal Revenue Service to access federal tax information or is

1 authorized by law to audit the records of an agency that has access to federal tax
2 information. "Agency" shall include all of the following:

3 * * *

4 (6) Louisiana Works, office of unemployment insurance administration **and**
5 **office of child support.**

6 * * *

7 §934. Detention centers

8 A. All facilities that detain juveniles pursuant to Title VII or Title VIII of the
9 Louisiana Children's Code shall collect and maintain data on each child detained.
10 This data shall be retained permanently by the facility and shall be made available
11 for inspection during normal business hours by any court exercising juvenile court
12 jurisdiction, by the **Louisiana** Department of ~~Children and Family Services~~ **Health**,
13 and by persons collecting aggregate statistical information.

14 * * *

15 §951. Back on Track Youth Pilot Program

16 * * *

17 C.(1) This program shall be administered by selected nonprofit groups as well
18 as the Department of Public Safety and Corrections, the **Louisiana** Department of
19 ~~Children and Family Services~~ **Health**, the Department of Education, Louisiana
20 Works, and the Louisiana Children's Trust Fund Board.

21 * * *

22 §1081. Purpose

23 Notwithstanding any other provision of law to the contrary, the provisions of
24 this Part shall serve as the sole statutory authorization under which the ~~Department~~
25 ~~of Children and Family Services~~ or Louisiana Department of Health and the
26 Department of Public Safety and Corrections shall make payments for the care and
27 treatment of children in nonstate operated child caring agencies, child placing
28 agencies, shelter care facilities, and maternity homes.

29 * * *

1 §1083. Participation

2 Nonstate operated agencies and facilities desiring to participate in payment
3 under this Part shall:

4 (1) If otherwise required by statute or regulation, be duly licensed by the state
5 of Louisiana through its agent, the ~~Department of Children and Family Services or~~
6 Louisiana Department of Health.

7 (2) Submit to the ~~Department of Children and Family Services or~~ Louisiana
8 Department of Health or the Department of Public Safety and Corrections on or
9 before August first, or at a time set by the department, a statement requesting
10 participation and funding under this Part for the succeeding fiscal year.

11 (3) Submit programmatic and fiscal information within such time and to the
12 extent as the ~~Department of Children and Family Services or~~ Louisiana Department
13 of Health or the Department of Public Safety and Corrections may require. Agencies
14 or facilities which operate multiple subprograms shall submit such information for
15 each subprogram for which participation is being requested. The failure of an agency
16 or facility to submit such a statement or to provide information required by these
17 departments may, at their discretion, preclude that agency or facility from
18 participating in funding under this Part for the fiscal year in question.

19 (4) Be subject to audit by the ~~Department of Children and Family Services~~
20 ~~or~~ Louisiana Department of Health or the Department of Public Safety and
21 Corrections and the legislative auditor, and shall retain and make available such
22 records and documents as are required to complete such audit.

23 §1084. Establishment of rates for payment for care in nonstate operated agencies
24 and facilities

25 A. For purposes of establishing rates of payment the ~~Department of Children~~
26 ~~and Family Services or~~ Louisiana Department of Health and the Department of
27 Public Safety and Corrections shall develop a formula that bears a reasonable
28 relationship to cost of care for children cared for by nonstate operated institutions
29 and agencies and which incorporates a prospective budgeting methodology. For

1 purposes of establishing such rates each department named herein shall develop
2 criteria for budgeting that reflect established accounting practices and encourage cost
3 containment.

4 B. On the basis of information provided in accordance with R.S. 15:1083, the
5 ~~Department of Children and Family Services~~ or Louisiana Department of Health and
6 the Department of Public Safety and Corrections shall pay monthly to each nonstate
7 operated institution or agency a sum computed by these departments using a formula
8 that bears a reasonable relationship to cost of care for children cared for by the
9 nonstate operated institutions and agencies and which incorporates a prospective
10 budgeting methodology.

11 C. The ~~Department of Children and Family Services~~ or Louisiana Department
12 of Health and the Department of Public Safety and Corrections may make revisions
13 to these rates provided that all of the following conditions are met:

14 (1) The ~~Department of Children and Family Services~~ or Louisiana
15 Department of Health or the Department of Public Safety and Corrections submits
16 a report to the legislature documenting the need for such revisions.

17 * * *

18 D. The Louisiana Department of Health, ~~Department of Children and Family~~
19 ~~Services~~ and the Department of Public Safety and Corrections shall promulgate
20 under the Administrative Procedure Act and publish in the Louisiana Register the
21 criteria utilized in establishing the cost related formula that bears a reasonable
22 relationship to cost of care for children cared for by nonstate operated institutions
23 and agencies. Each department may set its own rates and make payment based on
24 that rate.

25 §1085. Payment for care and treatment

26 A. The ~~Department of Children and Family Services~~ or Louisiana
27 Department of Health is hereby authorized to make payments, at the rates established
28 under R.S. 15:1084, for the care and treatment of children placed by the ~~Department~~
29 ~~of Children and Family Services~~ or Louisiana Department of Health in child caring

1 agencies, child placing agencies, maternity homes, and shelter care facilities which
2 conform to the requirements of this Part.

3 B. Payments shall be made on a monthly basis and shall represent
4 reimbursements for services provided during the previous month. Participating
5 agencies shall submit such information as the ~~Department of Children and Family~~
6 ~~Services~~ or Louisiana Department of Health may require to document claims for
7 reimbursement.

8 C. Participating agencies and facilities shall receive one and only one
9 monthly payment from the ~~Department of Children and Family Services~~ or Louisiana
10 Department of Health for services rendered to each child under this Part except for
11 such adjustments as may be necessary to rectify previous inaccurate payments.

12 * * *

13 §1086. Contribution to cost of care by parent, custodian

14 A. When the ~~Department of Children and Family Services~~ or Louisiana
15 Department of Health or the Department of Public Safety and Corrections provides
16 payments for care and treatment of a child under the provisions of this Part, the
17 parent or legal custodian will be required to contribute to the cost of care of the child
18 in such a manner as is consistent with applicable federal and state regulations, as is
19 commensurate with his ability to pay, and as is in accordance with a sliding scale
20 which shall be established by the departments.

21 * * *

22 §1199.4. Reentry Advisory Council; creation; members; powers and duties

23 * * *

24 D. ~~Ten~~ **Nine** members of the council shall be comprised as follows:

25 * * *

26 §1428. Delinquency prevention plan; programs; grants

27 * * *

28 C. The Juvenile Delinquency and Gang Prevention Advisory Board may use
29 public hearings and other appropriate processes to solicit input regarding the

1 development and updating of the delinquency prevention plan. Input may be
2 provided by parties which include but are not limited to:

3 * * *

4 (3) The Department of Public Safety and Corrections, the **Louisiana**
5 Department of ~~Children and Family Services~~ **Health**, and other departments or state
6 agencies that provide services to delinquent children.

7 * * *

8 D. The Juvenile Delinquency and Gang Prevention Advisory Board must
9 develop its delinquency prevention plan in close cooperation with the commission,
10 Department of Public Safety and Corrections, ~~Department of Children and Family~~
11 ~~Services~~, Louisiana Department of Health, local school districts, and with local law
12 enforcement in order to maximize services for delinquent children. The Juvenile
13 Delinquency and Gang Prevention Advisory Board must update the plan for
14 delinquent children policies and programs every year.

15 * * *

16 Section 8. R.S. 17:15(A)(1)(a), the introductory paragraph of 15(A)(1)(b)(i),
17 15(A)(1)(b)(i)(bb), 15(A)(2)(a)(ii) and (vi), (D)(1)(b), (2), and (3), and (E)(1),
18 192.1(A)(1)(a) and (3) and (C), 238(A) through (C), 406.9(C), 407.23(B)(4), 407.35(C),
19 407.42(A)(2), (B)(1)(b) and (3), 407.71(A)(1) and (2), (B)(1)(b) and (3), 1687(B) and (C),
20 1972(1)(d), 1974(A)(7), 3129(D)(2), 3399.18(B)(11), and 3399.21(1) are hereby amended
21 and reenacted to read as follows:

22 §15. Criminal history review

23 A.(1)(a) A person who has been convicted of or has pled nolo contendere to
24 a crime listed in R.S. 15:587.1(C) or whose name is recorded on the **Louisiana**
25 Department of ~~Children and Family Services~~' **Health's** state central registry on or
26 after August 1, 2018, shall not be hired by a city, parish, or other local public school
27 board or a nonpublic school or school system as a bus operator, substitute bus
28 operator, or janitor, or as a temporary, part-time, or permanent school employee of
29 any kind.

1 (b)(i) Except as otherwise provided in this Subparagraph, a city, parish, or
2 other local public school board or a nonpublic school or school system shall not
3 knowingly hire a person as an administrator, teacher, or substitute teacher if the
4 person:

5 * * *

6 (bb) Is recorded on the Louisiana Department of ~~Children and Family~~
7 ~~Services'~~ Health's state central registry on or after August 1, 2018.

8 * * *

9 (2)(a) A city, parish, or other local public school board shall dismiss:

10 * * *

11 (ii) An administrator, teacher, or substitute teacher whose name is recorded
12 on the Louisiana Department of ~~Children and Family Services'~~ Health's state central
13 registry on or after August 1, 2025.

14 * * *

15 (vi) Any other school employee if the employee's name is recorded on the
16 Louisiana Department of ~~Children and Family Services'~~ Health's state central
17 registry on or after August 1, 2025.

18 * * *

19 D.(1)

20 * * *

21 (b) An administrator, teacher, or other school employee whose name is
22 recorded on the Louisiana Department of ~~Children and Family Services'~~ Health's
23 state central registry on or after August 1, 2025, shall report the recordation to his
24 employer and to the department within two business days, exclusive of weekends
25 and holidays.

26 (2) An administrator, teacher, or substitute teacher who fails to report a
27 conviction or plea of guilty or nolo contendere of any felony offense or fails to report
28 recordation on the Louisiana Department of ~~Children and Family Services'~~ Health's
29 state central registry shall be fined not more than one thousand dollars or imprisoned

1 for not more than one year, with or without hard labor, or both.

2 (3) A school employee other than an administrator, teacher, or substitute
3 teacher who fails to report a conviction or plea of guilty or nolo contendere of any
4 criminal offense listed in R.S. 15:587.1(C)(1) or fails to report recordation on the
5 **Louisiana** Department of ~~Children and Family Services'~~ **Health's** state central
6 registry shall be fined not more than five hundred dollars or imprisoned for not more
7 than six months, with or without hard labor, or both.

8 E.(1) The State Board of Elementary and Secondary Education may assess
9 a civil fine against a school governing authority, equal to the average state yearly
10 compensation for a public school teacher, inclusive of salary and benefits, who
11 knowingly employs a person without requesting the criminal records or verifying
12 whether the person's name is recorded on the **Louisiana** Department of ~~Children and~~
13 ~~Family Services'~~ **Health's** state central registry as required by this Section or who
14 knowingly hires a person who has been convicted of or pled nolo contendere to any
15 crime listed in R.S. 15:587.1(C) or whose name is recorded on the state central
16 registry.

17 * * *

18 §192.1. Meals; denial to students; procedures

19 A. If the governing authority of a public elementary school, for any reason,
20 adopts a policy of denying a scheduled meal to a child who is an elementary school
21 student, it shall implement the following procedures to provide for safeguards to the
22 child's health and the child's ability to learn:

23 (1) Prior to withholding a meal from the child, the school shall do each of the
24 following:

25 (a) Provide actual notification to the child's parent or legal guardian as to the
26 date and time after which meals may be denied, the reason for such denial, any
27 action that may be taken by the parent or legal guardian to prevent further denial of
28 meals, and the consequences of the failure to take appropriate actions to prevent such
29 denial, including that the school governing authority shall contact the office of

1 ~~children and family services within~~ **child welfare**, the **Louisiana** Department of
 2 ~~Children and Family Services~~ **Health** upon the third instance of such denial during
 3 a single school year as provided in Paragraph (3) of this Subsection.

4 * * *

5 (3) Upon the third instance during a single school year of the same
 6 elementary school child being denied a meal during school hours, the school
 7 governing authority shall contact the office of ~~children and family services within~~
 8 **child welfare**, the **Louisiana** Department of ~~Children and Family Services~~ **Health**
 9 to report the failure of the parent or guardian to pay for meals which has resulted in
 10 repeated denials of meals during school hours.

11 * * *

12 C. If the governing authority of a public elementary school adopts a policy
 13 of denying a scheduled meal to a child, the governing authority shall document each
 14 instance that a child is denied a meal in the elementary school under its authority.
 15 Such documentation shall be provided upon request to the state superintendent of
 16 education, to the secretary of the **Louisiana** Department of ~~Children and Family~~
 17 ~~Services~~ **Health**, the House Committee on Education, or the Senate Committee on
 18 Education.

19 * * *

20 §238. Education of children having no permanent address, certain abandoned
 21 children, and children in foster care

22 A. Notwithstanding any provision of law or regulation to the contrary, the
 23 governing authority of each public elementary and secondary school shall establish
 24 a policy to provide for the placement in school and for the education of any child
 25 temporarily residing within the jurisdiction of the board who has no permanent
 26 address, who has been abandoned by his parents, or who is in foster care pursuant
 27 to placement through the **Louisiana** Department of ~~Children and Family Services~~
 28 **Health**.

29 B. No governing authority of a public elementary or secondary school shall

1 deny enrollment in school to any child solely because the child has no permanent
 2 address, because the child has been abandoned by his parents, or because the child
 3 is in foster care pursuant to placement through the Louisiana Department of
 4 ~~Children and Family Services~~ **Health**; however, nothing in this Section shall require
 5 the enrollment of any child not permitted by another school system to attend school,
 6 either permanently or temporarily, as a result of disciplinary actions.

7 C. The governing authority of each public elementary and secondary school
 8 shall establish a policy to ensure that a child who is in foster care pursuant to
 9 placement through the Louisiana Department of ~~Children and Family Services~~
 10 **Health** shall be allowed to remain enrolled in the public school in which the child
 11 was enrolled at the time he entered foster care for the duration of the child's stay in
 12 the custody of the state or until he completes the highest grade offered at the school
 13 if the Louisiana Department of ~~Children and Family Services~~ **Health** determines
 14 that remaining in that school is in the best interest of the child. If the foster care
 15 placement is outside the jurisdictional boundaries of the public school in which the
 16 child is enrolled, the governing authority of such school shall be responsible for
 17 providing free transportation for the child to and from a designated location which
 18 is within that school district and is located nearest to the child's residence and is
 19 determined to be appropriate by such governing authority and the Louisiana
 20 Department of ~~Children and Family Services~~ **Health**. The Louisiana Department of
 21 ~~Children and Family Services~~ **Health** shall be responsible for providing the child's
 22 transportation between that location and the child's residence.

* * *

24 §406.9. Parents' Bill of Rights for Public Schools

* * *

26 C. Notwithstanding anything to the contrary, a public school shall not be
 27 required to release any records or information regarding a student's medical or health
 28 records or mental health counseling records to a parent during the pendency of an
 29 investigation of child abuse or neglect conducted by any law enforcement agency or

1 the Louisiana Department of ~~Children and Family Services~~ **Health** where the parent
2 is the target of the investigation, unless the parent has obtained a court order.

3 * * *

4 §407.23. Early Childhood Care and Education Network; creation; components;
5 duties and responsibilities; pilot programs

6 * * *

7 B. To facilitate the creation of this network, the state board shall:

8 * * *

9 (4) Coordinate with ~~the Department of Children and Family Services~~ and the
10 Louisiana Department of Health to align the standards for the licensing of child care
11 facilities, including the requirements for participation in the Louisiana Quality Start
12 Child Care Rating System, with the standards established for early childhood
13 education programs.

14 * * *

15 §407.35. Exemptions from licensure requirements

16 * * *

17 C. Nothing in this Part shall apply to children in programs licensed or
18 operated by the Louisiana Department of Health ~~or the Department of Children and~~
19 ~~Family Services~~.

20 * * *

21 §407.42. Review of criminal history information and state central registry of child
22 abuse and neglect

23 A.

24 * * *

25 (2) No individual whose name is recorded on the state central registry within
26 the Louisiana Department of ~~Children and Family Services~~ **Health** as a perpetrator
27 for a substantiated finding of abuse or neglect of a child or in any other state's child
28 abuse and neglect registry or repository shall own or operate a licensed early learning
29 center or shall be hired by a licensed early learning center as an employee or

1 volunteer of any kind, including any therapeutic professionals, extracurricular
2 personnel, and other independent contractors, or shall be hired by the department in
3 a position whose duties include the performance of licensing inspections.

4 B.(1) The State Board of Elementary and Secondary Education shall establish
5 by regulation, requirements and procedures under which the department shall, for
6 any owner, volunteer, applicant, or employee of any kind, including contractors, of
7 an early learning center or an applicant or employee of the department in a position
8 whose duties include the performance of licensing inspections:

9 * * *

10 (b) Request information from the **Louisiana** Department of ~~Children and~~
11 ~~Family Services~~ **Health** as to whether the person is listed on the state central registry
12 as a perpetrator for a substantiated finding of abuse or neglect of a child.

13 * * *

14 (3) The department may charge a processing fee not to exceed fifteen dollars
15 and may collect the processing fees charged by the Bureau of Criminal Identification
16 and Information for a state criminal history report, the Federal Bureau of
17 Investigation for a federal criminal history information report, the National Crime
18 Information Center for a search of the National Sex Offender Registry, the
19 **Louisiana** Department of ~~Children and Family Services~~ **Health** for a search of its
20 state central registry of child abuse and neglect, and processing fees charged by other
21 states when it receives a request for an employment eligibility determination and
22 shall timely submit the appropriate processing fees to the appropriate agencies.

23 * * *

24 §407.71. Grounds for revocation or refusal to renew registration; criminal activities;
25 lack of CPR or first aid training

26 A.(1) No person who has been convicted of or pled nolo contendere to a
27 crime listed in R.S. 15:587.1(C), whose name is recorded on the state registry within
28 the **Louisiana** Department of ~~Children and Family Services~~ **Health** as a perpetrator
29 for a substantiated finding of abuse or neglect of a child, whose name is on any other

1 state's child abuse and neglect registry or repository, whose name is on the Louisiana
2 Sex Offender and Child Predator Registry, whose name is on any other state's sex
3 offender registry, or whose name is on the National Crime Information Center's
4 National Sex Offender Registry may be a registered family child care provider, be
5 employed in the residence or on the property of the residence where the care is
6 provided by the registered family child care provider, or live in the residence where
7 care is provided by the registered family child care provider. The cost of any
8 criminal background check which may be required by the department as proof of
9 compliance with this Subsection shall be the responsibility of the family child care
10 provider.

11 (2) No person who has been convicted of or pled nolo contendere to a crime
12 listed in R.S. 15:587.1(C), whose name is recorded on the state registry within the
13 Louisiana Department of ~~Children and Family Services~~ **Health** as a perpetrator for
14 a substantiated finding of abuse or neglect of a child, whose name is on any other
15 state's child abuse and neglect registry or repository, whose name is on the Louisiana
16 Sex Offender and Child Predator Registry, whose name is on any other state's sex
17 offender registry, or whose name is on the National Crime Information Center's
18 National Sex Offender Registry may be a registered in-home child care provider, be
19 an adult employed in the home or on the property of the home where care is provided
20 by the registered in-home child care provider, or be any adult living in the home
21 where care is provided by the registered in-home child care provider who is not a
22 caregiver. For the purposes of this Paragraph, the term "caregiver" shall mean any
23 person legally obligated to provide or secure care for a child, including a parent,
24 legal custodian, foster home parent, or other person providing a residence for the
25 child. The cost of any criminal background check which may be required by the
26 department as proof of compliance with this Subsection shall be the responsibility
27 of the in-home provider.

28 B.(1) The State Board of Elementary and Secondary Education shall establish
29 by regulation requirements and procedures through which the department shall:

* * *

(b) Request information from the Louisiana Department of ~~Children and Family Services~~ **Health** as to whether the individual's name is recorded on the state central registry for child abuse and neglect.

* * *

(3) The department may charge a processing fee not to exceed fifteen dollars and may collect the processing fees charged by the Bureau of Criminal Identification and Information for a state criminal history report, the Federal Bureau of Investigation for a federal criminal history information report, the National Crime Information Center for a search of the National Sex Offender Registry, the Louisiana Department of ~~Children and Family Services~~ **Health** for a search of its state central registry of abuse and neglect, and processing fees charged by other states when it receives a request for a criminal background check and shall timely submit the appropriate processing fees to the appropriate agencies.

* * *

§1687. Tuition and fee exemption; persons in foster care; eligibility; duration; foster care status; verification; funding; definitions

* * *

B. For purposes of this Section, the term "person" shall mean any individual who was in the care, custody, or guardianship of the office of ~~children and family services~~ **child welfare** of the Louisiana Department of ~~Children and Family Services~~ **Health** in the foster care program for any nine of the twenty-four months immediately prior to his eighteenth birthday.

C. For purposes of this Section, the foster care status of any person eligible to receive the exemption as provided in this Section shall be verified by ~~the office of children and family services~~ of the Louisiana Department of ~~Children and Family Services~~ **Health** prior to such person initially receiving such exemption.

* * *

§1972. Definitions

1 As used in this Part, the following terms have the following meanings unless
2 the context clearly indicates otherwise:

3 (1) "At-risk student" means a student who meets at least one of the following
4 criteria:

5 * * *

6 (d) Is in foster care pursuant to placement through the **Louisiana** Department
7 of ~~Children and Family Services~~ **Health**.

8 * * *

9 §1974. Board of directors; creation; membership; terms; powers; voting;
10 compensation

11 A. There is hereby created a board of directors for the school, hereinafter in
12 this Part referred to as the "board". The board shall be composed of nine members
13 as follows:

14 * * *

15 (7) The secretary of the **Louisiana** Department of ~~Children and Family~~
16 ~~Services~~ **Health** or his designee.

17 * * *

18 §3129. Power to recommend budget

19 * * *

20 D.

21 * * *

22 (2) The Board of Regents, in consultation with the **Louisiana** Department of
23 ~~Children and Family Services~~ **Health** and other appropriate persons, as determined
24 by the board, shall develop and adopt rules and guidelines to be used for determining
25 such recommended funding. Such rules and guidelines shall include but not be
26 limited to an initial review and analysis, with an annual update thereafter, of the
27 institution's facilities and learning environments from the standpoint of accessibility
28 to persons with motor and sensory impairments. Such review and analysis shall
29 include a determination as to whether or not the institution's facilities and learning

1 environments are in compliance with the federal Americans with Disabilities Act and
2 other applicable federal and state laws and agency rules and regulations.

3 * * *

4 §3399.18. Louisiana Power-Based Violence Review Panel

5 * * *

6 B. The panel shall be composed of the following members:

7 * * *

8 (11) A member of the Domestic Violence Prevention Commission appointed
9 by the secretary of the **Louisiana** Department of ~~Children and Family Services~~
10 **Health**.

11 * * *

12 §3399.21. Definitions

13 As used in this Part, the following terms have the following meanings:

14 (1) "Foster youth" means any individual in the care, custody, or guardianship
15 of the **Louisiana** Department of ~~Children and Family Services~~ **Health** in the foster
16 care program for any six of the seventy-two months immediately prior to his
17 eighteenth birthday.

18 * * *

19 Section 9. R.S. 22:1023(D)(7) is hereby amended and reenacted to read as follows:

20 §1023. Prohibited discrimination; genetic information; disclosure requirements;
21 definitions

22 * * *

23 D. The requirements of this Section shall not apply to the genetic information
24 obtained:

25 * * *

26 (7) By the **Louisiana** Department of ~~Children and Family Services~~ **Health**
27 or by a court having juvenile jurisdiction as set forth in Children's Code Article 302
28 for the purposes of child protection investigations or neglect proceedings.

29 * * *

1 Section 10. R.S. 23:73(E)(2), 1372, 1605(A)(4), 1801(B)(1) and 2043(A)(3) are
2 hereby amended and reenacted to read as follows:

3 §73. Comprehensive labor market information system

4 * * *

5 E.

6 * * *

7 (2) The public entities whose data and assistance shall be considered
8 necessary for the system to fulfill its purpose shall include the department, Louisiana
9 Economic Development, and the Departments of ~~Children and Family Services,~~
10 Education, Health, Public Safety and Corrections, and Veterans Affairs, and in the
11 governor's office, the Offices of Elderly Affairs, Lifelong Learning, Women's
12 Services, and the State Board of Elementary and Secondary Education, and the
13 Board of Regents and any other public entity that the department deems necessary.

14 * * *

15 §1372. Louisiana Workers' Compensation Second Injury Board; creation, domicile,
16 membership

17 The Louisiana Workers' Compensation Second Injury Board, hereinafter
18 referred to as the board, is created. The board, which shall be domiciled in Baton
19 Rouge, Louisiana, shall be composed of five members or their designee, who shall
20 be the secretary of state, the state treasurer, the commissioner of insurance, the
21 secretary of the **Louisiana** Department of ~~Children and Family Services~~ **Health**, and
22 the assistant secretary of the office of workers' compensation administration.

23 * * *

24 §1605. Unemployment insurance integrity program

25 A. For the purposes of this Section, the following terms have the meanings
26 ascribed to them:

27 * * *

28 (4) "New hire records" means the directory of newly hired and re-hired
29 employees reported under state and federal law and managed by the child support

1 enforcement section, division of ~~family support, office of children and family~~
2 ~~services, Department of Children and Family Services~~ **child support, Louisiana**

3 **Works.**

4 * * *

5 §1801. Workforce solutions; development; coordination with employers

6 * * *

7 B.(1) The Board of Regents, the Louisiana Community and Technical
8 College System, Louisiana Economic Development, the Department of Education,
9 the Department of Public Safety and Corrections, the Louisiana State University
10 system, and the **Louisiana** Department of ~~Children and Family Services~~ **Health** shall
11 identify, recognize, change, create, or recommend any initiatives, services, data
12 collection, research, and programs that will promote workforce development in the
13 state.

14 * * *

15 §2043. Members

16 A. The council shall consist of members as follows:

17 * * *

18 (3) The secretary of the **Louisiana** Department of ~~Children and Family~~
19 ~~Services~~ **Health**.

20 * * *

21 Section 11. R.S. 24:525(D)(2) and (F), 933(B)(9), and 936(B)(1) are hereby amended
22 and reenacted to read as follows:

23 §525. State child ombudsman; duties

24 * * *

25 D.

26 * * *

27 (2) The **Louisiana** Department of ~~Children and Family Services~~ **Health** shall
28 notify the state child ombudsman within three business days of receiving information
29 on the death of any child that had been reported to the department for alleged child

1 abuse or neglect.

2 * * *

3 F. Notwithstanding any other provision of law to the contrary and to the
4 extent allowed by federal law, the state child ombudsman shall, upon request, have
5 permission to view and use documents and records relevant to the ombudsman's
6 statutory duties. To the extent allowed by federal law, such documents and records
7 shall include but not be limited to the applications and case files of the Louisiana
8 Department of Health ~~and the Department of Children and Family Services~~ except
9 for the name and any identifying information of the reporter of child abuse or neglect
10 and restrictions provided in Title IV-D of the Social Security Act and the Internal
11 Revenue Code, juvenile court judgments and court minute entries, records and
12 reports of children in the custody of or under the supervision of the office of juvenile
13 justice, student records in the possession of the ~~State~~ **state** Department of Education,
14 any parish or city school board, and any elementary or secondary education school,
15 including charter schools. The state child ombudsman shall comply with any and all
16 restrictions imposed by law on documents, data, or information considered
17 confidential or privileged and furnished to the state child ombudsman.

18 * * *

19 §933. Interagency Council on the Prevention of Sex Offenses created; membership;
20 officers; quorum

21 * * *

22 B. The council shall be composed of twenty-four members as follows:

23 * * *

24 (9) The assistant secretary of the office of ~~community services~~ **child welfare**
25 of the **Louisiana** Department of ~~Children and Family Services~~ **Health** or his
26 designee.

27 * * *

28 §936. Registry

29 * * *

1 B.(1) In furtherance of the purpose of this Chapter, the **Louisiana**
2 Department of ~~Children and Family Services~~ **Health** shall maintain a central registry
3 in accordance with Children's Code Art. 616.

4 * * *

5 Section 12. R.S. 27:2(D), 24(A)(5)(b), (c), and (e), and 364(A)(1)(b)(vi) are hereby
6 amended and reenacted to read as follows:

7 §2. Public policy of state concerning gaming; status of licenses, contracts, and
8 permits

9 * * *

10 D. In accordance with this finding, ~~the Department of Children and Family~~
11 ~~Services~~ **Louisiana Works** shall report to the joint committees on Civil Law and
12 Procedure and Judiciary A, no later than fifteen days following the commencement
13 of the regular legislative session each year, on the interception and seizure of gaming
14 winnings for the payment of child support and overpayments owed to the
15 department. This report shall be a public record and shall include but not be limited
16 to the number of jackpots intercepted pursuant to this Section and the amount of each
17 jackpot intercepted.

18 * * *

19 §24. Rulemaking authority; fees and fines, collection

20 A. The board, in accordance with the Administrative Procedure Act and R.S.
21 27:15(B)(8), shall promulgate all rules and regulations necessary to carry out the
22 provisions of this Title, including but not limited to the following:

23 * * *

24 (5) A procedure requiring the withholding of payments of progressive slot
25 machine annuities and cash gaming winnings of persons who have outstanding child
26 support arrearages or owing child support overpayments, prior to the payment of a
27 progressive slot machine annuity, beginning with the second annuity payment, or
28 cash gaming winnings. Progressive slot machine annuities or cash gaming winnings
29 shall include only payments for which the entity licensed or permitted under Chapter

1 1, 4, 5, 7, or 10 of this Title is required to file form W2-G, or a substantially
2 equivalent form, with the United States Internal Revenue Service.

3 * * *

4 (b) The board or any entity licensed or permitted under Chapter 1, 4, 5, 7, or
5 10 of this Title including any of its officers, employees, attorneys, accountants, or
6 other agents, shall not be civilly or criminally liable to any person, including any
7 customer, for any disclosure of information made in accordance with this Section,
8 for encumbering or surrendering assets in response to information provided by the
9 ~~Department of Children and Family Services~~ **Louisiana Works**, or for any claims
10 for damages arising from withholding or failing to withhold any progressive slot
11 machine annuities or cash gaming winnings, based upon information provided to it.

12 (c) If any entity licensed or permitted under Chapter 1, 4, 5, 7, or 10 of this
13 Title determines that the winner of a progressive slot machine annuity or cash
14 gaming winnings is a person who has outstanding child support arrearages or owes
15 child support overpayments, the entity licensed or permitted under Chapter 1, 4, 5,
16 7, or 10 of this Title shall deduct the child support arrearage or child support
17 overpayment from the payment of the progressive slot machine annuity or cash
18 gaming winnings. The deducted amount shall be forwarded to ~~the Department of~~
19 ~~Children and Family Services~~ **Louisiana Works** within seven days, and the entity
20 licensed or permitted under Chapter 1, 4, 5, 7, or 10 of this Title shall pay the
21 remainder to the person who has outstanding child support arrearages or owes child
22 support overpayments. If the remainder is equal to or less than zero, the person who
23 has an outstanding child support arrearage or child support overpayment shall not
24 receive a payment.

25 * * *

26 (e) The board shall also require that the entity licensed or permitted under
27 Chapter 1, 4, 5, 7, or 10 of this Title 27 adopt procedures designed to prevent
28 employees from willfully failing to withhold payments of progressive slot machine
29 annuities or cash gaming winnings from persons who have outstanding child support

1 of Children and Family Services under its authority to regulate traditional adult
 2 residential care homes. Nevertheless, it is now more appropriate and efficient for the
 3 Louisiana Department of Health to license and regulate secured residential facilities
 4 serving forensic clients due to the mental health issues of the residents, the fact that
 5 the individuals are discharged from forensic hospitals operated by the Louisiana
 6 Department of Health, and the security issues involved at such facilities. Thus, the
 7 licensing of secured residential facilities serving forensic clients shall be transferred
 8 from the Department of Children and Family Services to the Louisiana Department
 9 of Health and licensed as forensic supervised transitional residential and aftercare
 10 facilities in accordance with this Part. ~~The licensing of all other adult residential care~~
 11 ~~homes shall remain in the Department of Children and Family Services pursuant to~~
 12 ~~R.S. 40:2151 through 2161.~~

* * *

14 §470. Louisiana State Interagency Coordinating Council for EarlySteps: Louisiana's
 15 Early Intervention Program for Infants and Toddlers with Disabilities
 16 and Their Families

* * *

18 B. The council shall be comprised of the following members:

* * *

20 (8) At least one member shall be from the Louisiana Department of ~~Children~~
 21 ~~and Family Services~~ **Health**.

* * *

23 (10) One member from the **Louisiana** Department of ~~Children and Family~~
 24 ~~Services~~ **Health** who is responsible for foster care.

* * *

26 §621. Pilot programs for children with developmental disabilities who are
 27 considered at-risk juveniles

28 A. The office for citizens with developmental disabilities, Louisiana
 29 Department of Health, may provide for the establishment of pilot programs for

1 children with developmental disabilities who are considered at-risk juveniles. The
 2 pilot programs may provide developmental disabilities services including
 3 assessment, counseling, and structured activities and living options, both as defined
 4 in this Title for juveniles referred by other agencies including but not limited to
 5 juvenile courts, the office of children and family services, and the office of juvenile
 6 justice. The pilot programs shall be operated in cooperation with other offices of the
 7 Louisiana Department of Health, ~~the Department of Children and Family Services,~~
 8 and the Department of Public Safety and Corrections.

9 * * *

10 Section 14. R.S. 29:725.6(B)(6)(d)(i)(ff) and 766(G)(3) are hereby amended and
 11 reenacted to read as follows:

12 §725.6. State Unified Command Group

13 * * *

14 B.

15 * * *

16 (6) Except as provided in Subparagraph (a) of this Paragraph, only the UCG
 17 may take official action. There shall be the following four permanent subcommittees
 18 of the UCG and in addition, the UCG may establish other subcommittees as it deems
 19 advisable and feasible:

20 * * *

21 (d)(i) A "long term recovery subcommittee" is hereby established and shall
 22 be composed of the following members:

23 * * *

24 (ff) The secretary of ~~the Louisiana Department of Children and Family~~
 25 ~~Services~~ **Works**, or his designee.

26 * * *

27 §766. Declaration of a state of public health emergency

28 * * *

29 G. Providing for promulgation of rules and protocol for the evacuation or

1 parish of Lafayette, three members to represent the parish of St. Landry, three
2 members to represent the parish of Vermilion and the secretary of the Louisiana
3 Department of ~~Children and Family Services~~ Health.

4 * * *

5 (e) One member shall be the secretary of the Louisiana Department of
6 ~~Children and Family Services~~ Health.

7 * * *

8 Section 17. R.S. 36:3(7), 8.1(C)(8) and (20), 9(C), 108(B)(6), and 254(A)(12)(b) are
9 hereby amended and reenacted and R.S. 36:258(N) and 308(E) are hereby enacted to read
10 as follows:

11 §3. Definitions

12 As used in this Title the following terms have the following meanings unless
13 the context clearly indicates otherwise:

14 * * *

15 (7) "Undersecretary" means the officer designated to direct and be
16 responsible for the functions of the office of management and finance of certain
17 departments. ~~For the Department of Children and Family Services, "undersecretary"~~
18 ~~means the officer designated to direct and be responsible for the functions of the~~
19 ~~division of management and finance within the office of children and family~~
20 ~~services.~~

21 * * *

22 §8.1. Litigation oversight; reports to the legislature

23 * * *

24 C. The provisions of this Section shall apply to any civil action filed by the
25 following departments or offices, including offices and agencies thereof, collectively
26 referred to in this Section as "agency":

27 * * *

28 (8) Louisiana Department of Health, including, but not limited to Medicaid
29 fraud and recovery cases, and excluding cases brought pursuant to the Children's

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Code and Title 46 of the Louisiana Revised Statutes of 1950.

* * *

(20) Louisiana Works, except cases involving recovery of unemployment insurance payments and workers' compensation fraud **and cases brought pursuant to the Children's Code and Title 46 of the Louisiana Revised Statutes of 1950.**

* * *

§9. Designation of certain organizational units; uniform terminology

* * *

C.~~(1)~~ Each organizational unit which reports to the secretary, which is not an agency and is not within an office, shall be in the executive office of the secretary and shall be designated as follows:

~~(a)~~**(1)** A unit which reports directly to the secretary shall be designated as a bureau.

~~(b)~~**(2)** A subunit of a bureau shall be designated as a section.

~~(c)~~**(3)** A subunit of a section shall be designated as a unit.

~~(2) For the Department of Children and Family Services, each organizational unit which reports to the secretary, which is not an agency and is not within the division of management and finance, the division of child welfare, or the division of family support, shall be in the executive division, and shall be designated as follows:~~

~~(a) A unit which reports directly to the secretary shall be designated as a bureau.~~

~~(b) A subunit of a bureau shall be designated as a section.~~

~~(c) A subunit of a section shall be designated as a unit.~~

* * *

§108. Offices; purposes and functions

* * *

B. The office of economic development shall perform the following functions of the state:

* * *

1 State Board of Nursing and the Louisiana State Board of Practical Nurse Examiners
 2 and as approved by the secretary of the Louisiana Department of Health. Persons
 3 who have successfully completed the course and passed a qualifying examination
 4 shall be permitted to administer certain medications to residents of facilities operated
 5 by the office for citizens with developmental disabilities or community homes for
 6 persons with developmental disabilities funded through the Louisiana Department
 7 of Health ~~or the Department of Children and Family Services~~ and to persons
 8 receiving in-home Medicaid home- and community-based services and shall be
 9 known as medication attendants. The course shall include but not be limited to
 10 instruction of the legal aspects, roles, and responsibilities of drug administration,
 11 definitions, terminology, classification, measurement, identification, effects,
 12 distribution, and the care and handling of drugs.

13 B. Fees for the drug administration courses shall be determined by the office
 14 of the secretary of the Louisiana Department of Health. The cost of implementation
 15 will be reimbursed to providers with contracts by the Louisiana Department of
 16 Health ~~or the Department of Children and Family Services~~.

* * *

18 §1024. Authorized and prohibited functions of medication attendants

* * *

20 B. The prohibited functions of the medication attendant are:

* * *

22 (5) May not administer medication in an acute care unit funded or operated
 23 by the Louisiana Department of Health ~~and/or the Department of Children and~~
 24 ~~Family Services~~.

* * *

26 §1025. Qualifications of applicants to the drug administration course

27 A. Each person accepted to participate in the drug administration course shall
 28 be:

* * *

1 Investment Council, as created in R.S. 23:2042, for the commission's review,
2 modification, and approval of funding to be incorporated into the executive budget.

3 * * *

4 §36. Contents and format of executive budget; supporting document

5 A. The executive budget shall present a complete financial and programmatic
6 plan for the ensuing year, and it shall be configured in a format so as to clearly
7 present and highlight the functions and operations of state government and the
8 financial requirements associated with those functions and operations. The executive
9 budget shall be a performance-based budget and as such may include key objectives
10 and key performance indicators. The commissioner of administration may designate
11 key objectives and key performance indicators to be included in the executive
12 budget. Additionally, the executive budget shall include at a minimum the following:

13 * * *

14 (3) Comparative statements for each department and budget unit by the
15 means of financing of the existing operating budget for a date certain to be
16 established by the budget office for the current fiscal year and recommended
17 expenditures for the ensuing fiscal year. All such comparative statements shall
18 include the following:

19 * * *

20 (b) Reports of all discretionary and nondiscretionary expenditures, or
21 estimates of discretionary or nondiscretionary expenditures, itemized by means of
22 finance, department, and functional area. As used in this Part, "nondiscretionary
23 expenditures" includes but is not limited to expenditures which must be funded
24 because of the following constitutional and other mandates:

25 * * *

26 (ix) Expenditures for unavoidable obligations:

27 * * *

28 (dd) Family preservation and children services provided by the Louisiana
29 Department of ~~Children and Family Services~~ Health.

* * *

§100.181. Continuum of Care Fund

A. There is hereby established in the state treasury as a special fund the Continuum of Care Fund, hereafter referred to in this Section as the "fund". Monies appropriated or transferred to the fund shall be deposited by the state treasurer after compliance with the requirements of Article VII, Section 9(B) of the Constitution of Louisiana relative to the Bond Security and Redemption Fund. Monies in the fund shall be invested in the same manner as monies in the state general fund. Interest earned on investment of monies in the fund shall be credited to the fund. Until December 1, 2024, unexpended and unencumbered monies in the fund at the end of the fiscal year shall remain in the fund. The treasurer is hereby authorized and directed to transfer any unexpended and unencumbered monies in the fund on December 1, 2024, and any interest attributable to such funds, to the Louisiana Rescue Plan Fund. Monies in the fund shall be used by the **Louisiana** Department of ~~Children and Family Services~~ **Health** to fund continuum of care initiatives.

* * *

§362. Policies for fleet vehicles; purchase of vehicles; specifications; exceptions

* * *

F. The commissioner of administration shall not promulgate rules or regulations which require the Louisiana School for the Deaf, the Louisiana School for the Visually Impaired, the Special School District, and any community and group home and residential facilities administered by ~~the Department of Children and Family Services~~ or the Louisiana Department of Health to have an inscription, painting, stencil, or decal placed conspicuously on an automobile, truck, or other vehicle with the name of the board, commission, department, agency, or subdivision of the state to which the automobile, truck, or other vehicle belongs, if the vehicle is used to transport students or clients.

* * *

§1554. Application of this Chapter

* * *

N.(1) This Chapter shall not apply to those personal, professional, or social services provided to the clients of the Louisiana Department of Health, ~~the Department of Children and Family Services,~~ or the office of special education services within the Department of Education, provided that the expense for these special education services is five thousand dollars or less per child, corrections services within the Department of Public Safety and Corrections, or the office of juvenile justice within the Department of Public Safety and Corrections, in the following circumstances:

* * *

(3) This Chapter shall not apply to the use of professional services of physicians who provide consultative examinations regarding applicants for disability benefits under the Social Security Act by the disability determinations services of the Louisiana Department of Children and Family Services Health.

* * *

§1590. Reporting of certain professional, personal, consulting, and social services contracts for Fiscal Year 2015-2016 through Fiscal Year 2017-2018

* * *

B. Notwithstanding any provision of law to the contrary, this Section shall not apply to the following professional, personal, or consulting service contracts:

* * *

(4) Contracts of a district attorney necessary to perform any constitutional, discretionary, or statutory function of the office, or to perform services under the child support enforcement program administered by ~~the Department of Children and Family Services~~ Louisiana Works in accordance with the federal requirements of Title IV-D of the Social Security Act and corresponding state laws and regulations.

* * *

Section 20. R.S. 40:31.3(B)(2), 34.5(E), 41(N), 46.12(D) and (F), 79(A)(1) and (C)(2), 600.91(A)(28)(b)(ii)(dd), 1061.14(B)(3)(b)(i), 1061.17(C)(1)(e), 1061.17.1(8),

1 1061.21(A)(5)(c)(i) and (vi) and (E), and 1086.11 are hereby amended and reenacted to read
2 as follows:

3 §31.3. Adolescent school health initiative; health centers in schools

4 * * *

5 B. The office of public health shall:

6 * * *

7 (2) Convene and participate in an intergovernmental coordinating council
8 which shall be composed of representatives from the departments of education,
9 ~~children and family services~~, health, and other governmental entities or programs
10 related to health services to assist in implementation, oversight, and funding
11 assistance for health centers in schools.

12 * * *

13 §34.5. Original birth certificate; required contents; name of father

14 * * *

15 E. Nothing in this Section shall preclude the ~~Department of Children and~~
16 ~~Family Services~~ **Louisiana Works**, office of ~~children and family services~~, child
17 support ~~enforcement section~~ from obtaining an admission of paternity from the
18 biological father for submission in a judicial proceeding, or prohibit the issuance of
19 an order in a judicial proceeding which bases a legal finding of paternity on an
20 admission of paternity by the biological father and on any other additional showing
21 required by state law.

22 * * *

23 §41. Disclosure of records

24 * * *

25 N. The state registrar shall issue the following records to the **office of child**
26 **welfare in the Louisiana** Department of ~~Children and Family Services~~ **Health** upon
27 the written request of ~~an~~ **the** office of ~~the department~~:

28 (1) A certified copy of a birth certificate of a child placed in the custody of
29 the **Louisiana** Department of ~~Children and Family Services~~ **Health**.

1 (2) A certified copy of a death certificate of a child who was in the custody
2 of the Louisiana Department of ~~Children and Family Services~~ **Health** at the time of
3 his death.

4 (3) A certified copy of a death certificate of a parent of a child placed in the
5 custody of the Louisiana Department of ~~Children and Family Services~~ **Health**.

6 * * *

7 §46.12. Hospital-based paternity program

8 * * *

9 D. Hospital personnel shall forward an acknowledgment of paternity to the
10 state registrar who shall forward copies of same to ~~the Department of Children and~~
11 ~~Family Services~~ **Louisiana Works**, office of ~~children and family services~~, child
12 support ~~enforcement section~~. A statewide database shall be maintained by ~~the~~
13 ~~Department of Children and Family Services~~ **Louisiana Works** in accordance with
14 federal regulations.

15 * * *

16 F. ~~The Department of Children and Family Services~~ **Louisiana Works**,
17 office of ~~children and family services~~, child support ~~enforcement section~~ shall
18 provide to all birthing hospitals in the state:

19 * * *

20 §79. Record of adoption decree

21 A.(1) Whenever a final decree of adoption shall be entered, the clerk of court
22 shall forward, on a form supplied by the Louisiana Department of ~~Children and~~
23 ~~Family Services~~ **Health**, his certificate of the decree to the state registrar who shall
24 make a new certificate of live birth of the person adopted, in the new name if the
25 name has been changed in the decree.

26 * * *

27 C. A person born in a foreign country who is adopted in the state of
28 Louisiana, but who is not a United States citizen, or who is a naturalized United
29 States citizen, and a person born in a foreign country and adopted outside the United

1 States by adoptive parents who are residents of the state of Louisiana at the time of
2 the adoption, may obtain a new birth certificate according to the following
3 conditions, limitations, and procedures:

4 * * *

5 (2) Where the certified copy of the original birth certificate of the adopted
6 person and certified translation are not available, the court having jurisdiction of
7 adoptions in the parish, upon evidence presented by the Louisiana Department of
8 ~~Children and Family Services~~ **Health** from information secured at the port of entry
9 or upon evidence from other reliable sources, may make findings on the date, place
10 of birth, and parentage of the adopted person. Upon receipt of a certified copy of
11 such findings of the court, together with a certified copy of the order or decree of
12 adoption, the state registrar shall prepare a birth certificate in the new name of the
13 adopted person and shall seal and file the certified copy of the findings of the court
14 and the certified copy of the order or decree of adoption.

15 * * *

16 §600.91. Powers and duties of the corporation

17 A. The corporation shall have the powers necessary or convenient to carry
18 out and effectuate the purposes and provisions of this Chapter, including the
19 following powers in addition to all other powers granted by other provisions of this
20 Chapter:

21 * * *

22 (28)

23 * * *

24 (b)

25 * * *

26 (ii) The commission shall be comprised of the following members:

27 * * *

28 (dd) The secretary of the Louisiana Department of ~~Children and Family~~
29 ~~Services~~ **Health**, or his designee.

1 * * *

2 §1061.14. Minors

3 * * *

4 B. The following provisions shall apply to all applications for court orders
5 by minors seeking abortions and appeals from denials of applications:

6 * * *

7 (3)

8 * * *

9 (b)(i) Prior to such ex parte hearing, the court may require the minor to
10 participate in an evaluation and counseling session with a mental health professional
11 from the Louisiana Department of Health, office of behavioral health, or a staff
12 member from the **Louisiana** Department of ~~Children and Family Services~~ **Health**,
13 office of ~~children and family services~~ **child welfare**, or both. The court may refer the
14 petitioner, if necessary, to the appropriate Louisiana Department of Health, office of
15 behavioral health regional office to arrange the evaluation and counseling session
16 within the four- day period prior to the ex parte hearing, as provided in this
17 Paragraph. This referral may be made by the clerk upon the minor's filing the
18 application when the court has issued a standing order authorizing same and the
19 circumstances fit the criteria of the standing order therefor.

20 * * *

21 §1061.17. Woman's right to know

22 * * *

23 C.

24 (1) The department shall cause to be published in English, within one
25 hundred twenty days after enactment of this Act, and shall update on an annual basis,
26 or as needed, the following easily comprehensible information on a stable internet
27 website that shall be developed and maintained by the department to inform the
28 public of the public and private agencies and services available to assist a woman
29 through pregnancy, upon childbirth, and while her child is dependent, including but

1 not limited to the following information that shall indicate the agency's or service's
2 physical address, telephone number, and web address if available:

3 * * *

4 (e) Information on a separate and featured webpage created and maintained
5 by the **Louisiana** Department of ~~Children and Family Services~~ **Health** linked on the
6 department's website, accessible by redirecting from the domain name
7 AdoptionOption.La.Gov, that lists public and private nonprofit adoption agencies
8 that are not affiliated with an abortion provider, along with easily comprehensible
9 first steps to aid a pregnant woman seeking to confidentially explore the option of
10 placing her child for adoption, and indicating whether the adoption agency allows
11 the woman to choose the adoptive parents.

12 * * *

13 §1061.17.1. Development of AdoptionOption.La.Gov website; task force

14 The legislature hereby establishes a task force within the Louisiana
15 Department of Health to advise the secretary of the department concerning the
16 preparation of the printed and internet materials provided for in R.S.
17 40:1061.17(C)(1)(e) and (D), and to develop public education initiatives to publicize
18 the information in a manner consistent with state law. The task force shall be
19 composed of the following members:

20 * * *

21 (8) The secretary of the Louisiana Department of Health or his designee, who
22 shall serve as a ~~co-chairperson~~ **chairperson** of the task force.

23 * * *

24 §1061.21. Reports

25 A. An individual abortion report for each abortion performed or induced shall
26 be completed by the attending physician. The report shall be confidential and shall
27 not contain the name or address of the woman. The report shall include all of the
28 following:

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(c) If the pregnant woman is a minor and the abortion was performed pursuant to a judicial bypass order as provided for in R.S. 40:1061.14, the report shall include all of the following:

(i) A notation indicating whether or not the minor was required to participate in an evaluation and counseling session with a mental health professional from the Louisiana Department of Health or a staff member from the **Louisiana** Department of ~~Children and Family Services~~ **Health** as provided for in R.S. 40:1061.14(B)(3)(b).

* * *

(vi) A notation of whether or not the physician or any other staff member of the abortion facility referred the woman to the Louisiana Department of Health ~~or the Department of Children and Family Services~~ for any health services or other human services.

* * *

E. The Louisiana Department of Health shall, on a quarterly basis, provide to ~~the Department of Children and Family Services and to the attorney general~~ copies of all abortion reports in which a minor pregnant woman under the age of thirteen received an abortion.

* * *

§1086.11. Physician notification

A. If a newborn exhibits symptoms of withdrawal or other observable and harmful effects in his physical appearance or functioning that a physician believes are due to the use of a controlled dangerous substance, as defined by R.S. 40:961 et seq., in a lawfully prescribed manner by the mother during pregnancy, the physician shall make a notification to the **Louisiana** Department of ~~Children and Family Services~~ **Health** on a form developed by the department. Such notification shall not constitute a report of child abuse or prenatal neglect, nor shall it require prosecution for any illegal action.

1 B. A healthcare provider shall be authorized to share any protected health
2 information, as defined in 45 CFR 160.103, with the Louisiana Department of
3 ~~Children and Family Services~~ **Health** for the purpose of complying with the
4 notification requirement of this Subpart.

5 C. The Louisiana Department of ~~Children and Family Services~~ **Health** shall
6 promulgate rules and regulations in accordance with the Administrative Procedure
7 Act to implement the provisions of this Subpart. Such rules shall include, at
8 minimum, all of the following:

- 9 (1) The manner in which the notification shall be made to the department.
- 10 (2) The form and minimum required contents of the notification.
- 11 (3) The plan to monitor the statewide system regarding the availability and
12 delivery of appropriate services for newborns and affected families and caretakers.

13 D. A physician who in good faith makes a notification to the Louisiana
14 Department of ~~Children and Family Services~~ **Health** in compliance with this Section
15 shall have no civil or criminal liability for damage or injury arising from that
16 notification, unless the damage or injury was caused by the physician's willful or
17 wanton misconduct or gross negligence.

18 Section 21. R.S. 43:111(A)(8) is hereby amended and reenacted to read as follows:
19 §111. Advertising; when prohibited and when authorized

20 A. The state, or any department, officer, board, or commission shall not
21 expend any public funds for advertising in any newspaper, book, pamphlet,
22 periodical, or radio and television stations except as follows:

23 * * *

24 (8) Advertising by the ~~office of children and family services in the~~
25 ~~Department of Children and Family Services~~ **Louisiana Department of Health** for
26 the recruitment of foster or adoptive parents.

27 * * *

28 Section 22. R.S. 44:38 is hereby amended and reenacted to read as follows:
29 §38. Access to records involved in legislative studies

1 Notwithstanding any other law to the contrary, the custodian of records of the
2 Louisiana Department of Health ~~Children and Family Services, office of children~~
3 ~~and family services~~, and the custodian of records of each juvenile court or any court
4 which hears and decides juvenile matters shall grant access to a percentage, as
5 specified by the legislative committee, of the total records of defined classes of
6 children in state custody or in foster care to any committee of the legislature acting
7 pursuant to an appropriate legislative instrument directing the committee to study
8 procedures or outcomes of cases involving children in state custody or in foster care.

9 The size of the specific group to be studied shall be large enough to preserve the
10 anonymity of individual children. Such access shall be limited to that purpose, and
11 all information regarding names or other identifiers shall be removed. Information
12 pertaining to children who have been adopted shall be strictly confidential and shall
13 be released only in accordance with existing laws.

14 Section 23. R.S. 46:1(2), (4), and (6), 2(A) and (B), 16, the heading of Chapter 2 of
15 Title 46 of the Louisiana Revised Statutes of 1950, the heading of Part I of Chapter 2 of Title
16 46 of the Louisiana Revised Statutes of 1950, the introductory paragraph of 51, 51.3,
17 52.1(A), 54, 56(A), (B)(1) and (3), and (F)(4)(b), the introductory paragraph of 56(F)(9),
18 56(F)(9)(h), 59, 60, 107(A)(1) and (2), 114(A) and (B), the introductory paragraph of
19 114(C)(1), 114(C)(2), (D), and (E)(1), 114.2, 114.3(A) and (B), 116, 123(A)(2)(a)(vi),
20 230.1(A) and (B), 231(11) and (24), 231.4(A) and (D), 232(A), the introductory paragraph
21 of 233.1(C), the introductory paragraph of 233.1(D), 236, 236.1.1(3), (5), and (16),
22 236.1.4(C) and (E), 236.1.7(B), 236.1.8(D), 236.1.9(B), 236.1.12(C) and (F)(2), 236.3(A)(2)
23 and (G), the introductory paragraph of 236.5(A), 236.6(A)(1), (C), (E), and (G), 236.7(A)(1),
24 (B)(1), and (F), 236.8(A) and (G)(5) and (6), 236.9(B), (G), and (K), 236.10(A), (D), and
25 (E), 236.11(A), (B)(2), and (C), 236.12(B)(1), 236.13(A), 236.14(C), the introductory
26 paragraph of 236.14(D)(1), the introductory paragraph of 236.14(D)(2), (E)(2)(b), (G)(1) and
27 (2), and (J), 236.15(A)(1), 236.16, 237(A), (C)(5), and (E) through (G), 238(B) through (D),
28 the introductory paragraph of 238(E), 238(E)(7) and (F) through (H), 281, 282(A) through
29 (C), 283(A), (B), and (C)(1)(b), the introductory paragraph of 285(A), 285(B), (C), (E), (H),

1 and (I), 286, 286.1(A), (B), (C)(1) and (3), the introductory paragraph of 286.1(D),
 2 286.1(D)(2), (E)(2), (F), (G), and (J), the introductory paragraph of 286.2(A), 286.2(B),
 3 286.12, the introductory paragraph of 286.13(3), 286.13(E), 286.16(B), 288.2(1) and (2),
 4 352(1)(a), 356, 401, 441, 443, 444, 447, 447.3, 448, the introductory paragraph of 450(A),
 5 450.1(A), 460.1, 460.5(A), 460.7(A) and (C), 460.8(A)(1) and (B), 460.10, 932(12),
 6 972.1(A)(1), 1002(A), the introductory paragraph of 1002(B), 1002(C), 1251(B), 1259(B),
 7 1352(1) and (2), 1353(D) and (G), 1402, 1403(3), 1404(B), 1414.1(A), 1425(C), the
 8 introductory paragraph of 1427, 1428(B) through (D), 1430(A)(1) and (D)(2), 1442.1(2) and
 9 (3), 1442.2(A) and (C), 1445.3(1) and (3), 1445.4, 1445.13(A), 1451(1) and (3),
 10 1844(W)(1)(a), (3), and (5)(a) and (c), 1906.2, 2122, 2136.2(F), 2145(A), 2147(D),
 11 2148(B)(1), the introductory paragraph of 2161(A), 2161(B) and (C), the introductory
 12 paragraph of 2161.1(A), 2161.1(C), 2169.1(9), 2402(4), 2404(B)(1)(b), 2406(G), 2411(2),
 13 2552, 2553, 2605(B)(11), 2605.1(B)(2) and (3), 2607(C)(1)(f), and 2758.2(A) are hereby
 14 amended and reenacted and R.S. 46:107(E) is hereby enacted to read as follows:

§1. Definitions

As used in this Title, the following definitions shall apply:

* * *

(2) "Department" means ~~the Department of Children and Family Services~~
Louisiana Works or ~~the~~ Louisiana Department of Health.

* * *

(4) "Parish or district office" means parish or district office of ~~the Department~~
~~of Children and Family Services~~ **Louisiana Works** or ~~the~~ Louisiana Department of
Health.

* * *

(6) "Secretary" means the secretary of ~~the Department of Children and~~
~~Family Services~~ **Louisiana Works** or ~~the~~ Louisiana Department of Health.

* * *

§2. Administration of oaths

A. Employees of ~~the office of children and family services of the~~ **Louisiana**

1 Department of ~~Children and Family Services~~ **Health** and employees of the parish or
 2 district offices of the department, including the New Orleans Department of Health,
 3 may administer oaths and pass authentic acts in connection with any documents
 4 relative to relief or assistance now or to be furnished by the state or any political
 5 subdivision under the provisions of this Title or the provisions of the Social Security
 6 Act, as either may be amended.

7 B. Employees of ~~the office of children and family services of the Louisiana~~
 8 Department of ~~Children and Family Services~~ **Health** and employees of the parish or
 9 district offices of the department may administer oaths and pass authentic acts,
 10 except acts of voluntary surrender under R.S. 9:402, in connection with any
 11 documents relative to services now or to be furnished by the state or any political
 12 subdivision, either directly or through contractual agreement, under the provisions
 13 of this Title or the provisions of the Social Security Act.

14 * * *

15 §16. Sale or lease of state-owned facilities; procedure

16 In the event that any state facility owned or operated by ~~the Department of~~
 17 ~~Children and Family Services~~, the Louisiana Department of Health; or the
 18 Department of Public Safety and Corrections should permanently cease operations
 19 or should permanently vacate the premises of one facility and move to the premises
 20 of another facility, the secretary of the appropriate department is hereby authorized
 21 to sell or lease to the highest bidder the property, buildings, and all other
 22 appurtenances of the state-owned facility which has been permanently closed or
 23 vacated. The respective secretary shall, when the facilities are offered for sale or
 24 lease, follow those procedures set forth in R.S. 41:131 et seq. relative to the sale of
 25 public land or R.S. 41:1211 et seq. relative to the lease of public land; provided
 26 however, the Joint Natural Resources Oversight Committee approves the proposed
 27 sale or lease.

28 * * *

29 CHAPTER 2. LOUISIANA DEPARTMENT OF ~~CHILDREN AND~~

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~~FAMILY SERVICES~~ **HEALTH**

~~PART I. ORGANIZATION~~ **PUBLIC ASSISTANCE**

§51. Duties of the department

The **Louisiana** Department of ~~Children and Family Services~~ **Health**, through its secretary, shall administer the public assistance and welfare laws of the state as follows:

* * *

§51.3. Criminal history information; access to federal tax information

~~The Department of Children and Family Services~~ **Louisiana Works**, office of child support ~~enforcement and family support~~, is authorized to perform criminal history records checks of current and prospective employees, contractors, and subcontractors in accordance with the procedures provided in R.S. 15:587.5. Pursuant to this authorization and to implement the requirements of R.S. 15:587.5, the secretary shall promulgate rules and regulations with regard to this matter.

* * *

§52.1. Integrated case management; service integration of various social service programs

A. The legislature recognizes that the Louisiana Department of Health; ~~Department of Children and Family Services~~, and Louisiana Works provide services to individuals with multiple needs. However, the conventional service delivery system of requiring individuals to access various offices within the state to address those multiple needs creates barriers to the delivery of those services and entry into the workforce. These needs can be better met, more efficiently and less costly, through integrated case management at a single service location with a single case worker. It is the intent of the legislature to streamline the delivery of services and incorporate integrated case management models for clients and families served by multiple departments and programs.

* * *

§54. Parish offices

1 authorized to share access to each other's case records as necessary for the
2 administration of their respective programs, except as prohibited by federal law or
3 regulation.

4 * * *

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

9 * * *

10 (4)

11 * * *

12 (b) In addition, the department may release information to other agencies of
13 state government that are engaged in rendering services or treatment to a department
14 recipient or former recipient. The agency receiving the information from the
15 department under this Paragraph shall be bound by the same confidentiality standard
16 as prescribed in this Section with regard to release of this information to the
17 recipient, the client's legal representative, or an outside source. The Louisiana
18 Department of Health, ~~the Department of Children and Family Services~~ **Louisiana**
19 **Works**, and, for the purpose of adult protective services, the office of elderly affairs
20 may release information to each other for the purpose of furthering services or
21 treatment to clients or recipients of services of either department. Information subject
22 to release pursuant to this Section that is covered by federal statutes or regulations
23 restricting release of the information shall be released only in accordance with the
24 federal statutes or regulations.

25 * * *

26 (9) Notwithstanding any other provision of this Section, limited public
27 disclosure of summary information contained in the child abuse or neglect records
28 of the **Louisiana** Department of ~~Children and Family Services~~ **Health** may be made
29 as follows:

* * *

(h) Notwithstanding the provisions of Subsection B of this Section, references in this Paragraph to the term "department" shall only mean the Louisiana Department of ~~Children and Family Services~~ **Health**.

* * *

§59. Welfare demonstration, experimental and other projects

~~The Department of Children and Family Services~~ Louisiana Works and the Louisiana Department of Health are authorized to make use of staff and equipment to carry out experimental and demonstration projects whose costs are otherwise totally financed by the federal government under the provisions of the Social Security Act (42 U.S.C. 1315) or any other programs totally financed from federal funds.

§60. Educational leaves with pay; federal funds

The secretary of ~~the Department of Children and Family Services~~ Louisiana Works and Louisiana Department of Health may grant educational leave with pay to an employee of the department in compliance with federal administrative rules and federal laws that allow federal matching funds to be used in further educating employees of ~~the Department of Children and Family Services~~ Louisiana Works and Louisiana Department of Health in the various states.

* * *

§107. Appeal and review; venue for judicial review

A.(1) ~~The Department of Children and Family Services~~ Louisiana Works and the office of the secretary of the Louisiana Department of Health, through their respective appeal sections, shall provide for a system of hearings and are responsible for fulfillment of all hearing provisions as prescribed under Title I, IV-A, X, XIV, XVI, XIX, or XX of the Social Security Act and under the Food Stamp Act, Public Law 91-671. Under these provisions, an opportunity for a hearing shall be granted at the state level to any applicant, ~~or recipient,~~ or customer who makes a timely request for a hearing because his claim for assistance, services, or nutrition

1 assistance benefits is denied or is not acted upon with reasonable promptness and to
2 any recipient who is aggrieved by an agency action resulting in suspension,
3 reduction, discontinuance, or termination of benefits.

4 (2) Under these provisions, an opportunity for a hearing shall also be granted
5 at the state level by the Louisiana Department of ~~Children and Family Services~~
6 Health to any child placing agency or day care center who is aggrieved by any
7 agency action resulting in the denial, suspension, or revocation of a license.

8 * * *

9 E. For purposes of this Section, "customer" means an applicant or
10 recipient of public assistance benefits and services that fall within the purview
11 of Louisiana Works.

12 * * *

13 §114. Fraud in obtaining assistance; withholding information concerning property,
14 income or beneficiary, or personal circumstances

15 A. No person shall obtain or attempt to obtain assistance from ~~the~~
16 ~~Department of Children and Family Services~~ Louisiana Works or the Louisiana
17 Department of Health by means of any false statement, misrepresentation, or other
18 fraudulent device. If during the life, or upon the death, of any person who is
19 receiving or has received assistance it is found that the recipient is receiving or has
20 received assistance through misrepresentation, nondisclosure of material facts, or
21 other fraudulent device, the amount of assistance, without interest, shall be
22 recoverable from him or his estate as a debt due the state by court action.

23 B. If at any time during the continuance of public assistance to any person,
24 the recipient thereof, or the husband or wife of the recipient with whom he or she is
25 living, is possessed or becomes possessed of any property or income in excess of the
26 amount declared at the time of application or reinvestigation of his case and in such
27 amount as would affect his needs or right to receive assistance, it shall be the duty
28 of the recipient, or the husband or wife of the recipient, to notify ~~the Department of~~
29 ~~Children and Family Services~~ Louisiana Works or the Louisiana Department of

1 Health of possession of such property or income, and the department shall, after
 2 investigation, either cancel the assistance or alter the amount thereof in accordance
 3 with the circumstances, provided, that such investigation shows that such property
 4 or income does affect the need of the recipient or his right to receive assistance. If
 5 during the life, or upon the death, of any person who is receiving or has received
 6 assistance it is found that the recipient or his spouse was possessed of any property
 7 or income in excess of the amount reported that would affect his need or right to
 8 receive assistance, any assistance paid when the recipient or his spouse was in
 9 possession of such undeclared property or income shall be recoverable, without
 10 interest, from him or his estate as a debt due the state by court action. The possession
 11 of undeclared property by a recipient or his spouse with whom he is living shall be
 12 prima facie evidence of its ownership during the time assistance was granted, and the
 13 burden to prove otherwise shall be upon the recipient or his legal representative.

14 C.(1) If the personal circumstances of the recipient change at any time during
 15 the continuance of assistance, he shall immediately notify ~~the Department of~~
 16 ~~Children and Family Services~~ **Louisiana Works** or the Louisiana Department of
 17 Health of the change. Personal circumstances shall include:

18 * * *

19 (2) If during the life, or upon the death, of any person who is receiving
 20 assistance it is found that the recipient has received or is receiving assistance of a
 21 greater amount than he is entitled to receive as a result of his failure to notify ~~the~~
 22 ~~Department of Children and Family Services~~ **Louisiana Works** or the Louisiana
 23 Department of Health of a change of personal circumstances as set forth in this
 24 Subsection, any assistance paid during the time that the recipient was receiving
 25 assistance of a greater amount than he was entitled to receive as a result of his failure
 26 to notify the department shall be recoverable, with legal interest, from him or his
 27 estate as a debt due the state by court action.

28 D. The federal government shall be entitled to share in any amount recovered
 29 under the provisions of this Section; however, the amount recovered by the federal

1 government shall not exceed the amount contributed by the federal government in
2 each case. The amount due the United States shall be promptly paid or credited upon
3 collection to the designated agency of the federal government by ~~the Department of~~
4 ~~Children and Family Services~~ **Louisiana Works** or the Louisiana Department of
5 Health.

6 E.(1) Persons receiving food stamps or Aid to Families with Dependent
7 Children, or a successor of either program, who have been determined by ~~the~~
8 ~~Department of Children and Family Services~~ **Louisiana Works or the Louisiana**
9 **Department of Health** in an administrative hearing, or a court of competent
10 jurisdiction after final appeal, to have fraudulently obtained such food stamps or Aid
11 to Families with Dependent Children, or benefits or assistance from a successor of
12 either program, shall be ineligible for further participation in the program in
13 accordance with the following schedule:

14 * * *

15 §114.2. Attempting or aiding to obtain assistance fraudulently; penalties

16 Any person who obtains or attempts to obtain or aids and abets anyone to
17 obtain assistance from ~~the Department of Children and Family Services~~ **Louisiana**
18 **Works** or the Louisiana Department of Health by means of any false statement,
19 misrepresentation, or other fraudulent device or violates the provisions of R.S.
20 46:114 shall be guilty of theft as provided by R.S. 14:67.

21 §114.3. Regional fraud detection units; investigative subpoenas and subpoenas
22 duces tecum

23 A. ~~The Department of Children and Family Services~~ **Louisiana Works** shall
24 establish, maintain, and provide for fraud detection functions in order to detect fraud
25 in obtaining public assistance through staff in each region of the state. Each fraud
26 detection unit shall report each incident of public assistance fraud to the fraud
27 detection section of the office of children and family services on a monthly basis by
28 the tenth day of each succeeding month. An annual report of the activities of all fraud
29 detection units within a state fiscal year shall be submitted by the fraud detection

1 section to the Senate and House committees on health and welfare by September
2 first.

3 B. When the secretary of ~~the Department of Children and Family Services~~
4 **Louisiana Works** or the secretary's designated representative has evidence that any
5 person, business, or other legal entity attempted to obtain or obtained assistance or
6 payment for services or goods from the department by means of any false statement,
7 misrepresentation, or other fraudulent device, the secretary or the designated
8 representative may issue an administrative investigation subpoena for deposition
9 testimony or a subpoena duces tecum to be served upon any person, business, or
10 other legal entity who is believed to have information, material, or physical evidence
11 relative to the alleged or suspected violation, for the purpose of producing, revealing,
12 identifying, or explaining documentary material or other physical evidence. Such
13 deposition or return of subpoena shall take place in the parish in which the person,
14 business, or other legal entity upon whom the subpoena has been served resides or
15 conducts business. The subpoena shall be served by certified mail, return receipt
16 requested, or by any other means authorized by the Code of Civil Procedure or the
17 Code of Criminal Procedure for the service of process. The subpoena shall specify
18 a return date indicating the date by which deposition testimony or information,
19 material, or physical evidence must be received by the department.

20 * * *

21 §116. Prima facie proof of pleadings

22 Pleadings filed on behalf of the ~~Department of Children and Family Services~~
23 **Louisiana Works** or the Louisiana Department of Health in actions to recover the
24 value of ineligible public financial assistance payments or benefits shall be
25 accompanied by an itemized statement of the amount of overissuance or
26 overpayment together with the amount to which the recipient was entitled, if any.
27 When accompanied by an affidavit of the assistant secretary of the office
28 administering such payments or benefits to the correctness thereof as to the truth of
29 the facts alleged to the best of the affiant's knowledge and belief, such itemized

1 statement shall be accepted as prima facie proof of the disbursement and receipt of
2 said payments and the amount thereof.

3 * * *

4 §123. Louisiana Military Family Assistance Board

5 A.

6 * * *

7 (2)(a) The board shall be composed of the following:

8 * * *

9 (vi) The secretary of ~~the Department of Children and Family Services~~
10 **Louisiana Works**, or designee.

11 * * *

12 §230.1. Legislative intent

13 A. It is the intent of the legislature that families in Louisiana be strong and
14 economically self-reliant so as to minimize their dependence on government benefits
15 for basic needs. To accomplish this goal, it is the intent of this Part that ~~the~~
16 ~~Department of Children and Family Services~~ **Louisiana Works** ensures that all cash
17 assistance recipients, with the exception of persons with disabilities or who are
18 incapacitated, are actively and universally engaged in meaningful activities designed
19 to enable their transition from cash assistance to self-reliance. It is the further intent
20 that cash assistance participants demonstrate and are expected to exercise active and
21 diligent personal responsibility in achieving self-reliance through employment and
22 increased workplace literacy. All appropriate state agencies responsible for
23 employment, training, and educating Louisiana's citizens are expected to cooperate
24 in the pursuit of this goal.

25 B. ~~The Department of Children and Family Services~~ **Louisiana Works** shall
26 submit written reports on the status of implementation of these provisions to the
27 Performance Review Subcommittee of the Joint Legislative Committee on the
28 Budget in March, 2004 and September, 2004, and thereafter, annually at the same
29 time as the mid-year performance progress report is submitted as provided in R.S.

1 39:87.3(A)(2). Such written reports shall include but not be limited to data providing
2 performance measures assessing the success of performance-based agreements, job
3 readiness, workplace literacy, job development services, and such additional data as
4 may be determined by the committee.

5 * * *

6 §231. Aid to needy families; definitions

7 As used in this Subpart, unless the context clearly requires otherwise:

8 * * *

9 (11) "Department" means ~~the Department of Children and Family Services~~

10 **Louisiana Works**.

11 * * *

12 (24) "Secretary" means the secretary of ~~the Department of Children and~~

13 ~~Family Services~~ **Louisiana Works**.

14 * * *

15 §231.4. Immunization compliance; exceptions

16 A. The secretary of ~~the Department of Children and Family Services~~
17 **Louisiana Works** and the secretary of the Louisiana Department of Health shall
18 require each recipient **or customer** of public assistance of the programs described
19 herein or his parent or guardian to present to the appropriate local agency issuing the
20 public assistance sufficient evidence of immunity or immunization against vaccine-
21 preventable diseases according to a schedule promulgated by rule by the office of
22 public health of the Louisiana Department of Health. Sufficient evidence that such
23 an immunization program is in progress may be substituted for proof of immunity
24 or immunization.

25 * * *

26 D. ~~The Department of Children and Family Services~~ **Louisiana Works** and
27 the Louisiana Department of Health shall promulgate rules and regulations in
28 accordance with the Administrative Procedure Act to implement the provisions of
29 this Section for programs under the particular department's jurisdiction. The office

1 of public health shall develop and promulgate by rule the immunization schedule
2 required herein.

3 * * *

4 §232. Investigations and reports

5 A. If any person has knowledge that any dependent child is dependent upon
6 the public for support, or that the interest of the public requires that the child be
7 granted aid, the person may bring the fact to the notice of the parish office of the
8 Louisiana Department of ~~Children and Family Services~~ **Health** of the parish in
9 which the child resides, which department shall make an investigation and
10 examination of the circumstances of the child before the granting of aid.

11 * * *

12 §233.1. Recovery of overpayments

13 * * *

14 C. ~~The department~~ **Louisiana Works** shall promptly take all necessary steps
15 to correct any overpayment, including collection, or underpayment of child support
16 to individuals to whom the department is providing services pursuant to R.S.
17 46:236.1.1 et seq., and, in the case of:

18 * * *

19 D. The ~~department~~ **Department of Education** will promptly take all
20 necessary steps to correct any overpayment, including collection, or underpayment
21 of child care assistance provided under the Child Care and Development Block Grant
22 and in the case of:

23 * * *

24 §236. Administration of emergency assistance to needy families with children

25 In order to extend and improve services, aid, and care to needy children and
26 needy families with children in this state, and in order to take full advantage of
27 existing federally funded programs on a matched basis, ~~the Department of Children~~
28 ~~and Family Services~~ **Louisiana Works** shall be the agency of the state of Louisiana
29 to cooperate with the United States and to administer Title IV-A, Sections 403 and

1 406 of the Social Security Act (42 U.S.C. 603 and 606) or any amendments thereto,
2 relating to emergency assistance to needy families with children, and to receive and
3 expend federal moneys for these services.

4 * * *

5 §236.1.1. Family and child support programs; definitions

6 For the purposes of this Subpart, the following items shall mean:

7 * * *

8 (3) "CSE administrator" means the program executive director of the office
9 of child support ~~enforcement section, division of family support, office of children~~
10 ~~and family services, Department of Children and Family Services~~ **Louisiana Works**.

11 * * *

12 (5) "Department" means ~~the Department of Children and Family Services~~
13 **Louisiana Works**.

14 * * *

15 (16) "Support services" and "support enforcement services" means any action
16 taken by ~~the Department of Children and Family Services~~ **Louisiana Works**, upon
17 receipt of an application or referral for services or a request made under the Uniform
18 Interstate Family Support Act, in accordance with the federal requirements of Title
19 IV-D of the Social Security Act and corresponding state laws and regulations without
20 regard to whether there is any existing court order, delinquency, or presumption of
21 paternity.

22 * * *

23 §236.1.4. Family and child support programs; financial institution duties;
24 responsibilities

25 * * *

26 C. ~~The Department of Children and Family Services~~ **Louisiana Works** may
27 pay a reasonable reimbursement fee to a financial institution for conducting the data
28 match, not to exceed the actual costs incurred by such financial institution. The
29 reimbursement fee may be paid quarterly or annually at the end of the state fiscal

1 year upon request of any financial institution.

2 * * *

3 E. The office of ~~children and family services~~, child support ~~enforcement~~
4 ~~section~~, which obtains data match information on an individual from a financial
5 institution pursuant to this Subpart may disclose such data match information only
6 for the purpose of, and to the extent necessary in, establishing, modifying, or
7 enforcing a child support obligation of such individual.

8 * * *

9 §236.1.7. Family and child support programs; liability

10 * * *

11 B. Any attorney initiating legal proceedings pursuant to this Subpart and
12 Titles IV-D and IV-A of the Social Security Act shall represent the state of
13 Louisiana, ~~Department of Children and Family Services~~ **Louisiana Works**
14 exclusively. An attorney-client relationship shall not exist between the attorney and
15 any applicant or recipient of child support enforcement services for and on behalf of
16 a child or children, without regard to the name in which legal proceedings are
17 initiated. In those cases in which ~~the Department of Children and Family Services~~
18 **Louisiana Works** is providing child support services, the attorney representing the
19 department shall not represent any party in matters involving custody or visitation.
20 The provisions of this Subsection shall apply to a staff attorney in the child support
21 enforcement section of ~~the Department of Children and Family Services~~ **Louisiana**
22 **Works**, district attorney, or contract attorney providing support services pursuant to
23 Title IV-D.

24 * * *

25 §236.1.8. Family and child support programs; additional authorized employee
26 actions

27 * * *

28 D. The support services authorized by this Subpart shall be provided by the
29 office of ~~children and family services~~, child support ~~enforcement section~~. Field

1 officers responsible for supplying these services shall be designated by the secretary.
 2 Such officers shall have the power and authority to make arrests, supervise the
 3 probation of offenders, serve notices, orders, subpoenas, summonses, citations,
 4 motions, and writs, and to execute all warrants and orders and to perform any other
 5 duties incident to their office. All such officers are hereby authorized to carry
 6 weapons and arms, concealed or openly, while in the actual performance of any duty
 7 or while under assignment to any duty, but under no circumstances shall officers be
 8 authorized to carry weapons unless they have been trained in the proper carrying and
 9 use of firearms by a recognized firearm training program.

10 * * *

11 §236.1.9. Family and child support programs; duties; courts; agencies; party status

12 * * *

13 B. Any court that collects child support pursuant to state laws and regulations
 14 shall forward that portion of the collections due to ~~the Department of Children and~~
 15 ~~Family Services~~ **Louisiana Works** within two days of receipt.

16 * * *

17 §236.1.12. Transfer of child support obligation to third party

18 * * *

19 C. When the current caretaker applies for support enforcement services
 20 pursuant to R.S. 46:236.1.2, the caretaker shall execute an affidavit stating that the
 21 minor child resides with him. The affidavit shall contain the following information
 22 in substantially the following form:

23 **AFFIDAVIT OF CHILD(REN)'S PHYSICAL**
 24 **PRESENCE IN THE CARETAKER'S HOME**

25 **AFFIDAVIT**

26 I, _____, the undersigned affiant

27 Name of the Affiant

28 do hereby certify and affirm that I am the caretaker of the minor child(ren) named below;

29 That I am the applicant/recipient of support enforcement services on behalf of the minor

1 _____ AT _____, LOUISIANA

2 _____

3 PRINT NAME OF ATTORNEY OR NOTARY PUBLIC

4 _____

5 SIGNATURE OF ATTORNEY OR NOTARY PUBLIC

6 _____

7 NOTARY NUMBER OF NOTARY PUBLIC OR BAR ROLL

8 NUMBER OF ATTORNEY

9 MY COMMISSION EXPIRES: _____

10 * * *

11 F.

12 * * *

13 (2) The ex parte motion shall also include an affidavit executed by an
14 authorized representative of the department. The affidavit shall contain the following
15 information in substantially the following form:

16 **AFFIDAVIT OF RECEIPT OF SERVICE AND NOTICE**

17 **AFFIDAVIT**

18 I, _____, an authorized

19 Name of the Affiant

20 representative of the **Louisiana** Department of ~~Children and Family Services, Child Support~~
21 ~~Enforcement~~ **Health** hereby certify and affirm:

22 That support enforcement services are being furnished to _____.

23 Caretaker

24 The following efforts have been made to give the *obligor* reasonable notice of the
25 department's intent to redirect child support payments to the current caretaker. The obligor
26 has not notified the department that (s)he objects to the redirection of support payments.

Date of Action	Action Taken

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The following efforts have been made to give the *obligee* reasonable notice of the department's intent to redirect child support payments to the current caretaker. The obligee has not notified the department that (s)he objects to the redirection of support payments.

Date of Action	Action Taken

I solemnly swear or affirm that the foregoing statements are true and correct to the best of my knowledge and belief.

SIGNATURE OF AFFIANT

PRINT NAME OF AFFIANT

SUBSCRIBED AND SWORN TO BEFORE ME ON THIS _____ DAY OF _____ AT _____, LOUISIANA

PRINT NAME OF ATTORNEY OR NOTARY PUBLIC

SIGNATURE OF ATTORNEY OR NOTARY PUBLIC

NOTARY NUMBER OF NOTARY PUBLIC OR BAR ROLL

NUMBER OF ATTORNEY

1 MY COMMISSION EXPIRES: _____

2 * * *

3 §236.3. Enforcement of support by income assignment

4 A. For purposes of this Section, the following words have the meaning
5 ascribed to them by this Section unless the context clearly indicates a different
6 meaning:

7 * * *

8 (2) "Department" means ~~the Department of Children and Family Services~~
9 **Louisiana Works**, office of ~~children and family services~~, child support ~~enforcement~~
10 ~~section~~.

11 * * *

12 G. Any person whose income is assigned under the provisions of this Section
13 shall advise the court of any change in his employment during the effective period
14 of assignment and shall advise the court of the name and address of any new payor
15 of any singular or periodic payment of income. The information required herein shall
16 be filed with the clerk of court on a form which shall be developed and distributed
17 by ~~the Department of Children and Family Services~~ **Louisiana Works**. The payor
18 of a person whose income is assigned under the provisions of this Section shall
19 inform the assignee in writing within ten days when the obligor terminates
20 employment or the payment of income terminates and provide the obligor's last
21 known address and the name and address of the obligor's new employer, if known.
22 Any person who violates the provisions of this Subsection may be found guilty of
23 contempt of court.

24 * * *

25 §236.5. Expedited process for establishment of paternity and establishment or
26 enforcement of support; hearing officers

27 A. All actions to establish paternity or to establish or enforce a support
28 obligation which are brought by ~~the Department of Children and Family Services~~
29 **Louisiana Works**, hereafter called "the department", on its own behalf or on behalf

1 of any person for whom support has been ordered and whose support rights have
2 been assigned to the department or for whom the department is providing support
3 enforcement services, must be completed, from the time of service of process of the
4 action to the time of disposition, within the following time frames:

5 * * *

6 §236.6. Failure to pay support; procedure, penalties and publication

7 A.(1) If a defendant violates the terms of a court order, issued pursuant to the
8 provisions of R.S. 46:236.1.1 et seq. and 236.2, Children's Code Article 1301.1 et
9 seq., or R.S. 13:4241, requiring him to pay child support to ~~the Department of~~
10 ~~Children and Family Services~~ **Louisiana Works**, a representative of the child
11 support collection agency as set forth in R.S. 46:236.1.8 may issue and serve on the
12 defendant a summons ordering him to appear and show cause before the proper court
13 of competent jurisdiction, on a date which shall be specified by the court, why he
14 should not be held in contempt of court. Prior to or at the hearing, ~~the Department~~
15 ~~of Children and Family Services~~ **Louisiana Works** or the district attorney shall file
16 with the court any summons served and a rule for contempt which shall be served in
17 open court on the defendant, setting forth the terms of the original court order for
18 child support and all modifications thereof, along with the allegations purporting to
19 place the defendant in contempt. If the defendant denies the allegations or offers a
20 defense to the rule, the court may, upon motion of either party or on its own motion,
21 continue the hearing.

22 * * *

23 C. In addition to any other penalty provided for in this Section, the court shall
24 render judgment in favor of the applicable payee for the amount of unpaid support
25 plus attendant court costs. The judgment shall have the same force and effect as a
26 final judgment for money damages against the defendant. This judgment shall
27 become executory upon its rendition, subject to the delays for filing a motion for new
28 trial or appeal, and may be registered with any Louisiana court of competent
29 jurisdiction on petition of ~~the Department of Children and Family Services~~

1 the rule, the court may, upon motion of either party or on its own motion, continue
2 the hearing.

3 * * *

4 F. The termination of a court order issued pursuant to the provisions of R.S.
5 46:236.1.1 et seq. and 236.2, Children's Code Article 1301.1 et seq., or R.S. 13:4241,
6 requiring a defendant to pay child support to ~~the Department of Children and Family~~
7 **Services Louisiana Works** does not abate the power of any court or the department
8 to collect any overdue and unpaid support or arrearage owed under the terminated
9 support order or the power of the court to punish any person for a failure to comply
10 with, or to pay any support as ordered in, the terminated court order.

11 * * *

12 §236.8. Medical support orders; health insurance enforcement

13 A. When a court orders a parent to provide medical support for the child,
14 specifically requiring the parent to enroll or maintain the child in a health insurance
15 program, the ~~Department of Children and Family Services~~ **Louisiana Works**, in any
16 case in which the department is rendering services, shall enforce the court order
17 through the use of the National Medical Support Notice, regarding group health
18 plans that are covered under the provisions of 42 U.S.C. §666(a)(19), 29 U.S.C.
19 §1169, and 45 CFR §303.32, and shall serve on the parent's employer the National
20 Medical Support Notice to enroll the child and employee in the employee's health
21 insurance program in accordance with the medical support order.

22 * * *

23 G. When a court orders a parent who is a participant or is eligible to
24 participate in a group health plan to enroll or maintain a minor child in a health
25 insurance program, the insurance company or health maintenance organization shall:

26 * * *

27 (5) Allow the provider; or the Louisiana Department of Health ~~for the~~
28 ~~Medicaid Plan, or the Department of Children and Family Services~~ to submit claims
29 for covered services without the approval of the custodial or the noncustodial parent.

1 (6) Reimburse the parent who rendered payment for services for the child, the
2 provider; or the Louisiana Department of Health ~~for the Medicaid Plan, or the~~
3 ~~Department of Children and Family Services~~ directly for claims submitted by them.

4 * * *

5 §236.9. Collection of child support; cooperative program

6 * * *

7 B. When a delinquency is referred to the Department of Revenue, hereinafter
8 referred to in this Section as the "department", pursuant to the provisions of this
9 Section, the amount of child support due, and any accrued interest and costs shall be
10 collected from the obligated parent by the department in any manner authorized by
11 law, and as specifically provided in Part III of Chapter 18 of Subtitle II of Title 47
12 of the Louisiana Revised Statutes. All funds generated from the collection efforts
13 shall be remitted periodically to ~~the Department of Children and Family Services~~
14 **Louisiana Works** for distribution as provided by law for collected child support
15 payments. However, the department shall be entitled to any allowable federal
16 reimbursement, and to fifty percent of any fees or payments that would ordinarily be
17 due to ~~the Department of Children and Family Services~~ **Louisiana Works** for the
18 collection made, except for incentives.

19 * * *

20 G. In the event the collection action would cause undue hardship to the
21 obligated parent, would threaten the health or welfare of his family, or would cause
22 irreparable loss, the obligated parent may so notify the secretary. In such case, the
23 secretary may, in his discretion, refer the receipt of such information to the secretary
24 of ~~the Department of Children and Family Services~~ **Louisiana Works**, who shall
25 determine whether to halt the department's collection procedures.

26 * * *

27 K. The Department of Revenue and ~~the Department of Children and Family~~
28 ~~Services~~ **Louisiana Works** are hereby authorized to promulgate rules and
29 regulations as may be necessary to effectuate the provisions of this Section, and to

1 enter into interagency agreements as necessary.

2 §236.10. State case registry of child support orders

3 A. The secretary of ~~the Department of Children and Family Services~~
4 **Louisiana Works** shall create an automated state case registry of child support
5 orders within the office of ~~children and family services~~, child support enforcement
6 section.

7 * * *

8 D. Clerks of court in the state's judicial districts shall provide the required
9 information to the child support enforcement section for use in developing the state
10 case registry. The court shall require the parties, or the attorneys representing the
11 parties, to provide the required information to the clerks of court. ~~The Department~~
12 ~~of Children and Family Services~~ **Louisiana Works** shall enter into cooperative
13 agreements with clerks of court to provide for reimbursement of the actual costs of
14 collecting and transmitting the information required by this Section.

15 E. ~~The Department of Children and Family Services~~ **Louisiana Works** shall
16 develop and distribute the forms which shall be used to obtain the information. Such
17 forms shall contain, at a minimum, the data elements identified by the secretary of
18 the United States Department of Health and Human Services.

19 * * *

20 §236.11. Louisiana disbursement unit for child support payments

21 A. The secretary of ~~the Department of Children and Family Services~~
22 **Louisiana Works** shall create a state disbursement unit for collection and
23 disbursement of child support.

24 B.

25 * * *

26 (2) The provisions of this Section shall apply to child support payments made
27 through any court. Any such court may enter into a cooperative agreement with the
28 secretary of ~~the Department of Children and Family Services~~ **Louisiana Works** to
29 authorize the department to collect those support payments and administrative costs

1 collected and distributed by the court pursuant to R.S. 46:236.5(B). The department
2 may retain an amount equal to the actual costs incurred in collecting and distributing
3 the child support, including administrative costs. However, such amount shall not
4 exceed one percent of the total amount collected for the court. The department shall
5 distribute such amounts collected pursuant to this Subsection in accordance with
6 federal regulations.

7 * * *

8 C. ~~The Department of Children and Family Services~~ **Louisiana Works**
9 ~~support enforcement program, office of children and family services~~ **child support**,
10 shall administer the state disbursement unit. The support enforcement program may
11 contract for the provision of these services in accordance with the applicable
12 provisions of Chapter 17 of Subtitle III of Title 39 of the Louisiana Revised Statutes
13 of 1950 and the Louisiana Procurement Code.

14 * * *

15 §236.12. Plan for parental participation of support; required work activities

16 * * *

17 B. For purposes of this Section:

18 (1) "Department" means the ~~child support enforcement section, office of~~
19 ~~children and family services~~ **child support**, ~~Department of Children and Family~~
20 ~~Services~~ **Louisiana Works**.

21 * * *

22 §236.13. Privilege on proceeds collected from third party in favor of ~~the Department~~
23 ~~of Children and Family Services~~ **Louisiana Works** for executory
24 child support arrears

25 A. ~~The Department of Children and Family Services~~ **Louisiana Works** or its
26 designee, as defined in R.S. 46:236.1.1, et seq. shall have a privilege for executory
27 child support arrears on an amount payable to an injured person, his heirs, or legal
28 representatives, out of the total amount of any recovery or sum had, collected, or to
29 be collected, whether by judgment or by settlement or compromise, from another

1 person on account of such injuries, and on the amount payable by any insurance
2 company under any contract providing for indemnity or compensation to the injured
3 person.

4 * * *

5 §236.14. Employer reporting program

6 * * *

7 C. ~~The Department of Children and Family Services~~ **Louisiana Works** shall
8 establish an automated directory known as the "state directory of new hires".

9 D.(1) An employer shall report to ~~the Department of Children and Family~~
10 ~~Services, office of children and family services, child support enforcement section~~
11 **Louisiana Works** any of the following:

12 * * *

13 (2) ~~The Department of Children and Family Services~~ **Louisiana Works** shall
14 secure either electronically or by hard copy all of the following:

15 * * *

16 E.

17 * * *

18 (2)

19 * * *

20 (b) If an employer has employees who are employed in two or more states
21 and transmits a report magnetically or electronically, the employer may comply with
22 this Section by designating one of the states to which he shall report. The employer
23 shall notify ~~the Department of Children and Family Services~~ **Louisiana Works** in
24 writing as to which state he will report.

25 * * *

26 G.(1) ~~The Department of Children and Family Services~~ **Louisiana Works**
27 shall enter the information into the data base for the state directory of new hires no
28 later than five days after receipt from an employer.

29 (2) ~~The Department of Children and Family Services~~ **Louisiana Works** shall

1 provide the data entered into the state directory of new hires to the national directory
2 of new hires no later than three business days after the data entry.

3 * * *

4 J.(1) ~~The Department of Children and Family Services~~ **Louisiana Works**
5 shall use information received pursuant to this Section to locate individuals for
6 purposes of establishing paternity and for establishing, modifying, and enforcing
7 child support obligations. ~~The Department of Children and Family Services~~
8 **Louisiana Works** may disclose the information received pursuant to this Section to
9 any agent of ~~the Department of Children and Family Services~~ **Louisiana Works** that
10 is under contract to carry out such purposes.

11 (2) ~~The Department of Children and Family Services~~ **Louisiana Works** shall
12 provide access to information received pursuant to this Section for purposes of
13 verifying eligibility for the program specified in Section 1137(b) of the Social
14 Security Act.

15 (3) ~~The Department of Children and Family Services shall provide access to~~
16 **Louisiana Works may use** the information received pursuant to this Section ~~to~~
17 ~~Louisiana Works~~ for the purposes of administering the employment security and
18 workers' compensation programs.

19 §236.15. Limited administrative authority for certain paternity and child support
20 actions

21 A.

22 * * *

23 (1) In cases in which ~~the Department of Children and Family Services~~
24 **Louisiana Works**, ~~office of children and family services, child support enforcement~~
25 ~~section~~, referred to in this Section as "agency", is providing services, the agency
26 may, in cases in which paternity is at issue, order all parties to submit to genetic
27 testing.

28 * * *

29 §236.16. Child support mortgage and privilege by affidavit; effect of filing

1 A. The director of the ~~child support enforcement section~~, office of ~~children~~
2 ~~and family services~~ **child support**, ~~Department of Children and Family Services~~
3 **Louisiana Works** may cause a "Child Support Mortgage and Privilege by Affidavit
4 of ~~DCFS~~", as provided in R.S. 13:4291(B), to be recorded in the mortgage records
5 of any parish in which the support obligor owns movable or immovable property,
6 and with the office of the secretary of state for inclusion in the master index
7 authorized under R.S. 10:9-519. Such affidavit when filed shall operate as a first lien,
8 privilege, and legal mortgage on all of the movable and immovable property of the
9 support obligor only from the date of such filing, and shall not affect liens,
10 privileges, chattel mortgages, or security interests as provided in R.S. 10:9-101 et
11 seq. or mortgages already affecting or burdening such property at the date of such
12 filing. Such filing shall apply to all unpaid support obligations that may accrue after
13 such filing, and the property of the support obligor shall be subject to seizure and
14 sale for the payment of such support obligation and arrearages according to the
15 preference and rank of the lien, privilege, security interest, and mortgage securing
16 their payment. Notwithstanding any provision of this Subsection, such affidavit shall
17 not operate as a lien, privilege, or legal mortgage on any licensed or titled motor
18 vehicle.

19 B. The director of the ~~child support enforcement section~~, office of ~~children~~
20 ~~and family services~~ **child support**, ~~Department of Children and Family Services~~
21 **Louisiana Works**, or his designee, may release all or any portion of the property
22 subject to any lien or judgment obtained pursuant to this Section from such lien or
23 judgment, or may subordinate such lien or judgment to other liens and encumbrances
24 if he determines that the support obligation and arrearages are sufficiently secured
25 by a lien or judgment on other property or through other security, or that the release,
26 partial release, or subordination of such lien or judgment will not endanger or
27 jeopardize the collection of support obligations or arrearages.

* * *

29 §237. Kinship Care Subsidy Program

1 office of ~~children and family services~~ **child support**, may participate in cooperative
2 endeavors with private attorneys to release information authorized by this Section
3 for the purpose of collecting unpaid child support in accordance with the provisions
4 of this Section.

5 C. When a private attorney retained by the obligee receives a certification
6 from the office of ~~children and family services~~ **child support** that an obligor is in
7 arrears in the payment of child support for more than six months or whose
8 whereabouts have been unknown for more than six months, the private attorney
9 retained by the obligee may apply to the district court for the parish where the order
10 is being enforced for an ex parte order on a motion to determine that the obligor is
11 in arrears or is an absentee.

12 D. If the court finds that the obligor is in arrears for more than six months or
13 whose whereabouts have been unknown for more than six months, the court may
14 authorize the office of ~~children and family services~~ **child support** to enter into
15 cooperative endeavors with a private attorney who has been retained by the obligee
16 for the purpose of collecting the unpaid child support in the obligee's case.

17 E. Pursuant to a cooperative endeavor authorized by the provisions of this
18 Section and to the extent allowed by state and federal laws and regulations, the office
19 of ~~children and family services~~ **child support** shall provide to a private attorney who
20 has been retained by the obligee for the purpose of collecting unpaid child support
21 all of the following information that it may have regarding the obligor:

22 * * *

23 (7) Any other information which the office of ~~children and family services~~
24 **child support** reasonably believes will assist in the collection of child support.

25 * * *

26 F. Nothing in this Section shall authorize ~~the Department of Children and~~
27 ~~Family Services~~ **Louisiana Works** or the **office of** child support ~~enforcement section~~
28 to contract for hire with any private attorney or entity for the collection of child
29 support or the provision of IV-D services.

1 G. Any district attorney under contract to ~~the Department of the Children and~~
2 ~~Family Services~~ **Louisiana Works** to provide child support services shall not be
3 authorized to release information to a private attorney under the provisions of this
4 Section.

5 H. Nothing in this Section shall limit the ~~Department of Children and Family~~
6 ~~Services~~ contractual authority **of Louisiana Works**.

7 * * *

8 §281. Applicability

9 The provisions of this Subpart shall apply to persons who contract with the
10 office of ~~children and family services~~ **child welfare** of the **Louisiana** Department
11 of ~~Children and Family Services~~ **Health** to provide temporary or long-term foster
12 care for not more than six children.

13 * * *

14 §282. Investigation of foster and adoptive parent applicants

15 A. The **Louisiana** Department of ~~Children and Family Services~~ **Health**,
16 office of ~~children and family services~~ **child welfare**, shall investigate the background
17 of each person who applies to be a foster or adoptive parent of a child in foster care.
18 The investigation required by this Section shall include but shall not be limited to a
19 determination of whether the applicant or any adult member of the applicant's
20 household has been charged with a crime and, if so, the disposition of those charges.
21 The office shall require each applicant and adult family member to provide
22 fingerprints and such authorization as is necessary to conduct state and national
23 criminal history record checks and to obtain any other information required to
24 complete the investigation. The department is authorized to promulgate regulations
25 as may be necessary to conduct the criminal history record checks authorized in this
26 Section.

27 B. The office of ~~children and family services~~ **child welfare** shall request such
28 information and assistance from federal, state, or local governmental agencies as is
29 necessary to complete the investigation required by this Section. Only information

1 which bears a reasonable relation to the performance of the duties of a foster parent
2 shall be requested.

3 C. The office of ~~children and family services~~ **child welfare** shall not require
4 an applicant to provide any physical identity materials other than photographs or
5 fingerprints. Such materials shall be returned to the applicant upon completion of the
6 investigation, and no copy of such materials may be retained by the office or by any
7 agency to which such identity materials were transmitted.

8 * * *

9 §283. Determination of fitness; award of contract

10 A. The office of ~~children and family services~~ **child welfare** shall determine
11 the fitness and eligibility of each person who applies for a contract to provide foster
12 care services to which the provisions of this Subpart apply.

13 B. The office of ~~children and family services~~ **child welfare** may award a
14 contract for foster care services to any person who is determined to be eligible for
15 such contracts, but no contract shall be awarded prior to such determination.

16 C.(1)

17 * * *

18 (b) The **Louisiana** Department of ~~Children and Family Services~~ **Health** shall
19 provide such training through its own personnel or by contracting with outside
20 persons or agencies.

21 * * *

22 §285. Required training for child protection and foster care workers

23 A. No employee of the **Louisiana** Department of ~~Children and Family~~
24 ~~Services~~ **Health**, office of ~~children and family services~~ **child welfare**, with direct
25 responsibility for cases dealing with families and children after January 1, 1984,
26 shall exercise responsibility for any cases until that employee has completed a
27 training program consisting of at least thirty-two hours of instruction, addressing
28 such appropriate topics as:

29 * * *

1 provide such training through its own personnel, partnerships with universities, or
2 by contracting with outside persons or agencies.

3 I. The Louisiana Department of ~~Children and Family Services~~ **Health** may
4 continue incentive pay schedules established by the Department of State Civil
5 Service to compensate social work personnel with selected graduate degrees at a
6 higher rate than other persons without such specialized advanced degrees as provided
7 by the Department of State Civil Service and the State Civil Service Commission.

8 * * *

9 §286. Foster home child care; reimbursement system; rules

10 The Louisiana Department of ~~Children and Family Services~~ **Health** shall
11 establish a system for reimbursement of foster home child care costs based on the
12 level of care for all foster children placed in foster homes providing temporary or
13 long-term foster care for not more than six children receiving the services of the
14 department. The department shall promulgate rules for implementation of the
15 reimbursement system by January 1, 1995, but only if funds are made available by
16 appropriation by the legislature, and shall submit such rules to the committees on
17 health and welfare of the House of Representatives and the Senate in accordance
18 with the Administrative Procedure Act. At a minimum, the department shall seek
19 each year through the budgetary process funds sufficient to reimburse foster parents
20 at a rate at least equal to the cost for child care as reported and published by the
21 United States Department of Agriculture for the Southeastern United States.

22 §286.1. Kinship Foster Care Program

23 A. As used in this Section the following terms shall have the following
24 meaning:

25 (1) "Department" means the Louisiana Department of ~~Children and Family~~
26 **Services Health**.

27 (2) "Foster parent" means any person with whom a child in the care, custody,
28 or guardianship of the ~~office of children and family services~~ Louisiana Department
29 **of Health** is placed for temporary or long-term care of not more than three years, but

1 shall not include any person with whom a child is placed for the purpose of adoption.

2 (3) "Office" means the office of ~~children and family services~~ child welfare
3 of the Louisiana Department of ~~Children and Family Services~~ Health.

4 B. There is hereby established a Kinship Foster Care Program in the office
5 of ~~children and family services~~ child welfare of the Louisiana Department of
6 ~~Children and Family Services~~ Health.

7 C.(1) Except as provided by Paragraph (2) of this Subsection, when a child
8 has been removed from his home and is in the care, custody, or guardianship of the
9 office of ~~children and family services~~ child welfare, the office shall make reasonable
10 attempts to place the child with a relative for kinship foster care. If the relative is
11 approved by the office to provide foster care services, in accordance with rules and
12 regulations adopted by the Louisiana Department of ~~Children and Family Services~~
13 Health regarding foster care services and a placement with the relative is made, the
14 relative shall be eligible to receive payment for the full foster care rate for the care
15 of the child and any other benefits that might be available to foster parents, whether
16 in money or in service. The reimbursement rate shall be in accordance with the
17 system established by the department pursuant to R.S. 46:286.

18 * * *

19 (3) A relative may continue to be eligible for foster care reimbursement for
20 caring for a child in the care, custody, or guardianship of the office of ~~children and~~
21 ~~family services~~ beyond three years when:

22 * * *

23 D. The office of ~~children and family services~~ shall establish, in accordance
24 with the provisions of this Section, eligibility standards for becoming a kinship foster
25 parent including the following:

26 * * *

27 (2) The kinship foster parent shall be twenty-one years of age or older, except
28 that if the spouse or partner of the relative is twenty-one years of age or older and
29 living in the home, and the relative is between eighteen and twenty-one years of age,

1 the office of ~~children and family services~~ shall waive the age requirement.

2 E.

3 * * *

4 (2) The office of ~~children and family services~~ shall conduct the investigation
5 required by this Section and shall require each prospective kinship foster parent to
6 provide such information as is necessary to obtain the information required to
7 complete the investigation. The office of ~~children and family services~~ shall request
8 such information and assistance from federal, state, and local governmental agencies
9 as necessary to complete the investigation. Only information which bears a
10 reasonable relation to the performance of the duties of a kinship foster parent shall
11 be considered.

12 * * *

13 F. The office of ~~children and family services~~ shall determine whether the
14 person is able to care effectively for the child by completing all of the following:

15 * * *

16 G. The office of ~~children and family services~~ and the kinship foster parent
17 shall develop a case plan for the foster care of the child, which shall be periodically
18 reviewed and updated. If the plan includes the use of an approved day care center or
19 family day care home, the office of children and family services shall pay for child
20 care arrangements, according to the rates established by the department, but only if
21 funds are made available by appropriation by the legislature. The kinship foster
22 parent shall cooperate with any activities specified in the case plan for the foster
23 child, such as counseling, therapy, court sessions, or visits with the foster child's
24 parents or other family members. The kinship foster parent shall also cooperate and
25 assist in efforts to achieve a safe, permanent home for the child.

26 * * *

27 J. The secretary of the **Louisiana** Department of ~~Children and Family~~
28 ~~Services~~ **Health** shall adopt rules and regulations necessary to carry out the
29 provisions of this Section in accordance with the Administrative Procedure Act.

* * *

§286.2. Children in foster care; identification card; photograph

A. Except as provided in Subsection B of this Section, for a child placed into foster care, as defined in Children's Code Article 603, the **Louisiana** Department of ~~Children and Family Services~~ **Health** shall obtain one of the following no later than ninety days after the placement of the child in the custody of the state:

* * *

B. If the **Louisiana** Department of ~~Children and Family Services~~ **Health** is unable to comply with the provisions of Subsection A of this Section due to the child's incarceration, elopement, physical or mental disability, or specialized placement where the child cannot be transported, or upon approval of the court, the department shall obtain the special identification card or photograph no later than ninety days from the date the condition preventing compliance ceases to exist.

* * *

§286.12. Purpose

Foster parents are recognized as primary care givers to abused and neglected children who have been removed from their homes of origin. The **Louisiana** Department of ~~Children and Family Services~~ **Health** shall implement and promote the support of these rights through the policy and practice of the **Louisiana** Department of ~~Children and Family Services~~ **Health**.

§286.13. Rights

Foster parents shall be entitled to the following rights granted to them by the **Louisiana** Department of ~~Children and Family Services~~ **Health**:

* * *

(3) The right to receive all information on a child, at placement, and on an ongoing basis, that could impact the care provided the child, the health, and safety of the child and foster family members. Information shall include the case plan and the health, medical, educational, legal, and social history as known to the **Louisiana** Department of ~~Children and Family Services~~ **Health** to better meet the needs of

1 children in their care.

2 * * *

3 §286.16. Short title; purpose; rights

4 * * *

5 B. The Louisiana Department of ~~Children and Family Services~~ Health shall
6 implement, promote, and support the rights contained in this Section through the
7 policies and practices of the department as applied to youth ages fourteen through
8 eighteen who are in foster care in this state.

9 * * *

10 §288.2. Definitions

11 As used in this Subpart, the following terms shall have the following
12 meanings:

13 (1) "Court" means the court that exercised juvenile jurisdiction over the child
14 in need of care proceedings involving the youth prior to his eighteenth birthday.

15 (2) "Department" means the Louisiana Department of ~~Children and Family~~
16 Services Health.

17 * * *

18 §352. Definitions

19 As used in this Part, the following definitions apply:

20 (1) "Public assistance" means any of the following:

21 (a) Cash benefits of the Family Independence Temporary Assistance Program
22 administered by the ~~Department of Children and Family Services~~ Louisiana Works.

23 * * *

24 §356. Rulemaking

25 The secretary of Louisiana Works, ~~the secretary of the Department of~~
26 ~~Children and Family Services,~~ and the secretary of the Louisiana Department of
27 Health, the state superintendent of education, and the president of the Louisiana
28 Community and Technical College System shall promulgate all rules in accordance
29 with the Administrative Procedure Act necessary to implement the provisions of this

1 Part.

2 * * *

3 §401. Reciprocal agreements regarding interstate transportation of poor and indigent

4 The Louisiana Department of ~~Children and Family Services~~ **Health**, subject
5 to the approval of the attorney general, may enter into reciprocal agreements with
6 corresponding state agencies of other states regarding the interstate transportation of
7 poor and indigent persons, and may arrange with the proper officials in this state for
8 the acceptance, transfer, and support of persons receiving public aid in other states
9 in accordance with the terms of the reciprocal agreements; provided that this state
10 shall not, nor shall any parish or other political subdivision of this state, be
11 committed to the support of persons who are not, in the opinion of the department,
12 entitled to public support by the laws of this state.

13 * * *

14 §441. Surviving spouse of public assistance recipients; retention of benefits received
15 during month of death

16 A surviving spouse of a ~~general~~ **public** assistance recipient is hereby
17 authorized to receive and retain any financial assistance paid by ~~the Department of~~
18 ~~Children and Family Services~~ **Louisiana Works** to or for the benefit of ~~said~~ **the**
19 recipient during the month of the death of said recipient, whether or not the check
20 covering ~~such~~ **the public** assistance was actually received prior to the death of the
21 recipient.

22 * * *

23 §443. Exemption of income and resources

24 The secretary of ~~the Department of Children and Family Services~~ **Louisiana**
25 **Works** and the secretary of the Louisiana Department of Health are hereby
26 authorized to adopt income and resources exemption policies to the extent necessary
27 to conform with the federal Economic Opportunity Act, any social security
28 provision, and any other laws of congress to obtain federal block grant or matching
29 funds for the state's public assistance program. Such income and resources

1 exemption policies shall prevail in the event they conflict with R.S. 46:151, 153, 154,
2 and 233.

3 §444. Cooperation with administrative agencies relative to interchange of
4 information

5 ~~The Department of Children and Family Services~~ **Louisiana Works** is
6 hereby authorized to provide for interchange of such information necessary in
7 providing for work training experiences as required by Public Law 90-248, as the
8 secretary of the United States Department of Health, Education and Welfare, or its
9 successor department, may require for federal matching purposes.

10 * * *

11 §447. Revision of standard of need; aid to families with dependent children; general
12 assistance

13 A. The Louisiana Department of Health and ~~the Department of Children and~~
14 ~~Family Services~~ **Louisiana Works** jointly shall revise the standard of need for the
15 Family Independence Temporary ~~Assistance~~ **Assistance** Program and the general
16 assistance program each year, basing such standard on the Annual Update of the
17 Poverty Income Guidelines published by the United States Department of Health and
18 Human Services. The standard shall reflect the higher of the southern and national
19 averages. The departments shall cause such revised standard to become effective on
20 January first of each year.

21 B. Implementation of this provision shall be contingent on the Louisiana
22 Department of Health and ~~the Department of Children and Family Services~~
23 **Louisiana Works** certifying to the commissioner of the division of administration
24 that the revision will not increase the total state dollar expenditure for the two
25 departments.

26 * * *

27 §447.3. In-hospital mental health care for adopted children; state's duty to furnish

28 To the extent funds are appropriated by the legislature for such purpose, in
29 all adoption subsidy agreements executed after September 1, 2001, involving a child

1 in the custody of the Louisiana Department of ~~Children and Family Services~~
 2 Health, the state shall agree to provide acutely medically necessary in-hospital
 3 mental health treatment for that child until he reaches the age of majority, provided
 4 that the child is not eligible for, or has otherwise exhausted benefits under Medicaid,
 5 LaCHIP, or any contract of health and accident insurance or any health benefit plan.
 6 The burden of providing the appropriate documentation of the child's eligibility for
 7 medical benefits under this statute shall be upon the adoptive parents.

8 * * *

9 §448. Emergency assistance information and referral

10 A. As used in this Section:

11 ~~(1) "Office of children and family services" shall mean the office of children~~
 12 ~~and family services, Department of Children and Family Services, state of Louisiana.~~

13 ~~(2)~~**(1)** "Emergency assistance" shall mean any service, food, clothing, shelter,
 14 money grant, or any other assistance available to people who find their ability to
 15 obtain the necessities of life threatened by fire, flood, death, or other sudden and
 16 necessitous circumstances.

17 ~~(3)~~**(2)** "Governmental agency" shall mean any political subdivision
 18 department, office, agency, board, corporation, or other instrumentality funded in
 19 whole or in part by local, state, or federal funds that provides some form of
 20 emergency assistance in this state.

21 ~~(4)~~**(3)** "Private agency" shall mean any department, office, agency, board,
 22 corporation, or other instrumentality that provides some form of emergency
 23 assistance in this state, but shall not include any private agency that chooses not to
 24 take referrals or discriminates in their assistance on the grounds of race.

25 B. The ~~office of children and family services~~ Louisiana Department of
 26 Health shall gather through its local offices information on all governmental and
 27 private agencies in each parish as to the type of assistance each agency can and will
 28 provide and as to what eligibility requirements, if any, these agencies apply to their
 29 assistance.

1 benefits and services of the Supplemental Nutrition Assistance Program and the
 2 Family Independence Temporary Assistance Program (FITAP), and shall require that
 3 all recipients who participate in programs for which benefits and services are
 4 authorized and distributed through the system shall obtain benefits through ~~such~~ the
 5 electronic issuance system, subject only to ~~such~~ the exceptions ~~as shall be~~ necessary
 6 for the effective functioning of the ~~program~~ programs.

7 * * *

8 §460.1. Submission of quarterly reports to the legislature

9 ~~The Department of Children and Family Services~~ Louisiana Works shall
 10 submit copies of the federal quarterly ACF-196 and ACF-696 reports to the House
 11 and Senate committees on health and welfare, the House Committee on
 12 Appropriations, and the Senate Committee on Finance at the time these reports are
 13 submitted to the federal government. Upon request, the department shall submit
 14 copies of any other report the legislature deems necessary.

15 * * *

16 §460.5. Earned income disregards for certain TANF recipients

17 A. In order to promote self-sufficiency, ~~the Department of Children and~~
 18 ~~Family Services~~ Louisiana Works shall disregard a recipient's first six months of
 19 earnings up to nine hundred dollars of gross earnings per month in determining the
 20 amount of his household's benefit under Temporary Assistance for Needy Families,
 21 provided that ~~such~~ the recipient is engaged in a work activity which has been
 22 approved by the department as part of his work participation requirement under
 23 TANF.

24 * * *

25 §460.7. Incentive Award Program; dropout reduction; teen pregnancy reduction

26 A. ~~The Department of Children and Family Services~~ Louisiana Works in
 27 consultation with the Department of Education shall develop and implement a
 28 special program, the Incentive Award Program, whereby the governing authority of
 29 a parish and a parish school system may receive a financial award for reducing the

1 **Louisiana Works** shall cause to be instituted a mandatory drug testing program for
2 certain adult participants, to be determined by the secretary in consultation with the
3 secretary of the Louisiana Department of Health and the commissioner of
4 administration, in the Temporary Assistance for Needy Families Block Grant
5 Program. **However, no** ~~No~~ participant shall be tested if such testing is prohibited by
6 federal law. No sanction shall be imposed on an adult participant if such sanction is
7 prohibited by federal law.

8 **(2) The** ~~Such~~ testing program shall provide procedural safeguards to ensure
9 the protection of the constitutional rights of the program participants and provide that
10 testing shall be done by state certified laboratories.

11 C.**(1)** The required drug testing program shall require a participant to
12 complete an education and rehabilitation program upon the initial identification of
13 ~~such~~ **the** participant as an illegal drug user verified by a positive test result as a
14 prerequisite to continued receipt of benefits. Further, the drug testing program shall
15 provide for the suspension of participation in ~~such entitlement~~ **the public assistance**
16 program for a participant subsequently identified by a verified positive test result as
17 an illegal drug user; ~~however,~~ **However,** in no event shall participation in ~~such~~
18 ~~entitlement~~ **the public assistance** program be suspended while the participant is
19 taking part in the education and rehabilitation program or until an education and
20 rehabilitation program is available to the participant.

21 **(2)(a)** The secretary of ~~the Department of Children and Family Services~~
22 **Louisiana Works,** in conjunction with the secretary of the Louisiana Department of
23 Health and the commissioner of administration, shall provide a program of education
24 and rehabilitation for participants so identified as illegal drug users.

25 **(b) Such** ~~The~~ program shall include regulations governing the reentry of a
26 suspended recipient **participant** into the ~~entitlement~~ **public assistance** program
27 based on subsequent testing results and completion of education and rehabilitation
28 programs.

29 **(c) Such** ~~The~~ program shall also include the provision of inpatient services

1 for any participant identified as an illegal drug user if it is determined that such
2 inpatient services are necessary for successful rehabilitation.

3 D. The secretary of ~~the Department of Children and Family Services~~
4 **Louisiana Works**, in consultation with the secretary of the Louisiana Department
5 of Health and the commissioner of administration, shall promulgate rules and
6 regulations to implement the provisions of this Section in accordance with the
7 Administrative Procedure Act. Such rules and regulations shall provide that the cost
8 of testing participants for the presence of illegal drugs and the treatment of such
9 participants pursuant to the provisions of this Section shall be borne by the
10 department or departments that grant the applicable public assistance.

11 E. The secretary **of Louisiana Works** shall prepare a written statistical report
12 on the program and submit the report to the legislature on or before January 1, 1999
13 and annually thereafter.

14 §932. Powers and duties

15 The office shall have the following powers and duties:

16 * * *

17 (12) To administer all federal funds appropriated, allocated, or otherwise
18 made available to the state for services to the elderly, whether by block grant or in
19 any other form, with the exception of funds for programs administered by ~~the~~
20 ~~Department of Children and Family Services~~ or the Louisiana Department of Health,
21 ~~on August 15, 1995, or the Louisiana Department of Health on October 1, 2025, or~~
22 **Louisiana Works** and to distribute those funds in accordance with ~~and consistent~~
23 ~~with R.S. 46:936~~ **state and federal requirements**.

24 * * *

25 §972.1. Louisiana Pregnancy and Baby Care Initiative

26 A.(1) The Louisiana Pregnancy and Baby Care Initiative is hereby created,
27 within the **Louisiana** Department of ~~Children and Family Services~~ **Health**, to act as
28 a statewide social service program to enhance and increase resources that promote
29 childbirth instead of abortion for women facing unplanned pregnancies and to offer

1 a full range of services, including pregnancy support services, parenting help, and
2 adoption assistance.

3 * * *

4 §1002. Vocational testing and counseling; purpose; duties of the office of children
5 and family services

6 A. ~~The Department of Children and Family Services, office of children and~~
7 ~~family services;~~ **Louisiana Works** shall provide, in each of its regional offices,
8 vocational testing and counseling on the subjects of higher education and
9 employment for those individuals in long-term foster care at the youngest age
10 deemed appropriate to process the information.

11 B. Through vocational testing, ~~the office of children and family services~~
12 **Louisiana Works** shall seek to identify areas of potential interest and potential
13 employment that are specific to an individual in foster care and, to this end, the
14 office shall:

15 * * *

16 C. ~~The office of children and family services~~ **Louisiana Works** shall adopt
17 all necessary rules and regulations to carry out the provisions of this Chapter.

18 * * *

19 §1251. Juvenile probation; parole and intake services

20 * * *

21 B. The intake service provided hereunder shall be limited to examining and
22 evaluating complaints that a child is a delinquent or is a child in need of supervision
23 and advising the district attorney whether the best interests of the child would be
24 served by the initiation of proceedings under the Children's Code, the signing of an
25 informal adjustment agreement, referral to the **Louisiana** Department of ~~Children~~
26 ~~and Family Services~~ **Health**, referral to a public or private agency for assistance, or
27 any other legally permissible course of action. The personnel assigned to perform
28 these duties shall not assume any prosecutorial functions except for the filing of a
29 petition as authorized by the Children's Code.

* * *

§1259. Restrictions on use of records

* * *

B. Nothing in this Section shall prohibit the interchange of records, reports, or any other information among the various offices of the ~~Department of Children and Family Services~~ and Louisiana Department of Health and among the various personnel thereof. Additionally, nothing in this Section shall prohibit any judge serving as judge of a juvenile court from access to all of the records of any child before that court.

* * *

§1352. Definitions

In this Chapter:

(1) "Approved runaway and homeless youth residential program or facility" means any residential program or facility licensed by the division of licensing and certification of the Louisiana Department of ~~Children and Family Services~~ Health as a child residential care provider including a community home, a group home, a residential home, an adult residential facility possessing a waiver for the housing of juveniles, or an emergency shelter.

(2) "Department" means the Louisiana Department of ~~Children and Family Services~~ Health.

* * *

§1353. Notice to parent or guardian; reporting requirements to parent, legal custodian; seventy-two hours of safe harbor

* * *

D. A runaway youth over the age of eleven admitted to an approved runaway and homeless youth residential program or facility licensed by the Louisiana Department of ~~Children and Family Services~~ Health shall be provided seventy-two hours of safe harbor unless otherwise designated by order of a court exercising juvenile jurisdiction regarding custody of the runaway youth, or unless the child is

1 in the custody of a state agency which may elect to remove the child earlier without
2 a court order.

3 * * *

4 G. Whenever a report has been filed by the facility or program in accordance
5 with the provisions in R.S. 14:403, the facility or program shall be legally authorized
6 to provide care for the runaway youth pending a determination by the **Louisiana**
7 Department of ~~Children and Family Services~~ **Health** or a court exercising juvenile
8 jurisdiction regarding custody of the runaway youth.

9 * * *

10 §1402. Legislative intent; declaration of purpose and policy

11 It is the intent of the legislature to protect the health, safety, and well-being
12 of the children and youth of the state who are in out-of-home care on a regular or
13 consistent basis. Toward that end, it is the purpose of this Chapter to establish
14 statewide minimum standards for the safety and well-being of children and youth,
15 to ensure maintenance of these standards, and to regulate conditions in these
16 facilities through a program of licensing. It shall be the policy of the state to ensure
17 protection of all individuals under care by specialized providers and to encourage
18 and assist in the improvement of programs. It is the further intent of the legislature
19 that the freedom of religion of all citizens shall be inviolate. This Chapter shall not
20 give the Louisiana Department of Health ~~or the Department of Children and Family~~
21 ~~Services~~ jurisdiction or authority to regulate, control, supervise, or in any way be
22 involved in the form, manner, or content of any curriculum or instruction of a school
23 or specialized provider sponsored by a church or religious organization so long as
24 the civil and human rights of the clients and residents are not violated.

25 §1403. Definitions

26 As used in this Chapter, the following definitions shall apply unless the
27 context clearly states otherwise:

28 * * *

29 (3) "Department" means the **Louisiana** Department of ~~Children and Family~~

1 where all of the following conditions are met:

2 * * *

3 §1428. Immunization information; influenza

4 * * *

5 B.(1) The Louisiana Department of Health shall develop and provide
6 information on influenza immunization to ~~the Department of Children and Family~~
7 ~~Services. The Department of Children and Family Services shall~~ provide such
8 information to each licensed specialized provider or child-placing agency, which
9 shall make the information available to each child's parent or legal guardian and to
10 each youth aged eighteen or above pursuant to Subsection A of this Section.

11 (2) The Louisiana Department of Health ~~and the Department of Children and~~
12 ~~Family Services~~ shall determine ~~respectively~~ the most cost-effective and efficient
13 means of distributing such information.

14 C. The ~~Department of Children and Family Services, in consultation with the~~
15 Louisiana Department of Health; shall establish by rules and regulations all
16 guidelines and procedures for carrying out the provisions of this Section in
17 accordance with the Administrative Procedure Act.

18 D. Nothing in this Section shall be construed to require any specialized
19 provider or child-placing agency, ~~the Department of Children and Family Services,~~
20 or the Louisiana Department of Health to provide or pay for immunizations against
21 influenza.

22 * * *

23 §1430. Operating in violation of regulations; penalties and fines

24 A.(1) For violations related to supervision, criminal history record checks,
25 state central registry clearances, staff-to-child ratios, motor vehicle checks, or failure
26 to report critical incidents, the **Louisiana** Department of ~~Children and Family~~
27 ~~Services~~ **Health** may issue a written warning that includes a corrective action plan,
28 in lieu of revocation, upon any person or specialized provider violating these
29 requirements if such condition or occurrence does not pose an imminent threat to the

1 health, safety, rights, or welfare of a child. Failure to implement a corrective action
 2 plan issued pursuant to this Section may result in either the assessment of a civil fine
 3 or license revocation or may result in both actions being taken by the department.
 4 Such civil fine shall not exceed two hundred fifty dollars per day for each
 5 assessment; however, the aggregate fines assessed for violations determined in any
 6 consecutive twelve-month period shall not exceed two thousand dollars.

7 * * *

8 D.

9 * * *

10 (2) After compliance with the requirements of Article VII, Section 9(B) of
 11 the Constitution of Louisiana relative to the Bond Security and Redemption Fund,
 12 and prior to the monies being placed in the state general fund, an amount equal to the
 13 amount deposited as provided in Paragraph (1) of this Subsection shall be credited
 14 to a special fund hereby created in the state treasury to be known as the " Specialized
 15 Provider Licensing Trust Fund", hereinafter referred to as "the fund". The monies in
 16 the fund shall be subject to annual appropriation and shall be available exclusively
 17 for use by the Louisiana Department of ~~Children and Family Services~~ **Health** for
 18 the education and training of employees, staff, or other personnel of specialized
 19 provider and child-placing agencies.

20 §1442.1. Definitions

21 As used in this Chapter, the following definitions shall apply unless the
 22 context clearly states otherwise:

23 * * *

24 (2) "Department" means the Louisiana Department of ~~Children and Family~~
 25 ~~Services~~ **Health**.

26 (3) "Office" means the office of ~~children and family services~~ **child welfare**,
 27 Louisiana Department of ~~Children and Family Services~~ **Health**.

28 * * *

29 §1442.2. The office of ~~children and family services~~ **child welfare**; duties

1 described in R.S. 46:1445.5.

2 * * *

3 §1445.13. Adoption awareness; **Louisiana** Department of ~~Children and Family~~
4 ~~Services~~ **Health**

5 A link to the AdoptionOption.La.Gov website as provided for in R.S.
6 40:1061.17, or any successor state agency administered website that promotes
7 adoption awareness and makes adoption resource information available to the public,
8 shall be made available and placed in a prominent location on the websites
9 administered by the Louisiana Department of Health and ~~the Department of Children~~
10 ~~and Family Services~~. Any other state agency that administers a website may also
11 provide a link to the AdoptionOption.La.Gov website.

12 * * *

13 §1451. Definitions

14 As used in this Chapter, the following terms have the meaning ascribed to
15 them in this Section:

16 (1) "Department" means the **Louisiana** Department of ~~Children and Family~~
17 ~~Services~~ **Health**.

18 * * *

19 (3) "TANF" means the Temporary Assistance for Needy Families block grant
20 program established pursuant to the Personal Responsibility and Work Opportunity
21 Reconciliation Act of 1996, P.L. 104-193, and administered in this state by ~~the~~
22 ~~Department of Children and Family Services~~ **Louisiana Works**.

23 * * *

24 §1844. Basic rights for victim and witness

25 * * *

26 W. Confidentiality of crime victims who are minors, victims of sex offenses,
27 and victims of human trafficking-related offenses.

28 (1)(a) In order to protect the identity and provide for the safety and welfare
29 of crime victims who are minors under the age of eighteen years and of victims of

1 sex offenses or human trafficking-related offenses, notwithstanding any provision
2 of law to the contrary, all public officials and officers and public agencies, including
3 but not limited to all law enforcement agencies, sheriffs, district attorneys, judicial
4 officers, clerks of court, the Crime Victims Reparations Board, and the Louisiana
5 Department of ~~Children and Family Services~~ **Health** or any division thereof, shall
6 not publicly disclose the name, address, contact information, or identity of crime
7 victims who at the time of the commission of the offense are minors under eighteen
8 years of age or of victims of sex offenses or human trafficking-related offenses,
9 regardless of the date of commission of the offense. The confidentiality of the
10 identity of the victim who at the time of the commission of the offense is a minor
11 under eighteen years of age or the victim of a sex offense or human trafficking-
12 related offense may be waived by the victim. The public disclosure of the name of
13 the juvenile crime victim by any public official or officer or public agency is not
14 prohibited by this Subsection when the crime resulted in the death of the victim.
15 Nothing in this Subsection shall be construed to require the redaction of a victim's
16 name when the named victim is the one requesting such documents, reports, or any
17 other records.

18 * * *

19 (3) Notwithstanding any other provision of law to the contrary, all public
20 officials, officers, and public agencies, including but not limited to all law
21 enforcement agencies, sheriffs, district attorneys, judicial officers, clerks of court,
22 the Crime Victims Reparations Board, and the Louisiana Department of ~~Children~~
23 ~~and Family Services~~ **Health** or any division thereof, charged with the responsibility
24 of knowing the name, address, contact information, and identity of crime victims
25 who are minors or of crime victims of a sex offense or a human trafficking-related
26 offense as a necessary part of their duties shall have full and complete access to this
27 information regarding a crime victim who is a minor or a victim of a sex offense or
28 a human trafficking-related offense. Either prior to or at the time of a request for
29 information, the public official or officer or public agency shall take measures to

1 prevent the public disclosure of the name, address, contact information, or identity
 2 of such a crime victim who is a minor or a victim of a sex offense or human
 3 trafficking-related offense, which may include the use of initials, abbreviations, or
 4 any other form of concealing the identity of the victim on all public documents.

5 * * *

6 (5)(a) In order to provide for the safety and welfare of victims of crimes
 7 against family members, household members, or dating partners, notwithstanding
 8 any provision of law to the contrary, all public officials and officers and public
 9 agencies, including but not limited to all law enforcement agencies, sheriffs, district
 10 attorneys, judicial officers, clerks of court, the Crime Victims Reparations Board,
 11 and the **Louisiana** Department of ~~Children and Family Services~~ **Health** or any
 12 division thereof, shall not publicly disclose the address or contact information of
 13 victims of crimes against family members, household members, or dating partners.
 14 The confidentiality of the address and contact information of the victim of a crime
 15 against a family member, household member, or dating partner may be waived by
 16 the victim.

17 * * *

18 (c) Notwithstanding any other provision of law to the contrary, all public
 19 officials, officers, and public agencies, including but not limited to all law
 20 enforcement agencies, sheriffs, district attorneys, judicial officers, clerks of court,
 21 the Crime Victims Reparations Board, and the **Louisiana** Department of ~~Children~~
 22 ~~and Family Services~~ **Health** or any division thereof, charged with the responsibility
 23 of knowing the address and contact information of victims of crimes against family
 24 members, household members, or dating partners as a necessary part of their duties
 25 shall have full and complete access to this information regarding a victim of a crime
 26 against a family member, household member, or dating partner. Either prior to or at
 27 the time of a request for information, the public official or officer or public agency
 28 shall take measures to prevent the public disclosure of the address and contact
 29 information of a victim of a crime against a family member, household member, or

1 dating partner.

2 * * *

3 §1906.2. Interdepartmental cooperation

4 The Department of Public Safety and Corrections, ~~Department of Children~~
5 ~~and Family Services~~, Louisiana Department of Health, Department of Education, and
6 the Juvenile and Family Court Judges Association shall consult and cooperate to
7 develop a plan for treatment and a continuum of care for children alleged to be or
8 adjudicated delinquent or in need of care or supervision. The purposes of such
9 consultation shall include the goal of early intervention by the components of the
10 juvenile justice system to assist children in receiving proper treatment so that they
11 will be less likely to re-enter the system.

12 * * *

13 §2122. Program creation

14 A. From federal funds, state funds, or funds made available from private or
15 local sources for this purpose, the office of children and family services within the
16 Louisiana Department of ~~Children and Family Services~~ **Health** is hereby authorized
17 to establish a family violence program, hereafter called the "Family Violence
18 Prevention and Intervention Program," for the development of community-based
19 shelters for victims of family violence. The Louisiana Department of ~~Children and~~
20 ~~Family Services~~ **Health** shall establish such program within the office of ~~children~~
21 ~~and family services~~ **women's health and community health** which shall be the
22 recipient of any funds made available for the program.

23 B. The ~~office of children and family services~~ Louisiana Department of
24 **Health** shall establish standards for the expenditure of state funds made available
25 from federal, private, or local sources and shall assure the availability of personnel,
26 resources, and equipment necessary for the purpose of the Chapter.

27 * * *

28 §2136.2. Louisiana Protective Order Registry

29 * * *

1 F. The judicial administrator's office shall make the Louisiana Protective
 2 Order Registry available to state and local law enforcement agencies, district
 3 attorney offices, ~~the Department of Children and Family Services, office of children~~
 4 ~~and family services, child support enforcement section,~~ the Louisiana Department
 5 of Health, bureau of protective services, the office of elderly affairs, elderly
 6 protective services, the office of the attorney general, and the courts.

7 * * *

8 §2145. Creation; purpose and duties of the commission

9 A. The Domestic Violence Prevention Commission is hereby created within
 10 the **Louisiana** Department of ~~Children and Family Services~~ **Health**.

11 * * *

12 §2147. Meetings

13 * * *

14 D. The **Louisiana** Department of ~~Children and Family Services~~ **Health** shall
 15 provide to the commission such clerical, administrative, and technical assistance and
 16 support as may be necessary to enable the commission to accomplish its goals.

17 §2148. State domestic violence coalition; appeal hearing prior to disciplinary action;
 18 notification requirements; mandatory representation

19 * * *

20 B.(1) No later than forty-eight hours after any disciplinary action is taken by
 21 the coalition against any member of the coalition or domestic violence services
 22 provider, the state domestic violence coalition of Louisiana shall give written notice
 23 to the **Louisiana** Department of ~~Children and Family Services~~ **Health**, the House
 24 and Senate committees on health and welfare, and the representative and senator for
 25 any district for which the member or provider renders services.

26 * * *

27 §2161. Human trafficking victims services plan; children

28 A. With respect to children found to be victims of human trafficking, ~~the~~
 29 ~~Department of Children and Family Services, in conjunction with~~ the Louisiana

1 Department of Health, shall develop a plan for the delivery of services to victims of
2 human trafficking. Such plan shall include provisions for:

3 * * *

4 B. In developing the plan, the ~~departments~~ **department** shall work ~~together~~
5 with such other state and federal agencies, public and private entities, and other
6 stakeholders as they deem appropriate.

7 C.(1) Each private entity that provides services to victims pursuant to the
8 provisions of this Section shall submit to the governor's office of human trafficking
9 prevention and to the Louisiana Department of ~~Children and Family Services~~
10 **Health** an annual report on their operations including information on the services
11 offered, geographic areas served, the number of persons served, and individual status
12 updates on each person served. This information shall not include the name, address,
13 or other identifying information of the person served. The governor's office of human
14 trafficking prevention shall compile the data from all of the reports submitted
15 pursuant to the provisions of this Subsection and shall provide this information to the
16 legislature on or before the first day of February each year.

17 (2) Each statewide and local law enforcement entity that investigates cases
18 of human trafficking or related sexual offenses and that provides services to victims
19 pursuant to the provisions of this Section shall submit to the governor's office of
20 human trafficking prevention and to the Louisiana Department of ~~Children and~~
21 ~~Family Services~~ **Health** an annual report on their operations including information
22 on type of investigation, outcome of the investigation, and any services offered to
23 victims, and demographic information related to the case and services offered.

24 (3) Each district attorney who prosecutes cases of human trafficking or
25 related sexual offenses or who provides services to victims pursuant to the provisions
26 of this Section shall submit to the governor's office of human trafficking prevention
27 and to the Louisiana Department of ~~Children and Family Services~~ **Health** an annual
28 report on their operations including the prosecuting agency's name, parish,
29 disposition of case, statute under which the offense was prosecuted, sentencing date,

1 restitution ordered, restitution paid, value of assets from civil asset forfeiture, and
2 any services offered to victims.

3 §2161.1. Human trafficking victims services plan; adults

4 A. With respect to any person referred to the Louisiana Department of
5 ~~Children and Family Services~~ Health who is eighteen years of age or older and who
6 is found to be a victim of human trafficking in which the trafficking activity included
7 commercial sexual activity or any sexual conduct constituting a crime under the laws
8 of this state, the department shall refer the person to the appropriate department,
9 agency, or entity to provide the person with the following:

10 * * *

11 C.(1) Each private entity that provides services to victims pursuant to the
12 provisions of this Section shall submit to the governor's office of human trafficking
13 prevention and to the Louisiana Department of ~~Children and Family Services~~
14 Health an annual report on their operations including information on the services
15 offered, training or certifications received specific to human trafficking, geographic
16 areas served, the number of persons served, and individual status updates on each
17 person served. This information shall not include the name, address, or other
18 identifying information of the person served. The governor's office of human
19 trafficking prevention shall compile the data from all of the reports submitted
20 pursuant to the provisions of this Subsection and shall provide this information to the
21 legislature on or before the first day of February each year.

22 (2) Each statewide and local law enforcement entity that investigates cases
23 of human trafficking or related sexual offenses and that provides services to victims
24 pursuant to the provisions of this Section shall submit to the governor's office of
25 human trafficking prevention and to the Louisiana Department of ~~Children and~~
26 ~~Family Services~~ Health an annual report on their operations including information
27 on the type of investigation, outcome of the investigation, and any services offered
28 to victims, and demographic information related to the case and services offered.

29 (3) Each district attorney who prosecutes cases of human trafficking or

1 related sexual offenses or who provides services to victims pursuant to the provisions
 2 of this Section shall submit to the governor's office of human trafficking prevention
 3 and to the **Louisiana** Department of ~~Children and Family Services~~ **Health** an annual
 4 report on their operations including the prosecuting agency's name, parish,
 5 disposition of case, statute under which the offense was prosecuted, sentencing date,
 6 restitution ordered, restitution paid, value of assets from civil asset forfeiture, and
 7 any services offered to victims.

8 * * *

9 §2169.1. Powers and duties

10 The office shall have the following powers and duties:

11 * * *

12 (9) To monitor and evaluate the effectiveness and efficiency of programs that
 13 provide services to and programs for human trafficking victims, and annually report
 14 its findings and recommendations to the legislature, the **Louisiana** Department of
 15 ~~Children and Family Services~~ **Health**, and any entity required to submit a report
 16 under the provisions of R.S. 46:2161(C) and Children's Code Article 725.2(B).

17 * * *

18 §2402. Definitions

19 Except where the context clearly indicates otherwise, in this Chapter:

20 * * *

21 (4) "Child abuse prevention" means services and programs funded through
 22 the Children's Trust Dedicated Fund Account which are designed to prevent the
 23 occurrence or recurrence of child abuse and neglect as defined in Children's Code
 24 Article 603. Except for those provided in this Chapter and except for the purpose of
 25 planning and coordination pursuant to the provisions of this Chapter, the services and
 26 programs of the **Louisiana** Department of ~~Children and Family Services~~ **Health**
 27 which are mandated by state law or state appropriation, or which are required for
 28 receipt of federal funds, shall not be subject to the provisions of this Chapter.

29 * * *

1 §2404. Louisiana Children's Trust Fund Board; created; membership

2 * * *

3 B.(1) The Louisiana Children's Trust Fund Board shall be composed of
4 fifteen members as follows:

5 * * *

6 (b) The assistant secretary of child welfare of the **Louisiana** Department of
7 ~~Children and Family Services~~ **Health**, or his designee.

8 * * *

9 §2406. Comprehensive state plan for child abuse prevention

10 * * *

11 G. The **Louisiana** Department of ~~Children and Family Services~~ **Health**, the
12 Department of Public Safety and Corrections, and the Department of Education shall
13 participate and cooperate in the development of the state plan as deemed necessary
14 by the cabinet.

15 * * *

16 §2411. Definitions

17 Except where the context clearly indicates otherwise in this Chapter:

18 * * *

19 (2) "Department" means the **Louisiana** Department of ~~Children and Family~~
20 ~~Services~~ **Health**.

21 * * *

22 §2552. Prevention of teen pregnancy and sexually transmitted diseases; agency
23 cooperation

24 A. The state superintendent of education, ~~the secretary of the Department of~~
25 ~~Children and Family Services~~, and the secretary of the Louisiana Department of
26 Health shall meet together not less than twice annually to review and evaluate the
27 effectiveness of current state programs, including but not limited to sex education
28 provided by public schools, aimed at reducing the rate of teen pregnancy and
29 preventing the spread of HIV and other sexually transmitted diseases among the

1 youth of Louisiana.

2 B. The state superintendent of education, ~~the secretary of the Department of~~
3 ~~Children and Family Services~~, and the secretary of the Louisiana Department of
4 Health shall review and evaluate any programs that are available for implementation
5 in Louisiana to educate the youth of Louisiana about the importance of preventing
6 teen pregnancy and the spread of HIV and other sexually transmitted diseases by
7 providing culturally competent education and outreach.

8 §2553. Report

9 The state superintendent of education, ~~the secretary of the Department of~~
10 ~~Children and Family Services~~, and the secretary of the Louisiana Department of
11 Health, jointly, shall submit a written report of their findings and recommendations,
12 including proposed legislation if necessary, for a comprehensive strategy to reduce
13 the rate of teen pregnancy and prevent the spread of HIV and other sexually
14 transmitted diseases among the youth of Louisiana on an annual basis to the
15 legislature not later than sixty days prior to the commencement of the regular
16 legislative session. Any recommendations made by the state superintendent of
17 education, ~~the secretary of the Department of Children and Family Services~~, and the
18 secretary of the Louisiana Department of Health shall be in accordance with the
19 provisions of R.S. 17:281.

20 * * *

21 §2605. Children's Cabinet Advisory Board

22 B. The advisory board shall be composed of the following members:

23 * * *

24 (11) The assistant secretary of child welfare of the Louisiana Department of
25 ~~Children and Family Services~~ Health or his designee.

26 * * *

27 §2605.1. Council on the Status of Grandparents Raising Grandchildren

28 * * *

29 B. The council shall be composed of the following members:

* * *

(2) ~~Three members~~ **One member** representing the Department of Children and Family Services **Louisiana Works** appointed by the secretary of the department, ~~one of whom~~ **who** shall be a representative of the kinship care subsidy program, ~~one of whom shall be a representative of the Supplemental Nutrition Assistance Program,~~ and one of whom shall be a representative of the foster care program.

(3) ~~Two~~ **Four** members representing the Louisiana Department of Health appointed by the secretary of the department, one of whom shall be a representative of the behavioral health program, ~~and one of whom shall be a representative of the Medicaid eligibility program,~~ **one of whom shall be a representative of the Supplemental Nutrition Assistance Program, and one of whom shall be a representative of the foster care program.**

* * *

§2607. Partners in Protecting Children Subcommittee

* * *

C.(1) The subcommittee shall be composed of the following members:

* * *

(f) The secretary of the **Louisiana** Department of ~~Children and Family Services~~ **Health**, or his designee.

* * *

§2758.2. Integrated case management planning system; creation; membership; duties and responsibilities

A. The deputy secretary of the Department of Public Safety and Corrections, youth services, office of juvenile justice, and the secretary of the **Louisiana** Department of ~~Children and Family Services~~ **Health** shall evaluate programs to be included in the Integrated Case Management System.

* * *

Section 24. R.S. 47:299.5(B)(2), the introductory paragraph of 299.11, 299.11(1) and (4), 299.41(B), 305.7(C)(2), 305.38, 463.122(C), 1508(B)(23), 1676(4)(d), 1677(F)(5),

1 6003(C)(4)(i), 6028(B)(2)(d)(ix), 6042(E)(2) and (F)(3) and (4), 6102(2), 6105(A), and
2 9027(C)(10) are hereby amended and reenacted to read as follows:

3 §299.5. Procedure for making offset claims

4 * * *

5 B.

6 * * *

7 (2) The Louisiana Department of ~~Children and Family Services~~ Health shall
8 pay to the secretary a fee of four dollars for each offset claim.

9 * * *

10 §299.11. Ranking and priority of claims

11 If two or more agencies file offset claims with the secretary against an
12 individual's refund, the secretary shall remit the refund to the claimants if sufficient
13 funds exist in the following order with the first offset claim to be paid being
14 completely satisfied before a second or subsequent offset claim is paid:

15 * * *

16 (1) Claims ~~of the division of support enforcement~~ of the office of ~~children~~
17 ~~and family services~~ child support of the ~~Department of Children and Family~~
18 ~~Services~~ Louisiana Works.

19 * * *

20 (4) Claims ~~reduced to judgment by any other office or facility within the~~
21 ~~Department of Children and Family Services in priority order designated by the~~
22 ~~secretary of that department, and then claims reduced to judgment by any office or~~
23 ~~facility of the Louisiana Department of Health in priority order designated by the~~
24 ~~secretary of that department.~~

25 * * *

26 §299.41. Ranking and priority of claims

27 * * *

28 B. If additional offset claims are filed with the secretary against an
29 individual's refund, the secretary shall rank the claims for child support in the same

1 priority as claims filed by ~~the division of support enforcement of the office children~~
2 ~~and family services~~ **child support** of the ~~Department of Children and Family~~
3 ~~Services~~ **Louisiana Works** pursuant to R.S. 47:299.11(1).

4 * * *

5 §305.7. Exclusions and exemptions; intergovernmental; government

6 * * *

7 C. The following items shall be exempt from the sales and use tax imposed
8 by any taxing authority:

9 * * *

10 (2) Eligible food items authorized for purchase under the Women, Infants,
11 and Children's (WIC) Program as administered by the **Louisiana** Department of
12 ~~Children and Family Services~~ **Health** when the items are purchased with WIC
13 Program benefits.

14 * * *

15 §305.38. Exclusions and exemptions; sheltered workshop or supported employment
16 provider for persons with intellectual disabilities

17 The sale at retail, the use, the consumption, the distribution, and the storage
18 for use or consumption in this state of each item or article of tangible personal
19 property or digital products by a sheltered workshop or a supported employment
20 provider as defined in R.S. 39:1604.4 for persons with intellectual disabilities
21 licensed by the **Louisiana** Department of ~~Children and Family Services~~ **Health** as
22 a day developmental training center for persons with intellectual disabilities shall not
23 be subject to the sales and use taxes levied by the state or by any political subdivision
24 thereof.

25 * * *

26 §463.112. Special prestige license plates; foster and adoptive parenting

27 * * *

28 C. The department shall collect an annual fee of twenty-five dollars for this
29 special prestige license plate, which shall be dedicated to the **Louisiana** Department

1 of ~~Children and Family Services~~ **Health**, office of ~~children and family services~~ **child**
2 **welfare**, to be used solely for foster and adoptive parent recruitment activities. This
3 fee shall be in addition to the regular motor vehicle license fee provided in R.S.
4 47:463, and a handling fee of three dollars and fifty cents to be retained by the
5 department to offset a portion of administrative costs.

6 * * *

7 §1508. Confidentiality of tax records

8 * * *

9 B. Nothing contained in this Section shall be construed to prevent:

10 * * *

11 (23) The sharing or furnishing of, upon the request of the secretary of the
12 Department of Children and Family Services or her designee, the address and social
13 security number of the person designated by ~~Department of Children and Family~~
14 **Services Louisiana Works** as an absent parent and any report required by R.S.
15 47:114.1 for the purpose of implementing the provisions of R.S. 46:236.1.1 et seq.,
16 the family and child support program.

17 * * *

18 §1676. Debt recovery

19 * * *

20 (4)

21 * * *

22 (d) The authorization provided for in this Paragraph shall not prime the claim
23 of the ~~Department of Children and Family Services~~ **Louisiana Works** under the
24 provisions of R.S. 46:236.15(D) or R.S. 47:9026 to any payments of progressive slot
25 machine annuities or cash gaming winnings.

26 * * *

27 §1677. Financial institution data match

28 * * *

29 F.

* * *

(5) At the discretion of the secretary, the department or office and ~~the Department of Children and Family Services~~ **Louisiana Works** may enter into an agreement to share the costs of reimbursement fees paid to financial institutions for complying with financial institution data match laws pursuant to R.S. 46:236.1.4 or this Section. As part of any such agreement, the department shall make reimbursement out of current allocations.

* * *

§6003. Work-Based Learning Tax Credit

* * *

C. For purposes of this Section, the following terms shall have the meanings ascribed to them in this Subsection:

* * *

(4) "Youth worker" means an individual who has attained the age of fifteen but not yet attained the age of twenty-four; is unemployed prior to being hired by a business that will apply for a credit authorized by this Section; will be working in a full-time or part-time position that pays wages that are equivalent to the wages paid for similar jobs, with adjustments for experience and training; and meets at least one of the following criteria:

* * *

(i) Is currently or was in foster care, extended foster care, or the custody of the **Louisiana** Department of ~~Children and Family Services~~ **Health**.

* * *

§6028. Louisiana Youth Jobs Tax Credit Program

* * *

B. Definitions. For purposes of this Section:

* * *

(2) "Eligible youth" means an individual who:

* * *

1 (d) Meets at least one of the following criteria:

2 * * *

3 (ix) Is currently or was in foster care, extended foster care, or the custody of
4 the **Louisiana** Department of ~~Children and Family Services~~ **Health**.

5 * * *

6 §6042. Credits; qualifying foster care charitable organizations

7 * * *

8 E.

9 * * *

10 (2) The **Louisiana** Department of ~~Children and Family Services~~ **Health** shall,
11 on or before the thirty-first day of January of each calendar year, submit a report to
12 the secretary of the Department of Revenue listing all qualifying foster care
13 charitable organizations that held a valid, unsuspended license issued by the
14 **Louisiana** Department of ~~Children and Family Services~~ **Health** during the prior
15 calendar year. The report shall be in electronic format and contain the foster care
16 organization's name and federal employer identification number or Louisiana
17 Department of Revenue account number.

18 F. For purposes of this Section, the following words shall have the following
19 meanings unless the context clearly indicates otherwise:

20 * * *

21 (3) "Qualified individual" means a child in a foster care placement program
22 established by the **Louisiana** Department of ~~Children and Family Services~~ **Health**.

23 (4) "Qualifying foster care charitable organization" or "foster care
24 organization" means an organization licensed by the **Louisiana** Department of
25 ~~Children and Family Services~~ **Health** as a child placing agency to provide adoption
26 and foster care services.

27 * * *

28 §6102. Definitions

29 For purposes of this Chapter, the following terms shall have the following

1 definitions:

2 * * *

3 (2) "Child care facility" means any entity that the state administrator of the
4 Child Care Development Fund determines is eligible to participate in the quality
5 rating system according to criteria set forth by rule adopted in the manner provided
6 for in R.S. 47:6103, has applied to the **Louisiana** Department of ~~Children and~~
7 ~~Family Services~~ **Health** for evaluation under such system, and is participating in the
8 system.

9 * * *

10 §6105. Child care provider tax credit

11 A. There shall be a credit against any Louisiana income tax for a child care
12 provider. The tax credit shall be refundable as provided for in R.S. 47:6108. The tax
13 credit shall be an amount based upon the average monthly number of children who
14 either participate in the Child Care Assistance Program administered by the state
15 Department of Education or who are foster children in the custody of the **Louisiana**
16 Department of ~~Children and Family Services~~ **Health**, and who are attending a child
17 care facility or facilities operated by the child care provider, multiplied by an amount
18 which shall be based upon the quality rating of each child care facility operated by
19 the child care provider as follows:

20 Quality Rating of Child Care Facility Tax Credit Per Eligible Child Attending	
21 Five star	\$1,500
22 Four star	\$1,250
23 Three star	\$1,000
24 Two star	\$750
25 One star or nonparticipating facility	0

26 * * *

27 §9027. Assignment of deferred lottery annuity prizes

28 * * *

29 C. On the filing by the assignor or the assignee in the Nineteenth Judicial

1 District Court of East Baton Rouge Parish of a petition seeking approval of a
2 voluntary assignment, the court shall issue an order approving a voluntary
3 assignment and directing the corporation to make prize payments as a whole or in
4 part to the assignee if the court finds all of the following:

5 * * *

6 (10) The petition required by this Subsection, shall be accompanied by a
7 certification from a representative of ~~the Department of Children and Family~~
8 ~~Services~~ **Louisiana Works**, office of ~~children and family services~~ **child support**,
9 stating any of the following:

10 (a) That the assignor or assignee does not currently have a child support
11 arrearage, or the assignor or assignee does not owe an obligation to repay any public
12 assistance benefits or an overpayment of child support benefits to ~~the Department of~~
13 ~~Children and Family Services~~ **Louisiana Works**.

14 (b) That the assignor or assignee does currently have a child support
15 obligation and that no arrearage is due to ~~the Department of Children and Family~~
16 ~~Services~~ **Louisiana Works**.

17 (c) That the assignor or assignee does currently have a child support
18 arrearage, or the assignor or assignee does owe an obligation to repay any public
19 assistance benefits or an overpayment of child support benefits to ~~the Department of~~
20 ~~Children and Family Services~~ **Louisiana Works**. The certification from ~~the~~
21 ~~Department of Children and Family Services~~ **Louisiana Works**, office of ~~children~~
22 ~~and family services~~ **child support**, shall be provided to the assignor and the assignee
23 promptly upon the request of the assignor or the assignee, and in no event more than
24 ten business days after said request is received by ~~the Department of Children and~~
25 ~~Family Services~~ **Louisiana Works**, office of ~~children and family services~~ **child**
26 **support**.

27 * * *

28 Section 25. R.S. 49:121(E), 149.23, the introductory paragraph of 992(D)(2)(b),
29 992(D)(2)(b)(iii)(bb) and (9), 1212(B)(5), 1512(B), and 1513(1) and (4) are hereby amended

1 and reenacted to read as follows:

2 §121. Name of board, department, or subdivisions; marking on boat or vehicle;

3 Louisiana public license plates; exemptions

4 * * *

5 E. Those vehicles used in crime prevention and detection and similar
6 investigative work, which if identified as required by this Section could not be used
7 effectively for such purposes, are exempt from the provisions of this Part, and, in
8 addition, the vehicles used by the governor, lieutenant governor, statewide elected
9 officials, the Louisiana School for the Deaf, the Louisiana School for the Visually
10 Impaired, the Special School District , and any community and group homes and
11 residential facilities administered by ~~the Department of Children and Family~~
12 ~~Services~~ or the Louisiana Department of Health are exempt from the provisions of
13 this Part.

14 * * *

15 §149.23. Executive offices of the Department of Children and Family Services

16 Any floor of any state building upon which the ~~executive offices~~ **office of**
17 **child welfare** of the **Louisiana** Department of ~~Children and Family Services~~ are
18 **Health is** located shall be dedicated to the honor and memory of Mya George and
19 all victims of child abuse.

20 * * *

21 §992. Applicability; exemptions; attorney fees; court costs

22 * * *

23 D.

24 * * *

25 (2)

26 * * *

27 (b) This Subparagraph shall apply to the Louisiana Department of Health, ~~the~~
28 ~~Department of Children and Family Services~~, the Department of Education, and any
29 agency within these departments:

1 * * *

2 (iii)

3 * * *

4 (bb) In Temporary Assistance for Needy Families (TANF) cases, if the
5 secretary of ~~the Department of Children and Family Services~~ **Louisiana Works**
6 approves, rejects, or modifies the recommended decision of the division, that
7 approved, rejected, or modified decision shall be issued by the division as the final
8 decision of the ~~Department of Children and Family Services~~ **Louisiana Works**.

9 * * *

10 (9) Adjudications filed pursuant to R.S. 46:51.2, involving a risk evaluation
11 panel decision, with the **Louisiana** Department of ~~Children and Family Services~~
12 **Health** shall be exempt from the provisions of this Chapter.

13 * * *

14 §1212. Louisiana Council on the Success of Black Men and Boys; creation;
15 domicile; membership

16 * * *

17 B. The council shall be comprised of twenty-one members as provided in this
18 Subsection and Subsection C of this Section:

19 * * *

20 (5) A representative of the Louisiana Department of ~~Children and Family~~
21 ~~Services~~ **Health** who has expertise in the needs of children appointed by the
22 secretary of the department.

23 * * *

24 §1512. Legislative intent

25 * * *

26 B. It is the intent of this Chapter that the Louisiana Department of Health,
27 state Department of Education, office of motor vehicles, Governor's Office of
28 Homeland Security and Emergency Preparedness, Department of Public Safety and
29 Corrections, ~~Department of Children and Family Services~~, Department of Revenue,

1 and Louisiana higher education institutions determine the legal status of individuals
2 receiving state services and benefits and to calculate and report the total dollar value
3 of services and benefits provided to individuals identified as "illegal aliens" or
4 "unaccompanied alien children" as defined by federal law.

5 §1513. Definitions

6 For the purposes of this Chapter:

7 (1) "Agency" means the Louisiana Department of Health, state Department
8 of Education, office of motor vehicles, Governor's Office of Homeland Security and
9 Emergency Preparedness, Department of Public Safety and Corrections, ~~Department~~
10 ~~of Children and Family Services~~, Department of Revenue, and Louisiana higher
11 education institutions.

12 * * *

13 (4) "State services and benefits" means all services and benefits provided by
14 the Louisiana Department of Health, state Department of Education, office of motor
15 vehicles, Governor's Office of Homeland Security and Emergency Preparedness,
16 Department of Public Safety and Corrections, ~~Department of Children and Family~~
17 ~~Services~~, Department of Revenue, and Louisiana higher education institutions,
18 including but not limited to healthcare, education, licenses, emergency assistance,
19 and tax benefits.

20 * * *

21 Section 26. The introductory paragraph of R.S. 51:1045.2(A), 1045.3(A), 1057(A)
22 and (C)(1) and 1442(4) are hereby amended and reenacted to read as follows:

23 §1045.2. Solutions to poverty initiative; coordination

24 A. The Louisiana Department of ~~Children and Family Services~~ Health shall
25 be in charge of coordinating the overall development and implementation of the
26 Governor's Solutions to Poverty Plan. The head of each of the following
27 departments, offices and commissions shall select a coordinator from within the
28 administration of each department, office or commission to work together to
29 formulate plans and propose legislation to implement the recommended solutions:

* * *

§1045.3. Solutions to poverty initiative; implementation

A. The departments, offices and commissions listed in R.S. 51:1045.2 shall plan to implement through feasibility studies, in those parishes listed in R.S. 51:1035(A), the solutions recommended by the Governor's Summit on Solutions to Poverty as provided in this Section. The implementation plan and feasibility studies shall be coordinated through the Louisiana Department of ~~Children and Family Services~~ **Health**.

* * *

§1057. Empowering Families to Live Well Louisiana Council and implementation plan

A. There is hereby established the Empowering Families to Live Well Louisiana Council to assist and empower struggling families throughout Louisiana. The council is hereby established within the Louisiana Department of ~~Children and Family Services~~ **Health** which shall exercise and perform its powers, duties, functions, and responsibilities in the manner provided for agencies transferred in accordance with the provisions of applicable state law.

* * *

C.(1) The secretary of the Louisiana Department of ~~Children and Family Services~~ **Health**, or designee, and the chair of the Senate Committee on Health and Welfare, or designee, shall serve as cochairs of the council.

* * *

§1442. Definitions

As used in this Chapter, the following words and phrases shall have the following meanings:

* * *

(4) "Department" means ~~the Department of Children and Family Services~~ **Louisiana Works**, office of children and family services; child support enforcement section.

1 * * *

2 Section 27. Code of Civil Procedure Art. 10(A)(1), 683(D), 732(D), 2785(5),
3 3601(B), 3603(C), and 4521(A)(3) are hereby amended and reenacted to read as follows:

4 Art. 10. Jurisdiction over status

5 A. A court which is otherwise competent under the laws of this state has
6 jurisdiction of the following actions or proceedings only under the following
7 conditions:

8 (1) An adoption proceeding in accordance with Title XII of the Children's
9 Code, if the surrendering parent of the child, a prospective adoptive parent, the
10 adoptive parent or parents, or any parent of the child has been domiciled in this state
11 for at least eight months, or if the child is in the custody of the **Louisiana**
12 Department of ~~Children and Family Services~~ **Health**; and an adoption proceeding
13 in accordance with Civil Code Article 212, if either party to the adoption of an adult
14 is domiciled in this state.

15 * * *

16 Art. 683. Unemancipated minor

17 * * *

18 D. Notwithstanding the provisions of Paragraph A, B, or C of this Article, an
19 attorney appointed by the court having jurisdiction over an unemancipated minor
20 who is in the legal custody of the **Louisiana** Department of ~~Children and Family~~
21 ~~Services~~ **Health** is the proper plaintiff to sue to enforce a right of an unemancipated
22 minor. Upon application of the tutor or a person having parental authority who would
23 otherwise be the proper plaintiff to sue pursuant to Paragraph B or C of this Article,
24 the court shall appoint or substitute as the proper plaintiff the best qualified among
25 the tutor, a person having parental authority, or the appointed attorney.

26 * * *

27 Art. 732. Unemancipated minor

28 * * *

29 D. Notwithstanding the provisions of Paragraph A, B, or C of this Article, an

1 attorney appointed by the court having jurisdiction over an unemancipated minor
 2 who is in the legal custody of the Louisiana Department of ~~Children and Family~~
 3 ~~Services~~ **Health** is the proper defendant in an action to enforce an obligation against
 4 an unemancipated minor. Upon application of the tutor or person having parental
 5 authority who would otherwise be the proper defendant to be sued pursuant to
 6 Paragraph B or C of this Article, the court shall appoint or substitute as the proper
 7 defendant the best qualified among the tutor, a person having parental authority, or
 8 the appointed attorney.

9 * * *

10 Art. 2785. Definitions

11 For purposes of this Section:

12 * * *

13 (5) "Party to a support order" means the obligee of a support order, or the
 14 state of Louisiana, ~~Department of Children and Family Services~~ **Louisiana Works**,
 15 or similar agency of another jurisdiction or state when supplying support services as
 16 defined in or substantially similar to R.S. 46:236.1(A)(7), or under the Uniform
 17 Interstate Family Support Act (UIFSA), or in performance of its official duties under
 18 Title IV, Subchapter D of the Social Security Act as stated in 45 C.F.R. 301.1.

19 * * *

20 Art. 3601. Injunction; grounds for issuance; preliminary injunction; temporary
 21 restraining order

22 * * *

23 B. No court shall issue a temporary restraining order in cases where the
 24 issuance shall stay or enjoin the enforcement of a child support order when ~~the~~
 25 ~~Department of Children and Family Services~~ **Louisiana Works** is providing
 26 services, except for good cause shown by written reasons made a part of the record.

27 * * *

28 Art. 3603. Temporary restraining order; affidavit or affirmation of irreparable injury
 29 and notification efforts

* * *

C. No court shall issue a temporary restraining order in cases where the issuance shall stay or enjoin the enforcement of a child support order when ~~the Department of Children and Family Services~~ **Louisiana Works** is providing services, except for good cause shown by written reasons made a part of the record.

* * *

Art. 4521. Payments to minor

A. In approving any proposal by which a minor is to be paid funds as the result of a judgment or settlement, the court may order:

* * *

(3) That the funds be placed in trust in accordance with the Louisiana Trust Code or, for a beneficiary who is disabled as defined in 42 U.S.C. 1382c(a)(3), in a trust qualified under 42 U.S.C. 1396p(d)(4)(C) in accordance with the law of any state. The trust instrument shall name the minor as sole beneficiary of the trust, shall name a trustee, shall impose maximum spendthrift restraints, and may allow the trust to last for the lifetime of the beneficiary. Except for trusts qualified under 42 U.S.C. 1396p(d)(4)(A) or 1396p(d)(4)(C), the trust shall, however, be subject to termination at the option of the beneficiary upon attaining the age of majority. If the minor fails to attain majority, the trust shall be subject to termination at the option of his heirs or legatees. The court shall not order funds that will be paid to an unemancipated minor who is in the legal custody of the **Louisiana** Department of ~~Children and Family Services~~ **Health** to be placed in trust if the amount of the judgment or settlement is less than fifty thousand dollars.

* * *

Section 28. Code of Evidence Art. 902(10) is hereby amended and reenacted to read as follows:

Art. 902. Self-authentication

Extrinsic evidence of authenticity as a condition precedent to admissibility is not required with respect to the following:

* * *

(10) Labor reports. A copy of a report from the Louisiana Workforce Commission, or from any state or federal reporting agency, which is in the possession of a field officer of the ~~support enforcement services program~~, office of ~~children and family services~~ **child support**, ~~Department of Children and Family Services~~, **Louisiana Works** introduced as evidence in any child or spousal support proceeding. "Field officer" means any person designated or authorized as a field officer pursuant to the provisions of R.S. 46:236.1.8.

Section 29. Children's Code Art. 308(A), 311(B)(1)(b), 323(2), 324(A)(1) and (3), 328.1(C), 405(G), 412(D)(2), 436(3)(a), 441(A)(3), 512(B)(1), 522(A)(2), 523(D)(2), 544(A)(1), 581(A)(1), 603(11), (13), and (17)(o), 603.1(B), 608(A)(1), 609(A)(3)(a), 610(A)(1), (4)(a), (5), (D), and (H)(5), 612(G), 615(E)(1) and (2), 631(A), the heading of Children's Code Art. 645, 672(A)(1), 672.2(C), the introductory paragraph of 672.3(A), 672.3(A)(5), (B), (D), and (E), 725, 725.1(1), 725.4, the heading of Children's Code Art. 725.5, the introductory paragraph of 730, 731(C)(5), 745(C), 749(A)(5), 767.1(C), 791.3(B), 811.1(F) and (G), 822(B), 1003(2) and (6), 1036.2(E), 1103(1) and (4), 1109, 1117, 1122(B)(9) and (11) and (F), 1127.1(D), 1150(1), 1152(C)(3), 1169(1) and (4), 1180(C), 1182, 1186(B), 1200(B) and (H), 1201(C), the introductory paragraph of 1223(B), 1223(H), 1223.1(C), 1269.3(F), 1270(B), 1274, the heading of Chapter 16 of the Children's Code, 1281.3(1) and (4), 1282.5, 1283.2(H), 1283.3(C), 1283.16, 1284.5, 1285.2(H), 1285.3(C), 1285.16, 1301.3, 1303.10, 1307.3, the introductory paragraph of 1307.4(A), 1307.5(D), 1307.8(C)(2), 1351(4), 1427(C)(1)(c) and (2), 1515(A)(7) and (B), the introductory paragraph of 1517(E), 1518(B), 1519, 1567(B), and 1641(A) are hereby amended and reenacted to read as follows:

Art. 308. Authority of courts to refer child abuse, neglect

A. Whenever any court of this state in the trial of any proceeding has cause to believe that a child's physical or mental health or welfare is endangered by abuse or neglect, it may report and refer the charges to the local child protection unit of the **Louisiana** Department of ~~Children and Family Services~~ **Health** in accordance with

1 Article 610.

2 * * *

3 Art. 311. Juvenile jurisdiction over adults; support proceedings; coexistent orders

4 * * *

5 B.(1) A court exercising juvenile jurisdiction shall have concurrent
6 jurisdiction, except in East Baton Rouge Parish, in the following cases involving
7 support of family:

8 * * *

9 (b) Proceedings brought by the district attorney or ~~the Department of~~
10 ~~Children and Family Services~~ **Louisiana Works** to establish paternity or to establish,
11 modify, or enforce support pursuant to provisions of R.S. 46:236.1.1 et seq., and
12 Children's Code Article 1301.1 et seq.

13 * * *

14 Art. 323. Definitions

15 * * *

16 (2) "Department" means the **Louisiana** Department of ~~Children and Family~~
17 ~~Services~~ **Health**.

18 * * *

19 Art. 324. Authorization

20 A. A court exercising juvenile jurisdiction may require that a statement of a
21 protected person be recorded on videotape in conformity with Article 326 by any of
22 the following:

23 (1) Motion of the court or motion of the district attorney, a parish welfare unit
24 or agency, the **Louisiana** Department of ~~Children and Family Services~~ **Health**, or
25 a child advocacy center operating in the judicial district.

26 * * *

27 (3) Execution of a written protocol between the court and law enforcement
28 agencies, a parish welfare unit or agency, the **Louisiana** Department of ~~Children and~~
29 ~~Family Services~~ **Health**, or a child advocacy center operating in the judicial district

1 that authorizes the videotaping of any protected person without the necessity of the
2 issuance of an order by the court in any individual case.

3 * * *

4 Art. 328.1. Admissibility in civil, family, and administrative proceedings; discovery;
5 confidentiality

6 * * *

7 C. Nothing in this Article is intended to restrict the ability of the **Louisiana**
8 Department of ~~Children and Family Services~~ **Health** or law enforcement from
9 sharing information as authorized or required by state or federal law.

10 * * *

11 Art. 405. Court or witness fees; travel expenses

12 * * *

13 G. In all cases in which support rights have been assigned to ~~the Department~~
14 ~~of Children and Family Services~~ **Louisiana Works** as a condition of eligibility for
15 Family Independence Temporary Assistance Program (FITAP) and in all civil,
16 criminal, or juvenile support proceedings initiated by the department on its own
17 behalf or on behalf of a non-FITAP applicant, the provisions of R.S. 46:236.1.1 et
18 seq. shall apply as to imposition of a collection fee against the person owing the
19 support obligation.

20 * * *

21 Art. 412. Confidentiality of records; disclosure exceptions; sanctions

22 * * *

23 D. When such information is relevant and necessary to the performance of
24 their respective duties and enhances services to the child or his family, the court may
25 authorize the release of records, reports, or certain information contained therein,
26 limited to the specific purpose for which the court authorizes release, to appropriate
27 individuals who represent any of the following when they are providing services to
28 the child whose records are disclosed during the pendency of the matter about which
29 the records are disclosed:

* * *

(2) ~~The Department of Children and Family Services~~ **Louisiana Works**.

* * *

Art. 436. Definitions

* * *

(3) "Mediation parties" means:

(a) In a child in need of care proceeding, a representative of the **Louisiana**
Department of ~~Children and Family Services~~ **Health**, the parent, and the child.

* * *

Art. 441. Confidentiality

A. All oral and written communications and records made during the mediation of a juvenile proceeding are not subject to disclosure and may not be used as evidence in any judicial or administrative proceeding unless:

* * *

(3) Whenever the mediator has cause to believe that a child's physical or mental health or welfare is endangered by abuse or neglect, he shall report and refer the charges to the local child protection unit of the **Louisiana** Department of ~~Children and Family Services~~ **Health** in accordance with Article 610.

* * *

Art. 512. Composition of the multidisciplinary investigative team

* * *

B. Governmental entities that have responsibilities imposed by law for the investigation of child abuse include:

(1) The office of ~~children and family services~~ **child welfare**, **Louisiana**
Department of ~~Children and Family Services~~ **Health**.

* * *

Art. 522. Applicability

A. A child advocacy center is established and becomes subject to the provisions of this Chapter when all of the following have been accomplished:

* * *

(2) An agreement to use the services of a child advocacy center has been executed by representatives of the district attorney, the office of ~~children and family services~~, **child welfare, Louisiana** Department of ~~Children and Family Services~~ **Health**, the coroner, the sheriff, and any other law enforcement agency having responsibility in the district for the investigation of child abuse.

* * *

Art. 523. Governance of child advocacy centers; board of directors; bylaws; staff

* * *

D.

* * *

(2) The board shall also cause the sheriff and the **Louisiana** Department of ~~Children and Family Services~~ **Health** to request that the Louisiana Bureau of Criminal Identification and Information conduct an examination of the criminal history record and identification files of the bureau for any applicant seeking employment at a child advocacy center. The sheriff and the department shall provide a written certificate indicating whether any information was discovered or that no information was found, all in accordance with the applicable rules and regulations promulgated by the department.

* * *

Art. 544. Request for information; order for release

A.(1) Notwithstanding any other provision of law to the contrary, any state agency providing services to children and their families, which shall include but is not limited to the Louisiana Department of Health, ~~the Department of Children and Family Services~~ **Louisiana Works**, youth services of the Department of Public Safety and Corrections, and the Department of Education, and any city, parish, or other local public school board is hereby authorized to request in writing, which shall include but shall not be limited to an email or electronic communication, from any other state agency or city, parish, or other local public school board any information,

1 data, reports, or records in its possession which are relevant and necessary to the
2 performance of the requesting agency's duties to children and their families. This
3 written request shall include the specific purpose for which the information, data,
4 reports, or records are being requested.

5 * * *

6 Art. 581. Child Protection Representation Commission; establishment; purpose and
7 functions

8 A. The Child Protection Representation Commission, referred to hereinafter
9 as the "commission", is hereby established for the purpose of reviewing the system
10 of representation of children and indigent parents in child protection cases as
11 provided in Chapters 5 and 6 of this Title. The commission shall be composed of the
12 following members:

13 (1) The secretary of the Louisiana Department of ~~Children and Family~~
14 ~~Services~~ **Health** or his designee.

15 * * *

16 Art. 603. Definitions

17 As used in this Title:

18 * * *

19 (11) "Court-appointed or court-approved administrative body" means a body
20 appointed or approved by a court and subject to the court's supervision for the
21 purposes of assisting the court with permanency hearings, including magistrates or
22 other court or noncourt personnel. This body shall not be a part of the Louisiana
23 Department of ~~Children and Family Services~~ **Health** or the Department of Public
24 Safety and Corrections, nor subject to the supervision or direction of either
25 department.

26 * * *

27 (13) "Department" means the Louisiana Department of ~~Children and Family~~
28 ~~Services~~ **Health**.

29 * * *

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

2 * * *

3 (o) Any employee of the office of juvenile justice or the **Louisiana**
4 Department of ~~Children and Family Services~~ **Health**, whose duties include
5 supervisory or disciplinary authority over children.

6 * * *

7 Art. 603.1. Required education; reporting child abuse

8 * * *

9 B. Teaching or child care providers as defined by Article 603 shall complete
10 an online training course provided by the **Louisiana** Department of ~~Children and~~
11 ~~Family Services~~ **Health** between June first and August thirty-first annually. A record
12 of completion of the course by the teaching or child care provider shall be provided
13 to each entity at which the teaching or child care provider is employed. No later than
14 September thirtieth of each year and in a manner prescribed by the state Department
15 of Education each entity at which a teaching or child care provider is employed shall
16 submit a list to the state Department of Education of all teaching and child care
17 providers employed by the entity and identify the employees that have complied with
18 the training requirements and those employees that have not complied. The state
19 Department of Education shall publish the completion rates for each entity on its
20 website.

21 * * *

22 Art. 608. Parents' right to counsel; payment

23 A. The parents of a child who is the subject of a child in need of care
24 proceeding shall be entitled to qualified, independent counsel after the court issues
25 any order in accordance with Article 619(C) or 620 or at the filing of a petition and
26 at all stages of the proceedings thereafter. If the court does not issue an order in
27 accordance with Article 619(C) or 620, the right to counsel shall attach upon the
28 filing of a petition. At all proceedings governed by Chapter 6 of this Title, the
29 parents shall be presumed to be indigent. Thereafter, indigence shall be determined

1 in accordance with Article 320. The right to counsel may be waived by a parent if
2 the court determines that the parent choosing to waive the right to representation has
3 been instructed by the court about the rights and the possible consequences of
4 waiver. Before accepting a waiver of counsel, the court shall ensure each of the
5 following:

6 (1) The parent has been informed by the court that the Louisiana Department
7 of ~~Children and Family Services~~ Health cannot provide legal advice to the parent or
8 represent the parent's interest.

9 * * *

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

11 A. With respect to mandatory reporters:

12 * * *

13 (3)(a) To familiarize mandatory reporters, as defined by Children's Code
14 Article 603, with their legal mandate for reporting suspected child abuse and neglect,
15 such mandatory reporters shall be offered training on the statutory requirements and
16 responsibility of reporting child abuse and neglect. This training shall be made
17 available by the child welfare division of the Louisiana Department of ~~Children and~~
18 ~~Family Services~~ Health or any other mechanism as approved by the department as
19 long as it includes information on the reporting procedure and the consequences of
20 failing to report.

21 * * *

22 Art. 610. Reporting procedure; reports to the legislature and the United States
23 Department of Defense Family Advocacy Program

24 A. A reporter shall immediately report suspected child abuse or neglect or
25 that child abuse or neglect was a contributing factor in a child's death in the
26 following ways:

27 (1) To the Louisiana Department of ~~Children and Family Services~~ Health
28 if the reporter has reason to believe that the perpetrator is any of the following:

29 * * *

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

(a) A mandatory reporter shall make a report of suspected abuse or neglect requiring immediate assistance via the designated state child protection reporting hotline telephone number. A report of suspected abuse or neglect which is of a nonemergency nature may be reported via the Louisiana Department of ~~Children and Family Services~~ **Health** Mandated Reporter Portal online. Reports may also be made in person at any child welfare office.

* * *

(5) If a school resource officer suspects child abuse or neglect of a student or if a mandatory reporter reports suspected child abuse or neglect to a school resource officer, the school resource officer shall immediately notify the officer's employing law enforcement agency or the Louisiana Department of ~~Children and Family Services~~ **Health** in accordance with the provisions of this Article. The school resource officer's employer shall assign investigation of the matter to the most appropriate law enforcement officer, who may be the school resource officer.

* * *

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

* * *

H.

* * *

(5) Any sexual abuse cases in which the alleged perpetrator is a child shall be referred to the Louisiana Department of ~~Children and Family Services~~ **Health**.

1 The department shall assess the family of the child victim and the alleged child
2 perpetrator to ensure child safety and well-being in accordance with Children's Code
3 Article 612(A)(3).

4 * * *

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

6 * * *

7 G. The Louisiana Department of ~~Children and Family Services~~ Health shall
8 set priorities for case response and allocate staff resources to cases identified by
9 reporters as presenting immediate substantial risk of harm to children. Absent
10 evidence of willful or intentional misconduct or gross negligence in carrying out the
11 investigative functions of the state child protection program, caseworkers,
12 supervisors, program managers, and agency heads shall be immune from civil and
13 criminal liability in any legal action arising from the department's decisions made
14 relative to the setting of priorities for cases and targeting of staff resources.

15 * * *

16 Art. 615. Disposition of reports

17 * * *

18 E. When after the investigation of a report, the determination is made that the
19 report is inconclusive or unsubstantiated, as provided in Subparagraphs (B)(4) and
20 (5) of this Article, the files, records, and pertinent information regarding the report
21 and investigation shall be strictly confidential, shall not become part of the central
22 registry except as otherwise provided in Subparagraph (1) of this Paragraph or in
23 Article 616(F), shall not be disclosed or ordered to be produced in conjunction with
24 any legal proceeding or other matter except as provided in Subparagraph (4) of this
25 Paragraph, and shall be maintained only for the following purposes:

26 (1) The files, records, and information shall remain unsealed and shall be
27 maintained for the exclusive use of child protective services, to assist in future risk
28 and safety assessments. The Louisiana Department of ~~Children and Family Services~~
29 Health shall maintain all files and records for seven years from the date of the

1 determination, unless a subsequent inconclusive or unsubstantiated report is received
 2 during that period. In that case, information from all such reports will be maintained
 3 until the youngest child in the alleged victim's family attains the age of eighteen
 4 years or seven years from the date of the latest determination, whichever is longer.
 5 If information from an inconclusive or unsubstantiated report is used as a part of the
 6 basis for a later, related, and substantiated report, the earlier report shall become part
 7 of the file of the substantiated report and shall cease to be a separate report.

8 (2) All files, records, and information shall be admissible in any civil
 9 litigation or criminal proceeding against the Louisiana Department of ~~Children and~~
 10 ~~Family Services~~ **Health** or its employees wherein work performance or conduct is
 11 at issue. They shall remain confidential and be placed under seal by the court to
 12 prevent disclosure to the public. The department shall maintain the files, records and
 13 information during the pendency of the litigation or prosecution.

14 * * *

15 Art. 631. Authority to file petition; custody

16 A. A child in need of care proceeding shall be commenced by petition filed
 17 by the district attorney. The Louisiana Department of ~~Children and Family Services~~
 18 **Health**, when authorized by the court, may file a petition if there are reasonable
 19 grounds to believe that the child is a child in need of care.

20 * * *

21 Art. 645. Louisiana Department of ~~Children and Family Services~~ **Health** to provide
 22 information concerning the parents' location; cooperation of the
 23 department

24 * * *

25 Art. 672. Care and treatment by department

26 A.(1) Whenever custody of a child is assigned to the Louisiana Department
 27 of ~~Children and Family Services~~ **Health**, the child shall be assigned to the custody
 28 of the department rather than to a particular placement setting. The department shall
 29 have authority over the placement within its resources and the allocation of other

1 available resources within the department for children judicially committed to its
2 custody.

3 * * *

4 Art. 672.2. Local educational agencies; children placed in group homes and
5 residential facilities

6 * * *

7 C. Beginning with applications received on July 1, 1999, and thereafter, upon
8 receipt of an application for initial licensure by the **Louisiana** Department of
9 ~~Children and Family Services~~ **Health** from an applicant which seeks to provide child
10 residential care, or emergency shelter to children of school age, the **Louisiana**
11 Department of ~~Children and Family Services~~ **Health** shall provide written
12 notification to the Department of Education of such application for initial licensure
13 within thirty days of receipt of such application, including the parish where the
14 facility seeks to operate.

15 * * *

16 Art. 672.3. Diligent search for relatives; notice; failure to respond

17 A. Whenever custody of a child is assigned to the **Louisiana** Department of
18 ~~Children and Family Services~~ **Health**, the department shall conduct a diligent search
19 for adult relatives of the child and for persons who have a significant relationship
20 with the child. The diligent search shall be completed no later than thirty days from
21 the date the child was taken into custody and include, at a minimum, all of the
22 following:

23 * * *

24 (5) Comprehensive searches of databases and other resources available to the
25 **Louisiana** Department of ~~Children and Family Services~~ **Health**, which may include
26 searches of schools, employment, residence, utilities, vehicle registration, child
27 support enforcement, law enforcement, and corrections records or any other records
28 likely to result in identifying and locating adult relatives of the child or persons who
29 have a significant relationship with the child.

* * *

B. The Louisiana Department of ~~Children and Family Services~~ Health shall file with the court information regarding attempts made pursuant to Paragraph A of this Article ten days before any scheduled disposition, case review, permanency hearing, or as otherwise required by the court. Any additional information obtained by the department subsequent to the initial filing shall be disclosed to the court during the hearing.

* * *

D. After the completion of the diligent search required by this Article, the Louisiana Department of ~~Children and Family Services~~ Health shall have a continuing duty to search for relatives or other persons who have demonstrated an ongoing commitment to a child and with whom it may be appropriate to place the child until the relatives or persons are located, the court excuses the department from conducting a diligent search, or permanency is achieved.

E. If a relative entitled to notice pursuant to this Article fails, after ninety days from the date the relative receives the required notice, to demonstrate an interest in and willingness to provide a permanent home for a child, the court may excuse the Louisiana Department of ~~Children and Family Services~~ Health from considering the relative as a placement.

* * *

Art. 725. Findings and purpose

The legislature finds that arresting, prosecuting, and incarcerating victimized children serves to re-traumatize them and to increase their feelings of low self-esteem, which only makes the process of recovery more difficult. Both federal and international law recognize that sexually exploited children are the victims of crime and should be treated as such. Therefore, sexually exploited children should not be prosecuted for criminal acts related to prostitution. Instead, sexually exploited children should, where possible, be diverted into services that address the needs of these children outside of the justice system. Sexually exploited children deserve the

1 protection of child welfare services, including diversion, crisis intervention,
 2 counseling, and emergency housing services. The purpose of this Chapter is to
 3 protect a child from further victimization after the child is discovered to be a
 4 sexually exploited child by ensuring that a child protective response is in place in the
 5 state. This is to be accomplished by presuming that any child engaged in prostitution,
 6 prostitution by massage, or crime against nature by solicitation is a victim of sex
 7 trafficking and providing these children with the appropriate care and services where
 8 possible. In determining the need for and capacity of services that may be provided,
 9 the **Louisiana** Department of ~~Children and Family Services~~ **Health** shall recognize
 10 that sexually exploited children have separate and distinct service needs according
 11 to gender, and every effort should be made to ensure these children are not
 12 prosecuted or treated as juvenile delinquents, but instead are given the appropriate
 13 social services.

14 Art. 725.1. Definitions

15 As used in this Chapter, the following terms and phrases shall have the
 16 following meaning, unless the context requires otherwise:

17 (1) "Department" means the **Louisiana** Department of ~~Children and Family~~
 18 ~~Services~~ **Health**.

19 * * *

20 Art. 725.4. Duties of law enforcement

21 The officer shall notify the Louisiana Victim Outreach of the Department of
 22 Public Safety and Corrections that the child may be eligible for special services and,
 23 as a mandatory reporter as required by Article 610, shall notify the **Louisiana**
 24 Department of ~~Children and Family Services~~ **Health** that the child is in need of
 25 protective services.

26 Art. 725.5. Duties of the **Louisiana** Department of ~~Children and Family Services~~
 27 **Health**

28 * * *

29 Art. 730. Grounds

1 A. The petition shall set forth with specificity:

2 * * *

3 (5) A statement as to whether the child is currently under the supervision of
4 any state or local entity, including but not limited to, the **Louisiana** Department of
5 ~~Children and Family Services~~ **Health** or the Department of Public Safety and
6 Corrections, youth services, or the office of juvenile justice.

7 * * *

8 Art. 767.1. Federal Indian Child Welfare Act inquiry

9 * * *

10 C. If a tribe fails to respond to multiple requests for verification that the child
11 is an Indian child and the court or **Louisiana** Department of ~~Children and Family~~
12 ~~Services~~ **Health** has sought the assistance of the Bureau of Indian Affairs in
13 contacting the tribe, the court may make the determination that the child is not an
14 Indian child based on the information it has available and proceed to adjudication in
15 accordance with this Title.

16 * * *

17 Art. 791.3. State, state agencies; participation

18 * * *

19 B. The state is obligated to provide certain social and health care services to
20 needy families through ~~the Department of Children and Family Services~~ and the
21 Louisiana Department of Health. These services for assessment and psychiatric
22 evaluation and treatment, if deemed needed, must be continued. The state substance
23 abuse clinics, through its employees and contracted programs, shall accept referrals
24 for substance abuse evaluation and treatment if warranted. The legislature recognizes
25 that each parish included in this Chapter has committed through binding interagency
26 agreements to provide certain enumerated services, including providing physical
27 space. This commitment by the parishes is predicated on financial assistance from
28 the state in order to fully comply with the creation of truancy assessment service
29 centers. Additionally, in order to support each truancy assessment service center with

1 sufficient services pursuant to this Chapter, the state will continue to provide social
2 and health related services where available.

3 * * *

4 Art. 811.1. Rights of the victim of alleged delinquent act

5 * * *

6 F.(1) In order to protect the identity and provide for the safety and welfare
7 of juvenile crime victims under the age of eighteen years, all public officials and
8 officers and public agencies, including but not limited to all law enforcement
9 agencies, sheriffs, district attorneys, judicial officers, clerks of court, and the
10 Louisiana Department of ~~Children and Family Services~~ Health or any division
11 thereof, shall not publicly disclose the name, address, or identity of a juvenile victim
12 of crime who at the time of the commission of the offense is under eighteen years of
13 age. The public disclosure of the name of the juvenile crime victim by any public
14 official or officer or public agency is not prohibited by this Subparagraph when the
15 crime resulted in the death of the victim.

16 (2) Notwithstanding any other provision of law to the contrary, all public
17 officials, officers, and public agencies, including but not limited to all law
18 enforcement agencies, sheriffs, district attorneys, judicial officers, clerks of court,
19 and the Louisiana Department of ~~Children and Family Services~~ Health or any
20 division thereof, charged with the responsibility of knowing the name, address, and
21 identity of juvenile crime victims as a necessary part of their duties shall have full
22 and complete access to this information regarding a juvenile crime victim, and they
23 may lawfully utilize initials, abbreviations, or other forms of indefinite descriptions
24 on all public documents used in the performance of their duties to whatever extent
25 they deem necessary, to prevent the public disclosure of the name, address, or
26 identity of a juvenile victim of crime under the age of eighteen years.

27 G.(1) In order to protect the identity and provide for the safety and welfare
28 of juvenile crime victims under the age of seventeen years, all public officials and
29 officers and public agencies, including but not limited to all law enforcement

1 agencies, sheriffs, district attorneys, judicial officers, clerks of court, and the
 2 **Louisiana** Department of ~~Children and Family Services~~ **Health** or any division
 3 thereof, shall not publicly disclose the name, address, or identity of a juvenile victim
 4 of crime who at the time of the commission of the offense is under seventeen years
 5 of age. The public disclosure of the name of the juvenile crime victim by any public
 6 official or officer or public agency is not prohibited by this Subparagraph when the
 7 crime resulted in the death of the victim.

8 (2) Notwithstanding any other provision of law to the contrary, all public
 9 officials, officers, and public agencies, including but not limited to all law
 10 enforcement agencies, sheriffs, district attorneys, judicial officers, clerks of court,
 11 and the **Louisiana** Department of ~~Children and Family Services~~ **Health** or any
 12 division thereof, charged with the responsibility of knowing the name, address and
 13 identity of juvenile crime victims as a necessary part of their duties shall have full
 14 and complete access to this information regarding a juvenile crime victim and they
 15 may lawfully utilize initials, abbreviations, or other forms of indefinite descriptions
 16 on all public documents used in the performance of their duties to whatever extent
 17 they deem necessary, to prevent the public disclosure of the name, address, or
 18 identity of a juvenile victim of crime under the age of seventeen years.

19 * * *

20 Art. 822. Place of continued custody prior to adjudication

21 * * *

22 B. The court shall not place a child alleged to be delinquent in the custody of
 23 either the ~~department of Children and Family Services~~ **Louisiana Department of**
 24 **Health** or the ~~department~~ **Department** of Public Safety and Corrections prior to
 25 adjudication.

26 * * *

27 Art. 1003. Definitions

28 As used in this Title:

29 * * *

1 (2) "Agency" shall include the Louisiana Department of ~~Children and Family~~
2 ~~Services~~ Health, the corresponding department of any other state, and those private
3 agencies and institutions licensed for the placement of children for adoption by the
4 Louisiana Department of ~~Children and Family Services~~ Health or by the
5 corresponding department of any other state.

6 * * *

7 (6) "Department" means the Louisiana Department of ~~Children and Family~~
8 ~~Services~~ Health.

9 * * *

10 Art. 1036.2. Incarcerated parent; duties; assessment

11 * * *

12 E. The notification form given to the incarcerated parent shall be substantially
13 as follows:

14 NOTICE OF DUTY TO PROVIDE A REASONABLE PLAN FOR THE
15 APPROPRIATE CARE OF YOUR CHILD AND TERMINATION OF
16 PARENTAL RIGHTS LAW

17 N O T I C E T O P A R E N T : Y O U R
18 CHILD(REN), _____ HAS/HAVE BEEN PLACED IN
19 THE CUSTODY OF THE LOUISIANA DEPARTMENT OF ~~CHILDREN AND~~
20 ~~FAMILY SERVICES~~ HEALTH BY ORDER OF THE
21 _____ Parish juvenile court _____ on
22 _____.

23 PLEASE BE ADVISED OF THE FOLLOWING:

24 Louisiana law provides that you may name a person who is willing and able
25 to serve as the custodian of your child(ren) and to offer a wholesome and stable
26 environment for your child(ren). Failure to furnish a reasonable plan for the
27 appropriate care of your child(ren) may result in the termination of your parental
28 rights.

29 Please refer to Louisiana Children's Code, Title X, Articles 1001 to 1043,

1 especially Articles 1015(6) and 1036(E), for the details of Louisiana law regarding
2 the termination of parental rights. A copy of the law is attached to this notice.

3 You are hereby notified that Louisiana law requires that you provide a
4 reasonable plan for the appropriate care of your child(ren), other than continued
5 foster care, within sixty (60) days of your receipt of this notice, which date is
6 _____ . Your plan shall include the names, addresses,
7 cellular numbers, telephone numbers, and other contact information of every suitable
8 alternative caregiver. You may provide additional information by filling out this
9 form and mailing it in the stamped, self-addressed envelope given to you by the
10 department before _____. If you fail or refuse to do so, you may
11 lose all rights to your child(ren). Your plan will be examined to determine if it is
12 reasonable and appropriate. Please provide your plan in detail no later than
13 _____ to the following person:

14 NAME: _____
15 ADDRESS: _____
16 CITY/STATE/ZIP: _____
17 TELEPHONE: _____

18 NOTE: IF YOU HAVE ANY QUESTIONS OR NEED ANY ASSISTANCE,
19 CONTACT THE ABOVE PERSON OR YOUR ATTORNEY IMMEDIATELY.

20 Copy of the law, La. Ch.C. Arts. 1001 - 1043, Attached. PLEASE READ.

21 I, _____, hereby certify that a copy of this
22 notice with La. Ch.C. Arts. 1001-1043 attached, was delivered to
23 _____ on _____ by
24 personal delivery at the following location _____.

25 DATE: _____
26 _____

27 Signature of caseworker

28 I, _____, have received a copy of this notice,
29 together with the attached laws (La. Ch.C. Arts. 1001-1043), and acknowledge that

1 I understand fully that my rights may be terminated and my child(ren) adopted by
2 others if I do not provide a reasonable plan of appropriate care while I am
3 incarcerated, other than continued foster care, within sixty (60) days of my receipt
4 of this notice on _____.

5 _____

6 Signature of parent

7 Witness: _____ Date: _____

8 * * *

9 Art. 1103. Definitions

10 As used in this Title:

11 (1) "Agency" includes the **Louisiana** Department of ~~Children and Family~~
12 ~~Services~~ **Health**, the corresponding department of any other state, and those private
13 agencies and institutions licensed for the placement of children for adoption by the
14 **Louisiana** Department of ~~Children and Family Services~~ **Health** or by the
15 corresponding department of any other state.

16 * * *

17 (4) "Department" means the Louisiana Department of ~~Children and Family~~
18 ~~Services~~ **Health**.

19 * * *

20 Art. 1109. Domiciliary requirements

21 A surrendering parent must be domiciled in this state for at least eight
22 months, unless a prospective adoptive parent has been domiciled in this state for at
23 least eight months, or the child is in the custody of the **Louisiana** Department of
24 ~~Children and Family Services~~ **Health**.

25 * * *

26 Art. 1117. Domiciliary requirements; acceptance of surrender

27 A. If a surrendering parent is not domiciled in this state, then the agency shall
28 be domiciled in this state or be accepting the surrender of a child who is in the
29 custody of the **Louisiana** Department of ~~Children and Family Services~~ **Health**.

1 a female of the age of (AGE), who is (MARITAL STATUS), and domiciled in the
2 Parish of (NAME OF PARISH), who being first duly sworn, did depose and state:

3 (1) She is the mother of (CHILD'S NAME), born on (DATE OF BIRTH) in
4 the (PARISH/COUNTY OF BIRTH), State of (STATE OF BIRTH).

5 (2) She was married at the birth or conception of the child, or has married
6 subsequent to the child's birth and her husband has acknowledged his paternity of the
7 child. The husband's name is (HUSBAND'S NAME) and his last known address was
8 (ADDRESS OR UNKNOWN).

9 OR

10 She was not married at the birth or conception of the child, nor has she, subsequent
11 to the child's birth, married any man who has acknowledged his paternity of the
12 child. To the best of her knowledge, the alleged father has/has not executed an act
13 of acknowledgment/a registration with the putative father registry that admitted his
14 paternity of this child. He has/has not informally acknowledged his paternity of this
15 child. His paternity of this child has/has not been established by court judgment.

16 (3) The other natural/alleged father of the child is (FATHER'S NAME), and
17 his last known address was (ADDRESS OR UNKNOWN).

18 (4) The agency to whom this child is hereby surrendered is (NAME OF
19 PERSON, AGENCY OR REPRESENTATIVE), whose address is (ADDRESS), who
20 hereby accepts this surrender is domiciled in this state. The (NAME OF AGENCY)
21 declares that he has no knowledge of any question concerning the parent's capacity
22 to execute a surrender that has not been resolved by the court pursuant to Article
23 1130.1.

24 OR

25 If the surrender is for private adoption, the Person or Representative to whom
26 this child is hereby surrendered is (NAME OF PERSON OR REPRESENTATIVE),
27 whose address is (ADDRESS), hereby accepts this surrender from a surrendering
28 parent who is domiciled in this state or on behalf of adoptive parents domiciled in
29 this state. (NAME OF PERSON OR REPRESENTATIVE) declares that he has no

1 knowledge of any question concerning the parent's capacity to execute a surrender
2 that has not been resolved by the court pursuant to Article 1130.1.

3 (5) The court in which this surrender is to be filed is (NAME OF JUVENILE
4 COURT) located in (CITY AND PARISH OF COURT) and that said court has
5 jurisdiction over the status of the child by virtue of either a surrendering parent, a
6 prospective adoptive parent, or a legal guardian being domiciled in this state, or that
7 the child is in the custody of the Louisiana Department of ~~Children and Family~~
8 ~~Services~~ Health.

9 (6) Affiant declares that this Act of Surrender is not being executed earlier
10 than the third day following the birth of the child for agency adoptions or the fifth
11 day following the birth of the child in a surrender for private adoption.

12 (7) Affiant declares that she has no mental incapacity and is under no
13 interdiction.

14 (8) Affiant declares that she has been informed and understands that her
15 rights as a parent of the child are permanently and irrevocably terminated by
16 execution of this Act of Surrender; however, she understands that it may be declared
17 null due to fraud or duress and may be dissolved if the adoption cannot be
18 accomplished.

19 (9)(a) Affiant declares that she freely and voluntarily surrenders custody of
20 the child for the purpose of placement and adoption.

21 (b) Affiant declares that she has been informed and understands that it is
22 unlawful to willfully and knowingly make a written or oral false statement about the
23 biological paternity of a child and has been advised that the penalties for such falsity
24 are either a fine of ten thousand dollars or imprisonment for not more than five years,
25 or both.

26 (10) Affiant declares that she consents to an adoption, which consent is final
27 and irrevocable upon execution of this surrender.

28 (11) Affiant declares that she waives notice of the filing and service of any
29 pleading of any sort in any subsequent adoption proceeding regarding the child

1 surrendered.

2 (12) Affiant declares that she has been informed of the provisions of the
3 voluntary registration law, whereby contact may be established with the surrendered
4 child upon the child's reaching the age of eighteen years if both the surrendering
5 parent and the adopted person register and fulfill all registration requirements.

6 (13) Affiant declares that she has attended a minimum of two pre-surrender
7 counseling sessions relative to this surrender of her child for adoption.

8 (14) Affiant declares that she has been informed and fully advised of the
9 provisions of R.S. 14:125.2 and the penalties provided therein by an attorney, other
10 than the attorney, associate, partner, shareholder, or employee of the attorney's law
11 firm or corporation for the prospective adoptive parent.

12 (ADDITIONAL DECLARATION IF THE SURRENDER IS FOR AN
13 AGENCY ADOPTION ARRANGED BY THE LOUISIANA DEPARTMENT OF
14 ~~CHILDREN AND FAMILY SERVICES~~ HEALTH)

15 (15) Affiant declares that the execution of this surrender is made without
16 conditions of any kind. Failure to comply with any formal or informal agreement for
17 post-adoption continuing contact will not nullify the surrender nor constitute cause
18 for revocation.

19 (ADDITIONAL DECLARATIONS IF THE SURRENDER IS FOR A
20 PRIVATE ADOPTION)

21 (16) Affiant declares that she is eighteen years of age or older.

22 OR

23 Affiant declares that she is under the age of eighteen and that (NAME OF
24 PARENTS OR TUTOR) join in this surrender.

25 OR

26 Affiant declares that she is under the age of eighteen and that (NAME OF
27 JUVENILE COURT) located in (CITY AND PARISH OF COURT) has given its
28 written consent for her surrender.

29 (17) Affiant declares that she has consulted with and been fully advised by

1 an attorney other than the attorney for the prospective adoptive parents about the
2 meaning of these declarations and the consequences of this Act of Surrender.

3 (18) Affiant declares that she does or does not wish to be notified of the
4 hearing of any opposition to the adoption filed pursuant to Article 1137.

5 (19) Affiant declares that she does or does not wish the future release of
6 identifying information in the event of a medical necessity for which information is
7 needed in order to treat the child.

8 (20) Affiant declares that she has been informed and understands that the
9 Statement of Family History will be given to the adoptive parents at the time of
10 placement and made available, upon request, to the adopted person at the age of
11 eighteen years or older.

12 Sworn to, signed, and notarized, after being carefully read and explained to
13 (NAME OF SURRENDERING PARENT) in the presence of the undersigned notary
14 and witnesses on this _____ day of _____, 20__.

15 WITNESSES:

16 _____

17 _____

18 (If agency adoption:)

19 _____

20 SURRENDERING MOTHER

21 _____

22 AGENCY REPRESENTATIVE

23 (If private adoption:)

24 _____

25 SURRENDERING MOTHER

26 _____

27 ATTORNEY FOR SURRENDERING MOTHER

28 _____

29 ADOPTING PARENTS

1 OR

2 _____

3 ATTORNEY FOR ADOPTING PARENTS

4 (if anonymity to be protected)

5 (Additional signature(s) in private adoption if the surrendering mother is a minor

6 _____

7 PARENT(S)/TUTOR OF MINOR

8 SURRENDERING MOTHER)

9 _____

10 NOTARY PUBLIC AND SEAL ATTACHMENTS:

11 () AFFIDAVIT OF MENTAL HEALTH COUNSELOR

12 () STATEMENT OF FAMILY HISTORY

13 [(Required additional attachment if the surrender is for private adoption:

14 () AFFIDAVIT OF ATTORNEY FOR SURRENDERING PARENT)

15 Required additional attachment if the surrender is by a minor mother whose parent(s)

16 or tutor refuse to join in the Act of Surrender for a private adoption:

17 () WRITTEN CONSENT OF COURT]"

18 G. The Act of Surrender for a surrendering father shall contain the
19 requirements in substantially the following form:

20 "VOLUNTARY ACT OF SURRENDER FOR ADOPTION

21 (FOR A SURRENDERING FATHER OF A CHILD)

22 STATE OF LOUISIANA

23 PARISH OF (NAME OF PARISH)

24 BEFORE ME, the undersigned notary public, and in the presence of the two
25 undersigned competent witnesses who are over the age of eighteen, personally came
26 and appeared:

27 (NAME OF SURRENDERING FATHER)

28 a male of the age of (AGE), who is (MARITAL STATUS), and domiciled in the
29 Parish of (NAME OF PARISH), who being first duly sworn, did depose and state:

1 (1) He is the natural/alleged father of (CHILD'S NAME), born on (DATE OF
2 BIRTH) in the (PARISH/COUNTY OF BIRTH), State of (STATE OF BIRTH).

3 OR

4 He is the natural/alleged father of the child to be born on or about
5 (PROJECTED DATE OF BIRTH) to (MOTHER'S NAME).

6 (2) He was not married to the child's mother at the time of the child's birth or
7 conception nor has he subsequently married this child's mother and acknowledged
8 his paternity of the child.

9 OR

10 He was married to the child's mother at the time of the child's birth or conception.

11 OR

12 He has married this child's mother subsequent to the child's birth and has
13 acknowledged his paternity of the child.

14 OR

15 He was not married to and has not married the mother of this child/expected child.
16 He has/has not executed an act of formal acknowledgment/a registration with the
17 putative father registry that admitted his paternity of this child/expected child. He
18 has/has not informally acknowledged his paternity of this child/expected child. His
19 paternity of this child/expected child has/has not been established by court judgment.

20 (3) The natural mother of the child/expected child is (MOTHER'S NAME),
21 and her last known address was (ADDRESS OR UNKNOWN).

22 (4) The agency to whom this child is hereby surrendered is (NAME OF
23 PERSON, AGENCY OR REPRESENTATIVE), whose address is (ADDRESS), who
24 hereby accepts this surrender is domiciled in this state. The (NAME OF AGENCY)
25 declares that he has no knowledge of any question concerning the parent's capacity
26 to execute a surrender that has not been resolved by the court pursuant to Article
27 1130.1.

28 OR

29 If the surrender is for private adoption, the Person or Representative to whom

1 this child is hereby surrendered is (NAME OF PERSON OR REPRESENTATIVE),
2 whose address is (ADDRESS), hereby accepts this surrender from a surrendering
3 parent who is domiciled in this state or on behalf of adoptive parents domiciled in
4 this state. (NAME OF PERSON OR REPRESENTATIVE) declares that he has no
5 knowledge of any question concerning the parent's capacity to execute a surrender
6 that has not been resolved by the court pursuant to Article 1130.1.

7 (5) The court in which this surrender is to be filed is (NAME OF JUVENILE
8 COURT) located in (CITY AND PARISH) and that said court has jurisdiction over
9 the status of the child by virtue of either a surrendering parent, a prospective
10 adoptive parent, or a legal guardian being domiciled in this state, or that the child is
11 in the custody of the Louisiana Department of ~~Children and Family Services~~
12 Health.

13 (6) Affiant declares that this Act of Surrender is/is not being executed earlier
14 than the third day following the birth of the child for agency adoptions, or the fifth
15 day following the birth of the child in a surrender for private adoption.

16 (7) Affiant declares that he has no mental incapacity and is under no
17 interdiction.

18 (8) Affiant declares that he has been informed and understands that his rights
19 as a natural parent/alleged parent of the child/expected child less than five days old
20 are permanently and irrevocably terminated on the fifth day following the birth of
21 the child; however, he understands that this Act of Surrender may be declared null
22 due to fraud or duress and may be dissolved if the adoption cannot be accomplished.

23 OR

24 Affiant declares that he has been informed and understands that his rights as
25 a natural parent/alleged parent of the child are permanently and irrevocably
26 terminated by execution of this Act of Surrender; however, he understands that it
27 may be declared null due to fraud or duress and may be dissolved if the adoption
28 cannot be accomplished.

29 (9)(a) Affiant declares that he freely and voluntarily surrenders custody of

1 this child for the purpose of placement and adoption.

2 (b) Affiant declares that he has been informed and understands that it is
3 unlawful to willfully and knowingly make a written or oral false statement about the
4 biological paternity of a child and has been advised that the penalties for such falsity
5 are either a fine of ten thousand dollars or imprisonment for not more than five years,
6 or both.

7 (10) Affiant declares that he consents to an adoption, which consent is final
8 and irrevocable on the third day following the birth of this child/expected child for
9 agency adoptions, and on the fifth day following the birth of this child/expected child
10 less than five days old if this is a private adoption.

11 OR

12 Affiant declares that he consents to an adoption, which consent is final and
13 irrevocable upon the execution of this surrender.

14 (11) Affiant declares that he waives notice of the filing and service of any
15 pleading of any sort in any subsequent adoption proceeding regarding the child
16 surrendered.

17 (12) Affiant declares that he has been informed of the provisions of the
18 voluntary registration law, whereby contact may be established with the surrendered
19 child upon the child's reaching the age of eighteen years if both the surrendering
20 parent and the adopted person register and fulfill all registration requirements.

21 (13) Affiant declares that he has attended a minimum of two pre-surrender
22 counseling sessions relative to the surrender of this child for adoption.

23 OR

24 Affiant declares that he waives pre-surrender counseling relative to the
25 surrender of this child for adoption.

26 (14) Affiant declares that he has been informed and fully advised of the
27 provisions of R.S. 14:125.2 and the penalties provided therein by an attorney, other
28 than the attorney, associate, partner, shareholder, or employee of the attorney's law
29 firm or corporation for the prospective adoptive parent.

1 (ADDITIONAL DECLARATION IF THE SURRENDER IS FOR AN
2 AGENCY ADOPTION ARRANGED BY THE LOUISIANA DEPARTMENT OF
3 ~~CHILDREN AND FAMILY SERVICES~~ **HEALTH**)

4 (15) Affiant declares that the execution of this surrender is made without
5 conditions of any kind. Failure to comply with any formal or informal agreement for
6 post-adoption continuing contact will not nullify the surrender nor constitute cause
7 for revocation.

8 (ADDITIONAL DECLARATIONS IF THE SURRENDER IS FOR A
9 PRIVATE ADOPTION)

10 (16) Affiant declares that he is eighteen years of age or older.

11 OR

12 Affiant declares that he is under the age of eighteen and that (NAME OF
13 PARENTS OR TUTOR) join in this surrender.

14 OR

15 Affiant declares that he is under the age of eighteen and that (NAME OF
16 JUVENILE COURT) located in (CITY AND PARISH OF COURT) has given its
17 written consent for his surrender.

18 (17) Affiant declares that he has consulted with and been fully advised by an
19 attorney other than the attorney for the prospective adoptive parents about the
20 meaning of these declarations and the consequences of this Act of Surrender.

21 (18) Affiant declares that he does or does not wish the future release of
22 identifying information in the event of a medical necessity for which information is
23 needed in order to treat the child.

24 (19) Affiant declares that he has been informed and understands that the
25 Statement of Family History will be given to the adoptive parents at the time of
26 placement and made available, upon request, to the adopted person at the age of
27 eighteen years or older.

28 Sworn to, signed, and notarized, after being carefully read and explained to
29 (NAME OF SURRENDERING PARENT) in the presence of the undersigned notary

1 and witnesses on this _____ day of _____, 20__.

2 WITNESSES:

3 _____

4 _____

5 (If agency adoption:)

6 _____

7 SURRENDERING FATHER

8 _____

9 AGENCY REPRESENTATIVE

10 (If private adoption:)

11 _____

12 SURRENDERING FATHER

13 _____

14 ATTORNEY FOR SURRENDERING FATHER

15 _____

16 ADOPTING PARENTS

17 or

18 _____

19 ATTORNEY FOR ADOPTING PARENTS

20 (if anonymity to be protected)

21 [Additional signature(s) in private adoption if the surrendering father is a minor

22 _____

23 PARENT(S)/TUTOR OF MINOR

24 SURRENDERING FATHER]

25 _____

26 NOTARY PUBLIC AND SEAL ATTACHMENTS:

27 () AFFIDAVIT OF MENTAL HEALTH COUNSELOR or AFFIDAVIT OF

28 WAIVER OF COUNSELING

29 () STATEMENT OF FAMILY HISTORY

1 [Required additional attachment if the surrender is for private adoption:

2 () AFFIDAVIT OF ATTORNEY FOR SURRENDERING PARENT]

3 [Required additional attachment if the surrender is by a minor father whose parent(s)
4 or tutor refuse to join in the Act of Surrender for a private adoption:

5 () WRITTEN CONSENT OF COURT]"

6 * * *

7 Art. 1127.1. Maintenance of medical report; transfer of adoption records

8 * * *

9 D. After the final decree of adoption, if the firm or lawyer is unable to
10 assume ongoing responsibility for the continuing duty pursuant to this Article, it
11 shall transfer its adoption records to the Louisiana Department of ~~Children and~~
12 ~~Family Services~~ **Health** or another transferee approved by the department.
13 Thereafter, that transferee shall assume the continuing duty imposed by this Article.
14 Should any client subsequently attempt to update information, the firm or lawyer
15 shall refer the client to the current custodian of the record, and if appropriate, to the
16 voluntary registry.

17 * * *

18 Art. 1150. Definitions

19 As used in this Chapter:

20 (1) "Department" means the Louisiana Department of ~~Children and Family~~
21 ~~Services~~ **Health**.

22 * * *

23 Art. 1152. Designated emergency care facility, emergency medical service provider,
24 firefighter, and law enforcement officer responsibilities; newborn
25 safety devices authorized

26 * * *

27 C. Instruction by a designated emergency care facility on safe haven
28 relinquishment procedures may:

29 * * *

1 (3) Utilize the downloadable instructional video and training materials
2 provided by the Louisiana Department of ~~Children and Family Services~~ **Health** on
3 the department's website and the manufacturer of the newborn safety device.

4 * * *

5 Art. 1169. Definitions

6 As used in this Title:

7 (1) "Agency" or "child placing agency" includes the Louisiana Department
8 of ~~Children and Family Services~~ **Health**, the corresponding department of any other
9 state, and those private agencies and institutions licensed for the placement of
10 children for adoption by the Louisiana Department of ~~Children and Family Services~~
11 **Health** or by the corresponding department of any other state.

12 * * *

13 (4) "Department" means the Louisiana Department of ~~Children and Family~~
14 **Services Health**.

15 * * *

16 Art. 1180. Venue and jurisdiction in adoption

17 * * *

18 C. Upon filing of the act of voluntary surrender approved by the court
19 according to Article 1131(C), the court of competent venue and jurisdiction wherein
20 the surrender is filed shall have exclusive, original jurisdiction over all issues of
21 custody and adoption of the child during the pendency of the proceedings, unless the
22 child is in the custody of the Louisiana Department of ~~Children and Family Services~~
23 **Health**.

24 * * *

25 Art. 1182. Records of adoption decrees

26 A. Whenever an interlocutory decree of adoption has been granted, the clerk
27 of court shall forward a certified copy of the decree to the Louisiana Department of
28 ~~Social Services~~ **Health**.

29 B. Whenever a final decree of adoption has been granted with regard to a

1 child born in Louisiana, the clerk of court shall forward, on a form supplied by the
2 **Louisiana** Department of ~~Children and Family Services~~ **Health**, a certificate of the
3 decree to the state registrar of vital records.

4 * * *

5 Art. 1186. Confidential adoption records; disclosure

6 * * *

7 B. If the agency, firm, or lawyer ceases to do business in this state, it shall
8 transfer its adoption records to the **Louisiana** Department of ~~Children and Family~~
9 ~~Services~~ **Health** or another transferee approved by the department. Thereafter, the
10 transferee shall ensure the preservation and confidentiality of records required by
11 Paragraph A of this Article and assumes responsibility for providing nonidentifying
12 information as required by Articles 1127 and 1127.1.

13 * * *

14 Art. 1200. Fee disclosure; permissible reimbursement of expenses; court review;
15 report

16 * * *

17 B. Only the following services provided by the **Louisiana** Department of
18 ~~Children and Family Services~~ **Health**, or payments made through a licensed adoption
19 agency or an adoption attorney, are permissible and not a violation of R.S. 14:286:

20 * * *

21 H. A copy of the adoption disclosure affidavit and all orders of the court
22 pursuant to this Article shall be mailed to the **Louisiana** Department of ~~Children and~~
23 ~~Family Services~~ **Health**.

24 Art. 1201. Adoption disclosure affidavit of fees and charges; form

25 * * *

26 C. The form for the affidavit shall be as follows:

27 "ADOPTION DISCLOSURE AFFIDAVIT

28 BEFORE ME, the undersigned authority, personally came and appeared
29 _____ (petitioner) and _____ (attorney for petitioner), who being first

1 duly sworn, did depose and state:

2 In the matter of the adoption by _____ (petitioner's name):

3 1. We report the following fees and charges or other things of value given in
4 connection with this adoption:

5 Itemization of Expenses Recipient Purpose Estimate Actual Date Paid

6 A. Agency administrative expenses:

7 1. Attorney fees

8 2. Court costs

9 3. Travel costs

10 4. Overhead

11 5. Other (Specify)

12 B. Agency counseling expenses:

13 1. Counseling for adopting parents

14 2. Home study evaluations

15 3. Counseling for biological parents

16 4. Counseling for the child

17 5. Statement of Family History information

18 6. Other (Specify)

19 C. Medical expenses for biological mother:

20 1. Medical

21 2. Travel

22 3. Other (Specify)

23 D. Medical/foster care expenses for child:

24 1. Medical

25 2. Travel

26 3. Other (Specify)

27 E. Living expenses of the biological mother:

28 1. Housing

29 2. Utilities

1 (a) Electricity

2 (b) Gas

3 (c) Water

4 (d) Telephone

5 3. Food

6 4. Transportation

7 5. Maternity clothing

8 F. Living expenses paid to the biological mother during the term of the pregnancy
9 by another agency or attorney:

10 G. Other expenses (Specify):

11 Total Estimated Total Paid

12 2. We certify that no other fees, charges, or things of value other than court
13 costs have been given or shall be given by anyone in connection with this adoption.

14 3. We declare that this disclosure statement has been examined by each of us
15 and that its contents are true to the best of our information, knowledge, and belief.

16 4. We understand that each of us has a continuing obligation to supplement
17 and amend this affidavit as necessary.

18 5. We understand that this information will be transmitted to the **Louisiana**
19 Department of ~~Children and Family Services~~ **Health**. We further understand that it
20 may be released by written authorization of the court for purposes of a grand jury
21 investigation pursuant to R.S. 14:286 or for an ethical investigation by the
22 Committee on Professional Responsibility of the Louisiana State Bar Association.
23 We further certify that we understand that in accordance with R.S. 14:286, making
24 a false statement in any adoption disclosure affidavit with the intent to deceive and
25 with knowledge that the statement is false is punishable by a fine not to exceed fifty
26 thousand dollars or imprisonment with or without hard labor for not more than ten
27 years, or both.

28 _____

29 Signature of Petitioner

Signature of Attorney

1 _____

2 Address Address

3 SWORN TO AND SUBSCRIBED BEFORE ME ON THIS ____ DAY OF
4 _____, ____.

5 _____

6 (NOTARY PUBLIC)"

7 * * *

8 Art. 1223. Fee disclosure; permissible reimbursement of expenses; court review;
9 report

10 * * *

11 B. Only the following services provided by the **Louisiana** Department of
12 ~~Children and Family Services~~ **Health**, or payments made through a licensed adoption
13 agency or an adoption attorney, are permissible and not a violation of R.S. 14:286:

14 * * *

15 H. A copy of the adoption disclosure affidavit and all orders of the court
16 pursuant to this Article shall be mailed to the **Louisiana** Department of ~~Children and~~
17 ~~Family Services~~ **Health**.

18 Art. 1223.1. Adoption disclosure affidavit of fees and charges; form

19 * * *

20 C. The form for the affidavit shall be as follows:

21 "ADOPTION DISCLOSURE AFFIDAVIT

22 BEFORE ME, the undersigned authority, personally came and appeared
23 _____ (petitioner) and _____ (attorney for petitioner), who being first
24 duly sworn, did depose and state:

25 In the matter of the adoption by _____ (petitioner's name):

26 1. We report the following fees and charges or other things of value given in
27 connection with this adoption:

28 Itemization of Expenses Recipient Purpose Estimate Actual Date Paid

29 A. Legal expenses:

- 1 1. Attorney fees for biological parent
- 2 2. Attorney fees for adopting parent
- 3 3. Court costs
- 4 4. Travel costs
- 5 5. Other (Specify)
- 6 B. Counseling expenses:
 - 7 1. Counseling for adopting parents
 - 8 2. Home study evaluations
 - 9 3. Counseling for biological parents
 - 10 4. Counseling for the child
 - 11 5. Statement of Family History information
 - 12 6. Other (Specify)
- 13 C. Medical expenses for biological mother:
 - 14 1. Medical
 - 15 2. Travel
 - 16 3. Other (Specify)
- 17 D. Medical/foster care expenses for child:
 - 18 1. Medical
 - 19 2. Travel
 - 20 3. Other (Specify)
- 21 E. Living expenses of the biological mother:
 - 22 1. Housing
 - 23 2. Utilities
 - 24 (a) Electricity
 - 25 (b) Gas
 - 26 (c) Water
 - 27 (d) Telephone
 - 28 3. Food
 - 29 4. Transportation

1 5. Maternity clothing

2 F. Living expenses paid to the biological mother during the term of the pregnancy

3 by another agency or attorney:

4 G. Other expenses (Specify):

	Total Estimated	Total Paid
--	-----------------	------------

6 2. We certify that no other fees, charges, or things of value other than court

7 costs have been given or shall be given by anyone in connection with this adoption.

8 3. We declare that this disclosure statement has been examined by each of us

9 and that its contents are true to the best of our information, knowledge, and belief.

10 4. We understand that each of us has a continuing obligation to supplement

11 and amend this affidavit as necessary.

12 5. We understand that this information will be transmitted to the **Louisiana**

13 Department of ~~Children and Family Services~~ **Health**. We further understand that it

14 may be released by written authorization of the court for purposes of a grand jury

15 investigation pursuant to R.S. 14:286 or for an ethical investigation by the

16 Committee on Professional Responsibility of the Louisiana State Bar Association.

17 We further certify that we understand that in accordance with R.S. 14:286, making

18 a false statement in any adoption disclosure affidavit with the intent to deceive and

19 with knowledge that the statement is false is punishable by a fine not to exceed fifty

20 thousand dollars or imprisonment with or without hard labor for not more than ten

21 years, or both.

_____	_____
-------	-------

Signature of Petitioner	Signature of Attorney
-------------------------	-----------------------

_____	_____
-------	-------

Address	Address
---------	---------

26 SWORN TO AND SUBSCRIBED BEFORE ME ON THIS ____ DAY OF

27 _____, ____.

28 _____

29 (NOTARY PUBLIC)"

* * *

Art. 1269.3. Continuing contact agreement; parties; required declarations

* * *

F. The continuing contact agreement shall contain the requirements in substantially the following form:

STATE OF LOUISIANA

PARISH OF (NAME OF PARISH)

AGREEMENT FOR POST-ADOPTION CONTINUING CONTACT

We (NAME OF ADOPTIVE PARENT(S)) and (NAME OF ADULT PERSON PERMITTED CONTACT BY ARTICLE 1269.2) agree to post-adoption continuing contact between (NAME OF ADOPTED CHILD) and (NAME OF PERSON PERMITTED CONTACT) in accordance with the provisions of this Agreement. This Agreement reflects our commitment to an on-going, cooperative relationship focused upon meeting (NAME OF CHILD)'s needs now and in the future, fully recognizing that those needs may change as (HE/SHE) matures.

OR

We (NAME OF ADOPTIVE PARENT(S)) and (NAME OF ADULT PARENT, GUARDIAN OR LEGAL CUSTODIAN OF MINOR SIBLING) agree to post-adoption continuing contact between (NAME OF ADOPTED CHILD) and (NAME OF MINOR SIBLING) in accordance with the provisions of this Agreement. This Agreement reflects our recognition of the significance and enduring nature of sibling relationships and our commitment to supporting and preserving the on-going relationship between (NAME OF CHILD) and (MINOR SIBLING).

We have each freely and voluntarily entered into this Agreement and intend to be bound by its terms. We have been counseled and advised by the Department, our attorney, or other appropriate professional of the meaning of these declarations, the effects of a continuing contact agreement, and the opportunity to have our own respective counsel review this Agreement.

1 We recognize that any dispute or litigation regarding the terms of this
2 Agreement shall not affect the validity of any surrender or termination of parental
3 rights, adoption, or custody of (NAME OF CHILD).

4 We also recognize that upon approval of the court, this Agreement becomes
5 legally binding and any party to it may seek enforcement of its terms.

6 We also agree that (NAME OF DEPARTMENT REPRESENTATIVE or
7 NAME OF COUNSEL FOR ADOPTIVE PARENT) shall file this Agreement with
8 the proper court of jurisdiction by (DATE NO LATER THAN 10 DAYS FROM
9 EXECUTION OF THE AGREEMENT) requesting the court's approval of this
10 Agreement in accordance with Louisiana Children's Code Article 1269.5.

11 We agree to the following enforceable post-adoption continuing contact:
12 (INSERT PROVISIONS NEGOTIATED BY PARTIES.)

13 This Agreement reflects our minimum expectations regarding continuing
14 contact for the duration of the minority of (NAME OF CHILD). We understand that
15 we can agree upon other continuing contact arrangements in the future through
16 informal or formal means. However, we recognize that these minimum expectations
17 must be preserved until such time as we modify them by mutual written agreement
18 or the court modifies or terminates this Agreement in accordance with Louisiana
19 Children's Code Article 1269.8.

20 We certify that we enter this Agreement in good faith and intend that it
21 always be interpreted to serve (NAME OF CHILD)'s best interest. We agree that we
22 will always attempt to resolve any disagreement that may arise in (HIS/HER) best
23 interest and acknowledge that court modification or enforcement is to be used only
24 as a last resort when all informal means of resolution have been exhausted. We
25 acknowledge that Louisiana Children's Code Article 1269.8 authorizes the court to
26 hear a motion to enforce, modify, or terminate this Agreement only after we have
27 attempted in good faith to mediate the issues underlying our disagreement. Should
28 mediation fail to resolve our differences, the court may modify or terminate this
29 Agreement upon finding a change of circumstances and the Agreement no longer

1 serves the best interest of (NAME OF CHILD).

2 This instrument reflects the entire agreement between us regarding post-
3 adoption continuing contact. There are no promises, terms, conditions, or
4 obligations other than those stated in this written Agreement.

5 We acknowledge that unless it is the legal custodian of a minor sibling named
6 in this Agreement, the **Louisiana** Department of ~~Children and Family Services~~
7 **Health**, office of ~~children and family services~~, **child welfare** is not a party to this
8 Agreement and has no responsibility for enforcement of it.

9 This Agreement becomes effective upon approval of the court in accordance
10 with Louisiana Children's Code Article 1269.5.

11 THIS DONE, READ, AND SIGNED this day of _____,
12 20____, Parish of (NAME OF PARISH), State of Louisiana.

13 _____

14 ADOPTING PARENT

15 _____

16 OTHER ADOPTING PARENT, IF ANY

17 _____

18 ADULT PERSON PERMITTED CONTACT

19 _____

20 ADULT PARENT, GUARDIAN OR LEGAL CUSTODIAN OF MINOR SIBLING

21 _____

22 WITNESS

23 _____

24 WITNESS

25 _____

26 NOTARY

27 * * *

28 Art. 1270. Legislative findings; purpose; release of information

29 * * *

1 B. There is hereby created within the office of ~~children and family services~~
2 ~~of the~~ **child welfare, Louisiana** Department of ~~Children and Family Services~~ **Health**
3 a voluntary registry for the matching of adopted persons, or an adoptive parent of a
4 minor or deceased adopted person, or a descendant of a deceased adopted person, or
5 his parent if a minor, and biological parents or siblings, or both, or a parent, sibling,
6 or descendant, or his parent if a minor, of a deceased biological parent. The purpose
7 of this registry shall be to facilitate voluntary contact between the adopted person,
8 or an adoptive parent of a minor or deceased adopted person, or the descendant of
9 a deceased adopted person, or his parent if a minor, and a biological parent or
10 biological sibling, or both, or a parent, sibling, or descendant, or his parent if a
11 minor, of a deceased biological parent.

* * *

13 Art. 1274. Penalties

14 Any employee or former employee of the **Louisiana** Department of ~~Children~~
15 ~~and Family Services~~ **Health**, or a licensed adoption agency, or any employee or
16 appointee or former employee or appointee of a court who discloses identifying
17 information other than pursuant to judicial order or through the registry, as provided
18 in this Chapter, shall be guilty of a misdemeanor and shall be fined not less than five
19 hundred dollars and not more than five thousand dollars, or imprisoned for not more
20 than six months, or both.

* * *

22 CHAPTER 16. **LOUISIANA** DEPARTMENT OF ~~CHILDREN AND FAMILY~~
23 SERVICES **HEALTH** ADOPTION INCENTIVES

* * *

25 Art. 1281.3. Definitions

26 As used in this Title:

27 (1) "Agency" or "child placing agency" includes the **Louisiana** Department
28 of ~~Children and Family Services~~ **Health**, the corresponding department of any other
29 state, and those private agencies and institutions licensed for the placement of

1 children for adoption by the Louisiana Department of ~~Children and Family Services~~
2 Health or by the corresponding department of any other state. Any person offering
3 or providing intercountry adoption services shall be accredited by the Department
4 of State in accordance with the Intercountry Adoption Universal Accreditation Act
5 of 2012.

6 * * *

7 (4) "Department" means the Louisiana Department of ~~Children and Family~~
8 Services Health.

9 * * *

10 Art. 1282.5. Change of name

11 The full name of the adopted child may be changed in the final decree of
12 adoption and, if changed, the surname shall be the same as that of the adoptive
13 parent. In accordance with R.S. 40:79, the clerk of court shall forward, on a form
14 supplied by the Louisiana Department of ~~Children and Family Services~~ Health, his
15 certificate of the decree to the state registrar, who shall make a new certificate of live
16 birth of the person adopted, in the new name if the name has been changed in the
17 decree.

18 * * *

19 Art. 1283.2. Permissible reimbursement of expenses

20 * * *

21 H. A copy of the Adoption Disclosure Affidavit and all orders of the court
22 pursuant to this Article shall be mailed to the office of ~~children and family services,~~
23 child welfare, Louisiana Department of ~~Children and Family Services~~ Health.

24 * * *

25 Art. 1283.3. Adoption disclosure affidavit of fees and charges

26 * * *

27 C. The form for the affidavit shall be as follows:

28 "ADOPTION DISCLOSURE AFFIDAVIT

29 BEFORE ME, the undersigned authority, personally came and appeared

1 _____ (petitioner) and _____ (attorney for petitioner), who, being first
2 duly sworn, did depose and state:

3 In the matter of the adoption by _____ (petitioner's name):

4 (1) We report the following fees and charges, or other things of value given
5 in connection with this adoption paid to any agency or individual:

	Actual	Estimated due:	Due or paid to:
--	--------	----------------	-----------------

	\$	\$	
--	----	----	--

8 A. Agency administrative expenses:

- 9 1. Attorney fees
- 10 2. Court costs
- 11 3. Travel costs
- 12 4. Overhead
- 13 5. Other (Specify)

14 B. Agency Mental Health Counseling expenses:

- 15 1. Counseling for adopting parents
- 16 2. Home study evaluations
- 17 3. Counseling for the child
- 18 4. Other (Specify)

19 C. Medical expenses for biological mother:

- 20 1. Medical
- 21 2. Travel
- 22 3. Other (Specify)

23 D. Medical/foster care expenses for child:

- 24 1. Medical
- 25 2. Travel
- 26 3. Other (Specify)

27 E. Other expenses (Specify):

28 (2) We certify that to the best of our knowledge no other fees, charges, or
29 things of value other than court costs have been given or shall be given by anyone

1 in connection with this adoption.

2 (3) We declare that this disclosure statement has been examined by each of
3 us and that its contents are true to the best of our information, knowledge, and belief.

4 (4) We understand that each of us has a continuing obligation to supplement
5 and amend this affidavit as necessary.

6 (5) We understand that this information will be transmitted to the office of
7 adoption services, Louisiana Department of ~~Children and Family Services~~ **Health**.
8 We further understand that it may be released by written authorization of the court
9 for purposes of a grand jury investigation pursuant to R.S. 14:286 or for an ethical
10 investigation by the Committee on Professional Responsibility of the Louisiana State
11 Bar Association.

12 _____

13 Signature of Petitioner

Signature of Attorney

14 _____

15 Address

Address

16 SWORN TO AND SUBSCRIBED BEFORE ME ON THIS _____ DAY OF _____,

17 ____.

18 _____

19 (NOTARY PUBLIC)"

20 * * *

21 Art. 1283.16. Change of name; issuance of birth certificate

22 The full name of the adopted child may be changed in the final decree of
23 foreign orphan adoption and, if changed, the surname shall be the same as that of the
24 adoptive parent. In accordance with R.S. 40:79, the clerk of court shall forward, on
25 a form supplied by the **Louisiana** Department of ~~Children and Family Services~~
26 **Health**, his certificate of the decree to the state registrar, who shall make a new
27 certificate of live birth of the person adopted in the new name if the name has been
28 changed in the decree.

29 * * *

1 Art. 1284.5. Change of name; issuance of birth certificate

2 The full name of the adopted child may be changed in the final decree of
3 recognition of foreign adoption and, if changed, the surname shall be the same as that
4 of the adoptive parent. In accordance with R.S. 40:79, the clerk of court shall
5 forward, on a form supplied by the Louisiana Department of ~~Children and Family~~
6 ~~Services~~ **Health**, his certificate of the decree to the state registrar, who shall make
7 a new certificate of live birth of the person adopted, in the new name if the name has
8 been changed in the decree.

9 * * *

10 Art. 1285.2. Permissible reimbursement of expenses

11 * * *

12 H. A copy of the Adoption Disclosure Affidavit and all orders of the court
13 pursuant to this Article shall be mailed to the office of ~~children and family services;~~
14 **child welfare, Louisiana** Department of ~~Children and Family Services~~ **Health**.

15 * * *

16 Art. 1285.3. Adoption disclosure affidavit of fees and charges

17 * * *

18 C. The form for the affidavit shall be as follows:

19 "ADOPTION DISCLOSURE AFFIDAVIT

20 BEFORE ME, the undersigned authority, personally came and appeared
21 _____ (petitioner) and _____ (attorney for petitioner), who, being first
22 duly sworn, did depose and state:

23 In the matter of the adoption by _____ (petitioner's name):

24 (1) We report the following fees and charges, or other things of value given
25 in connection with this adoption paid to any agency or individual:

26	Actual	Estimated due:	Due or paid to:
27	\$	\$	

28 A. Agency administrative expenses:

29 1. Attorney fees

- 1 2. Court costs
- 2 3. Travel costs
- 3 4. Overhead
- 4 5. Other (Specify)
- 5 B. Agency Mental Health Counseling expenses:

- 6 1. Counseling for adoptive parents
- 7 2. Home study evaluations
- 8 3. Counseling for the child
- 9 4. Other (Specify)

C. Medical expenses for biological mother:

- 11 1. Medical
- 12 2. Travel
- 13 3. Other (Specify)

D. Medical/foster care expenses for child:

- 15 1. Medical
- 16 2. Travel
- 17 3. Other (Specify)

E. Other expenses (Specify):

19 (2) We certify that to the best of our knowledge no other fees, charges, or
20 things of value other than court costs have been given or shall be given by anyone
21 in connection with this adoption.

22 (3) We declare that this disclosure statement has been examined by each of
23 us and that its contents are true to the best of our information, knowledge, and belief.

24 (4) We understand that each of us has a continuing obligation to supplement
25 and amend this affidavit as necessary.

26 (5) We understand that this information will be transmitted to the office of
27 adoption services, **Louisiana** Department of ~~Children and Family Services~~ **Health**.

28 We further understand that it may be released by written authorization of the court
29 for purposes of a grand jury investigation pursuant to R.S. 14:286 or for an ethical

1 investigation by the Committee on Professional Responsibility of the Louisiana State
2 Bar Association.

3 _____
4 Signature of Petitioner Signature of Attorney

5 _____
6 Address Address

7 SWORN TO AND SUBSCRIBED BEFORE ME ON THIS ____ DAY OF ____.

8 _____
9 (NOTARY PUBLIC)"

10 * * *

11 Art. 1285.16. Change of name; issuance of birth certificate

12 The full name of the adopted child may be changed in the final decree of
13 adoption and, if changed, the surname shall be the same as that of the adoptive
14 parent. In accordance with R.S. 40:79, the clerk of court shall forward, on a form
15 supplied by the **Louisiana** Department of ~~Children and Family Services~~ **Health**, his
16 certificate of the decree to the state registrar, who shall make a new certificate of live
17 birth of the person adopted, in the new name if the name has been changed in the
18 decree.

19 * * *

20 Art. 1301.3. State tribunal and support enforcement agency

21 A. The district courts or, if applicable, the family or juvenile courts, and the
22 division of administrative review, ~~Department of Children and Family Services~~
23 **Louisiana Works**, or other administrative law division authorized by law, are the
24 tribunals of this state for purposes of this Chapter.

25 B. ~~The Department of Children and Family Services~~ **Louisiana Works** is the
26 support enforcement agency of this state.

27 * * *

28 Art. 1303.10. Duties of the ~~Department of Children and Family Services~~ **Louisiana**
29 **Works**; state information agency

1 A. ~~The Department of Children and Family Services~~ **Louisiana Works** is the
2 state information agency under this Chapter.

3 * * *

4 Art. 1307.3. Relationship of ~~the Department of Children and Family Services~~
5 **Louisiana Works** to United States central authority

6 ~~The Department of Children and Family Services of this state~~ **Louisiana**
7 **Works** is recognized as the agency designated by the United States central authority
8 to perform specific functions under the Convention.

9 Art. 1307.4. Initiation by ~~the Department of Children and Family Services~~
10 **Louisiana Works** of support proceeding under convention

11 A. In a support proceeding under this Section, ~~the Department of Children~~
12 ~~and Family Services, of this state~~ **Louisiana Works** shall:

13 * * *

14 Art. 1307.5. Direct request

15 * * *

16 D. A petitioner filing a direct request is not entitled to assistance from ~~the~~
17 ~~Department of Children and Family Services~~ **Louisiana Works**.

18 * * *

19 Art. 1307.8. Recognition and enforcement of registered convention support order

20 * * *

21 C. If a tribunal of this state does not recognize a Convention support order
22 under Subparagraph (B)(2), (4), or (9) of this Article:

23 * * *

24 (2) ~~The Department of Children and Family Services~~ **Louisiana Works** shall
25 take all appropriate measures to request a child support order for the obligee if the
26 application for recognition and enforcement was received under Article 1307.4.

27 * * *

28 Art. 1351. Definitions

29 As used in this Chapter:

* * *

(4) "Department" means ~~the Department of Children and Family Services~~

Louisiana Works.

* * *

Art. 1427. Authority to transport and detain

* * *

C.(1) In addition to other persons authorized by this Article to transport to a treatment facility a child in whose name an emergency certificate has been issued, any of the following persons may also accompany the child during such transportation:

* * *

(c) A **Louisiana** Department of ~~Children and Family Services~~ **Health** case worker.

(2) A biological parent of a child in foster care shall accompany the child only if approved by the **Louisiana** Department of ~~Children and Family Services~~ **Health.**

* * *

Art. 1515. Petition; contents; form

A. A petition for voluntary transfer of custody shall set forth specifically:

* * *

(7) Whether the **Louisiana** Department of ~~Children and Family Services~~ **Health** has recommended a petition for voluntary transfer of custody be filed.

* * *

B. The form for the petition shall be as follows:

"PETITION FOR VOLUNTARY TRANSFER OF CUSTODY

The petition of _____ (all legal custodians of the child unless otherwise indicated in Paragraph III of the petition), domiciled in the parish of _____, respectfully represent(s):

I.

1 That petitioner(s) reside at the following address(es):
2 _____
3 _____

4 II.

5 That petitioner(s) is/are the parent(s) and legal custodian(s) of the minor
6 child(ren), namely _____, whose date of birth is
7 _____ (add same information for all children subject to the petition), as
8 more fully appears from the attached certificate(s) of birth.

9 Is the child an Indian child?

10 _____
11 Yes No

12 III.

13 That there are no other legal custodians of the child(ren) OR that a legal
14 custodian, namely _____, is unable to join in this petition for
15 the following reasons:

16 _____
17 _____
18 _____
19 _____.

20 IV.

21 That petitioner(s) desire(s) to knowingly and voluntarily transfer custody of
22 the above named children to _____, which individual(s),
23 institution or agency reside(s) at the following address:

24 _____ and who have
25 the following relationship with the children:
26 _____
27 _____.

28 V.

29 That petitioner(s) desire to transfer physical custody OR legal custody of the

1 person of the children (indicate one) for the period of time _____ (specify
2 intended duration) in accordance with the following terms and conditions

3 _____
4 _____

5 (may include provisions for support and/or visitation).

6 VI.

7 That petitioners desire this transfer of custody for the following reasons: _____

8 _____

9 _____

10 _____

11 _____

12 _____

13 _____

14 _____

15 _____

16 _____

17 _____

18 _____

19 _____

20 _____

21 _____.

22 Has the **Louisiana** Department of ~~Children and Family Services~~ **Health**
23 recommended to you that this petition be filed?

24 _____

25 Yes No

26 If yes, state name of the **Louisiana** Department of ~~Children and Family~~
27 ~~Services~~ **Health** worker making the recommendation and the reasons for the
28 recommendation with particularity.

29 If the department has recommended that this petition be filed, you have a

1 right to counsel. Have you consulted with an attorney?

2 _____

3 Yes No

4 VII.

5 That _____ has/have agreed to and does/do desire to
6 accept custody of the child(ren) to the extent and under the terms and conditions
7 stated in this petition, as more fully appears in the attached Affidavit of Acceptance.

8 WHEREFORE, petitioner(s) pray(s) that there be judgment herein
9 transferring custody of the child(ren), _____, _____,
10 _____, _____, to _____, to the
11 extent and under the terms and conditions set forth in this petition.

12 _____

13 (Signature and address of Petitioner(s))

14 or counsel for Petitioner(s)

15 (If in proper person, petition should be signed in presence of a notary.)

16 SWORN TO AND SUBSCRIBED BEFORE ME ON THIS THE ____ DAY OF
17 _____, 20 ____.

18 _____

19 NOTARY PUBLIC"

20 * * *

21 Art. 1517. Notice; service; curator; reservation of rights

22 * * *

23 E. If the **Louisiana** Department of ~~Children and Family Services~~ **Health** has
24 recommended that the petition for voluntary transfer of custody be filed:

25 * * *

26 Art. 1518. Pretrial orders; contribution to costs; appointment of counsel; Indian
27 parent or custodian

28 * * *

29 B. Upon request of an indigent parent, the court shall appoint counsel for the

1 parent when the Louisiana Department of ~~Children and Family Services~~ **Health** has
2 recommended that the petition for voluntary transfer be filed.

3 * * *

4 Art. 1519. Hearing

5 The petition shall be set for hearing on the record unless specifically waived
6 by the court. If the Louisiana Department of ~~Children and Family Services~~ **Health**,
7 office of ~~children and family services~~, **child welfare**, has recommended that the
8 petition for voluntary transfer of custody be filed, a representative for the department
9 shall testify at the hearing with particularity the reasons for the recommendation.
10 Further, the department representative shall specify why a child in need of care
11 petition should not be filed and shall testify regarding the preventative services
12 offered by the department to the petitioner to prevent the transfer of custody.

13 Art. 1567. Venue; standing

14 * * *

15 B. An adult may seek relief under this Chapter by filing a petition with the
16 court alleging abuse by the defendant. Any parent, adult household member, local
17 child protection unit of the Louisiana Department of ~~Children and Family Services~~
18 **Health**, or district attorney may seek relief on behalf of any child or any person
19 alleged to be incompetent by filing a petition with the court alleging abuse by the
20 defendant. A petitioner's right to relief under this Chapter shall not be affected by his
21 leaving the residence or household to avoid further abuse.

22 * * *

23 Art. 1641. Rulemaking authority; effect of rules

24 A. The Louisiana Department of ~~Children and Family Services~~ **Health** shall
25 have the authority to promulgate rules and regulations in accordance with the
26 Administrative Procedure Act as necessary to carry out the provisions of this
27 Chapter.

28 * * *

29 Section 30. Act. No. 384 of the 2013 Regular Session of the Legislature, Sections 1

1 through 9, 11 through 18, and 19(A) of Act No. 477 of the 2025 Regular Session, Section
2 13 of Act No. 478 of the 2025 Regular Session, and R.S. 15:587.5(A)(4) and 1199.4(D)(7),
3 R.S. 17:407.51(B)(2), 407.101(C)(1)(ff), and 3138.12(C)(1)(b), R.S. 29:726.5(B)(19), R.S.
4 36:4(A)(10), 8(E)(2)(d), 8.1(C)(5), 471 through 478, R.S. 39:21.3(E)(2)(f) and (l), R.S.
5 40:600.151(D)(1)(c) and 1061.17.1(9), R.S. 46:51(2) and (14), 230.1(C), 233.1(A) and (B),
6 352(2)(b), 353(A)(1)(b), 936, 2146(A)(1)(m), 2166(A)(7), 2168.1(C)(8), 2352(B)(5),
7 2525(D)(2), 2602(B)(1), 2605.4(C)(1)(e), and 2757, R.S. 49:74(A)(5)(i)(aa)(IX), 191(1)(h),
8 219.2(B)(1)(a)(iv), 219.5(B)(2), 220.46(B)(14), 966(B)(17), 1053(C)(16), and
9 1222(B)(6)(b), R.S. 51:1037(D) and 1057(B)(1), and Children's Code Article 509 are hereby
10 repealed.

11 Section 31. The administrative rules contained in the Louisiana Administrative Code
12 promulgated by the Department of Children and Family Services which govern or are
13 applicable to the programs and operations transferred from the Department of Children and
14 Family Services to Louisiana Works and the Louisiana Department of Health by this Act
15 shall continue to be effective, and the office of state register shall change all applicable
16 references to the Department of Children and Family Services to Louisiana Works or the
17 Louisiana Department of Health, as applicable, and redesignate and renumber, as needed,
18 all applicable provisions as are necessary to maintain continuity in the Louisiana
19 Administrative Code.

20 Section 32.(A) All Department of Children and Family Services contracts related to
21 the operation and administration of the programs and activities transferred to Louisiana
22 Works and the Louisiana Department of Health by this Act shall be deemed to have been
23 transferred and assigned to Louisiana Works or the Louisiana Department of Health upon
24 the effective date of this Section without the necessity of contractual amendment, and
25 Louisiana Works and the Louisiana Department of Health shall be responsible for all related
26 obligations and liabilities arising on or after that effective date.

27 (B) In order to ensure continuity of services during the transition period, any pending
28 or unfinished business of the programs being transferred over shall be taken over and
29 completed by Louisiana Works and the Louisiana Department of Health with the same

1 power and authorization as that of the Department of Children and Family Services.

2 (C)(1) All employees engaged in the performance of duties relating to the functions
3 of the programs and services transferred from the Department of Children and Family
4 Services to Louisiana Works and the Louisiana Department of Health are hereby transferred
5 to carry out the functions of the transferred programs and services and shall continue to
6 perform their duties, subject to applicable state civil service laws, rules, and regulations.
7 Subject to such laws, positions in the unclassified service shall remain in the unclassified
8 service. Upon the transfer of employees to a board, such employees shall immediately have
9 the ability to payroll deduct or direct deposit their payroll earnings in favor of any credit
10 union of which they were members prior to the transfer.

11 (2) The Department of State Civil Service shall assist the Department of Children and
12 Family Services, Louisiana Works, and the Louisiana Department of Health in all human
13 resource activities deemed necessary to make such a transfer. All human resource activities
14 shall include but are not limited to the transfer of personnel files and other related
15 confidential documents, position descriptions, retirement benefits, and related benefits,
16 including but not limited to those offered by the Office of Group Benefits.

17 Section 33. This Act shall become effective on October 1, 2026.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Senate Legislative Services. The keyword, summary, 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)]

DIGEST

SB 265 Original

2026 Regular Session

Barrow

Present law creates the Dept. of Children and Family (DCFS) and provides for the duties and responsibilities of the department.

Proposed law abolishes the Dept. of Children and Family Services.

Proposed law transfers all functions related to child support enforcement to La. Works.

Proposed law creates the office of child support in La. Works to provide for the administration of child support programs pursuant to Title IV-D of the Social Security Act, including but not limited to enforcing, collecting, and distributing support obligations; establishing paternity; obtaining and modifying child and medical support orders; and other programs as assigned by the secretary.

Proposed law transfers all functions related to child welfare to the La. Dept. of Health (LDH).

Proposed law creates the office of child welfare in the La. Dept. of Health to provide for the public child welfare functions of the state, including but not limited to centralized intake; child protective services; human trafficking programs; making permanent plans for foster children and meeting their daily maintenance needs for food, shelter, clothing, necessary physical medical services, school supplies, and incidental personal needs; adoption placement services for foster children freed for adoption; prevention services that promote, facilitate, and support activities to prevent child abuse and neglect, including but not limited to voluntary family strengthening and support services; issuing and monitoring domestic violence services contracts; and other programs as assigned by the secretary.

Present law (Act No. 478 of the 2025 R.S.) transfers certain family and support programs, such as TANF from the Dept. of Children and Family Services to La. Works, effective Oct. 1, 2027.

Proposed law retains present law and changes the effective date of the transfer from Oct. 1, 2027, to Oct. 1, 2026.

Present law (Act No. 477 of the 2025 R.S.) reorganizes the remaining offices of the Dept. of Children and Family Services.

Proposed law repeals present law and transfers the remaining offices to La. Works and La. Dept. of Health.

Proposed law changes references to the Dept. of Children and Family Services to the appropriate department for programs that have been previously transferred from the Dept. of Children and Family Services to the La. Dept. of Health, La. Works, and the state Dept. of Education.

Proposed law removes Dept. of Children and Family Services appointments from all boards, commissions, and task forces.

Proposed law updates adoption and child support forms to remove the Dept. of Children and Family Services and to reference the appropriate department.

Proposed law directs the office of state register to change all applicable references in the La. Administrative Code to DCFS to La. Works or LDH, as appropriate.

Proposed law provides that all DCFS contracts for the programs and activities transferred to La. Works or LDH shall be deemed to have been transferred and assigned to the La. Works or LDH, as appropriate, upon the effective date of proposed law without the necessity of contractual amendment, and La. Works or LDH shall be responsible for all related obligations and liabilities arising on or after that date.

Proposed law provides that all DCFS contracts related to the operation and administration of the programs transferred to La. Works or LDH shall be deemed to have been transferred and assigned to La. Works or LDH, as appropriate, upon the effective date of proposed law without the necessity of contractual amendment, and La. Works or LDH shall be responsible for all related obligations and liabilities arising on or after that effective date.

Proposed law provides that all employees engaged in the performance of duties relating to the functions of the programs and services transferred from DCFS to La. Works or LDH are transferred to La. Works or LDH, as appropriate, to carry out the functions of La. Works or LDH and its programs and services and shall continue to perform their duties, subject to applicable state laws, rules, and regulations.

Present law provides for the creation of the Dept. of Elderly Affairs upon the abolition of one or more of the 20 departments in the executive branch of state government or upon the effective date of a constitutional amendment that authorizes creation of an executive branch

department in addition to the 20 departments authorized by the La. Constitution.

Proposed law repeals present law.

Effective October 1, 2026.

(Amends Sec. 27(C) of Act No. 478 of the 2025 R.S., R.S. 6:333(F)(14), R.S. 9:58(4), 252(C), 254, 303(A), 311(A)(2), 311(C)(intro para), 311.1(C)(intro para), 311.1(C)(2), (D), and (G)(3)(a)(i), 315.16(A) and (B)(9), 315.22.1(C)(2) and (F), 315.24(A) and 315.24(B)(intro para), 315.31(5), 315.40(1) and (3), 377.18(B)(2), 396(B)(1), 399.1(A) and (F)(3) and (4), 404, 406(B)(2) and (C)(2), 2720.4(A)(2) and (C), and 3261.1(B)(6), R.S. 11:441.1(F), R.S. 13:844.1(B), 992.1(A), 998(B) and (E)(1) and (3), 1000.12(B), 1141(B) and (E)(1) and (3), 1414(B), (E)(1)(intro para), and 1414(E)(3), 3881(A)(1)(a), 3928, 4291(B)(1) and (C), 4521(A)(3) and (4), 5108.2, and 5713(J), R.S. 14:46.4(B)(1) and (2), 74(D)(2), 91.3(A), 403(A)(2) and (4)(a), and 403.3(A)(1)(b)(i), R.S. 15:305(A)(1), (D), and (E)(1), 440.2(A)(1)(a) and (c), 440.4(A)(5), 440.7(C), 578(E), 587(A)(1)(a) and (2)(a) and (b), 587.1(A)(1) and (I), 587.5(A)(6), 934(A), 951(C)(1), 1081, 1083, 1084(A) and (B), 1084(C)(intro para), 1084(C)(1) and (D), and 1085(A)-(C), 1086(A), 1199.4(D)(intro para), and 1428(C)(3) and (D), R.S. 17:15(A)(1)(a), 15(A)(1)(b)(i)(intro para), 15(A)(1)(b)(i)(bb), 15(A)(2)(a)(ii) and (vi), (D)(1)(b), (2), and (3), and (E)(1), 192.1(A)(1)(a) and (3) and (C), 238(A)-(C), 406.9(C), 407.23(B)(4), 407.35(C), 407.42(A)(2), (B)(1)(b) and (3), 407.71(A)(1) and (2), (B)(1)(b) and (3), 1687(B) and (C), 1972(1)(d), 1974(A)(7), 3129(D)(2), 3399.18(B)(11), and 3399.21(1), R.S. 22:1023(D)(7), R.S. 23:73(E)(2), 1372, 1605(A)(4), 1801(B)(1) and 2043(A)(3), R.S. 24:525(D)(2) and (F), 933(B)(9), and 936(B)(1), R.S. 27:2(D), 24(A)(5)(b), (c), and (e), and 364(A)(1)(b)(vi), R.S. 28:31, 470(B)(8) and (10), and 621, R.S. 29:725.6(B)(6)(d)(i)(ff) and 766(G)(3), R.S. 30:2351.53(A), R.S. 33:9039.41(D)(1)(e), R.S. 36:3(7), 8.1(C)(8) and (20), 9(C), 108(B)(6), and 254(A)(12)(b), R.S. 37:1021, 1023(A) and (B), 1024(B)(5), 1025(A)(2), and 1031(B), R.S. 39:33(A)(2), 36(A)(3)(b)(ix)(dd), 100.181(A), 362(F), 1554(N)(1)(intro para) and 1554(N)(3), and 1590(B)(4), R.S. 40: 31.3(B)(2), 34.5(E), 41(N), 46.12(D) and (F), 79(A)(1) and (C)(2), 600.91(A)(28)(b)(ii)(dd), 1061.14(B)(3)(b)(i), 1061.17(C)(1)(e), 1061.17.1(8), 1061.21(A)(5)(c)(i) and (vi) and (E), and 1086.11, R.S. 43:111(A)(8), R.S. 44:38, R.S. 46:1(2), (4), and (6), 2(A) and (B), 16, the heading of Ch. 2 of Title 46 of the La. Revised Statutes of 1950, the heading of Part I of Ch. 2 of Title 46 of the La. Revised Statutes of 1950, 51(intro para), 51.3, 52.1(A), 54, 56(A), (B)(1) and (3), and (F)(4)(b), 56(F)(9)(intro para), 56(F)(9)(h), 59, 60, 107(A)(1) and (2), 114(A) and (B), 114(C)(1)(intro para), 114(C)(2), (D), and (E)(1), 114.2, 114.3(A) and (B), 116, 123(A)(2)(a)(vi), 230.1(A) and (B), 231(11) and (24), 231.4(A) and (D), 232(A), 233.1(C)(intro para), 233.1(D)(intro para), 236, 236.1.1(3), (5), and (16), 236.1.4(C) and (E), 236.1.7(B), 236.1.8(D), 236.1.9(B), 236.1.12(C) and (F)(2), 236.3(A)(2) and (G), 236.5(A)(intro para), 236.6(A)(1), (C), (E), and (G), 236.7(A)(1), (B)(1), and (F), 236.8(A) and (G)(5) and (6), 236.9(B), (G), and (K), 236.10(A), (D), and (E), 236.11(A), (B)(2), and (C), 236.12(B)(1), 236.13(A), 236.14(C), 236.14(D)(1)(intro para), 236.14(D)(2)(intro para), (E)(2)(b), (G)(1) and (2), and (J), 236.15(A)(1), 236.16, 237(A), (C)(5), and (E)-(G), 238(B)-(D), 238(E)(intro para), 238(E)(7) and (F)-(H), 281, 282(A)-(C), 283(A), (B), and (C)(1)(b), 285(A)(intro para), 285(B), (C), (E), (H), and (I), 286, 286.1(A), (B), (C)(1) and (3), 286.1(D)(intro para), 286.1(D)(2), (E)(2), (F), (G), and (J), 286.2(A)(intro para), 286.2(B), 286.12, 286.13(intro para), 286.13(3), 286.16(B), 288.2(1) and (2), 352(1)(a), 356, 401, 441, 443, 444, 447, 447.3, 448, 450(A)(intro para), 450.1(A), 460.1, 460.5(A), 460.7(A) and (C), 460.8(A)(1) and (B), 460.10, 932(12), 972.1(A)(1), 1002(A), 1002(B)(intro para), 1002(C), 1251(B), 1259(B), 1352(1) and (2), 1353(D) and (G), 1402, 1403(3), 1404(B), 1414.1(A), 1425(C), 1427(intro para), 1428(B)-(D), 1430(A)(1) and (D)(2), 1442.1(2) and (3), 1442.2(A) and (C), 1445.3(1) and (3), 1445.4, 1445.13(A), 1451(1) and (3), 1844(W)(1)(a), (3), and (5)(a) and (c), 1906.2, 2122, 2136.2(F), 2145(A), 2147(D), 2148(B)(1), 2161(A)(intro para), 2161(B) and (C), 2161.1(A)(intro para), 2161.1(C), 2169.1(9), 2402(4), 2404(B)(1)(b), 2406(G), 2411(2), 2552, 2553, 2605(B)(11), 2605.1(B)(2) and (3), 2607(C)(1)(f), and 2758.2(A), R.S. 47:299.5(B)(2), 299.11(intro para), 299.11(1) and (4), 299.41(B), 305.7(C)(2), 305.38, 463.122(C), 1508(B)(23), 1676(4)(d), 1677(F)(5), 6003(C)(4)(i), 6028(B)(2)(d)(ix),

6042(E)(2) and (F)(3) and (4), 6102(2), 6105(A), and 9027(C)(10), R.S. 49:121(E), 149.23, 992(D)(2)(b)(intro para), 992(D)(2)(b)(iii)(bb) and (9), 1212(B)(5), 1512(B), and 1513(1) and (4), R.S. 51:1045.2(A)(intro para), 1045.3(A), 1057(A) and (C)(1) and 1442(4), C.C.P. Art. 10(A)(1), 683(D), 732(D), 2785(5), 3601(B), 3603(C), and 4521(A)(3), C.E. Art. 902(10), Ch.C. Art. 308(A), 311(B)(1)(b), 323(2), 324(A)(1) and (3), 328.1(C), 405(G), 412(D)(2), 436(3)(a), 441(A)(3), 512(B)(1), 522(A)(2), 523(D)(2), 544(A)(1), 581(A)(1), 603(11), (13), and (17)(o), 603.1(B), 608(A)(1), 609(A)(3)(a), 610(A)(1), (4)(a), (5), (D), and (H)(5), 612(G), 615(E)(1) and (2), 631(A), the heading of Ch.C. Art. 645, 672(A)(1), 672.2(C), 672.3(A)(intro para), 672.3(A)(5), (B), (D), and (E), 725, 725.1(1), 725.4, the heading of Ch.C. Art. 725.5, 730(intro para), 731(C)(5), 745(C), 749(A)(5), 767.1(C), 791.3(B), 811.1(F) and (G), 822(B), 1003(2) and (6), 1036.2(E), 1103(1) and (4), 1109, 1117, 1122(B)(9) and (11) and (F), 1127.1(D), 1150(1), 1152(C)(3), 1169(1) and (4), 1180(C), 1182, 1186(B), 1200(B) and (H), 1201(C), 1223(B)(intro para), 1223(H), 1223.1(C), 1269.3(F), 1270(B), 1274, the heading of Ch. 16 of the Ch.C. Art., 1281.3(1) and (4), 1282.5, 1283.2(H), 1283.3(C), 1283.16, 1284.5, 1285.2(H), 1285.3(C), 1285.16, 1301.3, 1303.10, 1307.3, 1307.4(A)(intro para), 1307.5(D), 1307.8(C)(2), 1351(4), 1427(C)(1)(c) and (2), 1515(A)(7) and (B), 1517(E)(intro para), 1518(B), 1519, 1567(B), and 1641(A); adds R.S. 36:258(N) and 308(E) and R.S. 46:107(E); repeals Act. No. 384 of the 2013 RS, Secs. 1-9, 11-18, and 19(A) of Act No. 477 of the 2025 RS, Sec. 13 of Act No. 478 of the 2025 RS, and R.S. 15:587.5(A)(4) and 1199.4(D)(7), R.S. 17:407.51(B)(2), 407.101(C)(1)(ff), and 3138.12(C)(1)(b), R.S. 29:726.5(B)(19), R.S. 36:4(A)(10), 8(E)(2)(d), 8.1(C)(5), 471-478, R.S. 39:21.3(E)(2)(f) and (l), R.S. 40:600.151(D)(1)(c) and 1061.17.1(9), R.S. 46:51(2) and (14), 230.1(C), 233.1(A) and (B), 352(2)(b), 353(A)(1)(b), 936, 2146(A)(1)(m), 2166(A)(7), 2168.1(C)(8), 2352(B)(5), 2525(D)(2), 2602(B)(1), 2605.4(C)(1)(e), and 2757, R.S. 49:74(A)(5)(i)(aa)(IX), 191(1)(h), 219.2(B)(1)(a)(iv), 219.5(B)(2), 220.46(B)(14), 966(B)(17), 1053(C)(16), and 1222(B)(6)(b), R.S. 51:1037(D) and 1057(B)(1), and Ch.C. Art. 509)