
DIGEST

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HB 1052 Reengrossed

2026 Regular Session

Spell

Abstract: Provides relative to confidentiality policies and procedures pertaining to work product created, received, or maintained by child advocacy centers and multidisciplinary investigative teams.

Present law (R.S. 15:440.8) provides for confidentiality of files, reports, records, communications, working papers, or videotaped interviews used or developed by child advocacy centers in providing services to families.

Proposed law amends present law to make a technical change to a cross-reference.

Present law (R.S. 44:4.1) provides for public records exceptions.

Proposed law generally retains present law and adds a cross-reference to the public record exceptions provided in proposed law.

Present law (Ch.C. Art. 513) provides for confidentiality policies relative to multidisciplinary investigations of child abuse and neglect.

Proposed law requires each multidisciplinary investigative team to adopt and adhere to a written confidentiality policy governing information obtained in the course of child abuse and neglect investigations.

Proposed law requires that the policy ensure that information is shared only among authorized participants for the purposes of investigation, assessment, prosecution, and treatment. Further provides that all work product generated by a multidisciplinary investigative team is subject to the protections provided in proposed law.

Present law (Ch.C. Art. 525) provides for confidentiality polices relative to child advocacy centers.

Proposed law requires each child advocacy center to adopt and enforce a written confidentiality policy consistent with state and federal law. Further provides that information maintained by a child advocacy center is confidential and requires disclosure only as necessary to carry out the purposes of the center.

Proposed law provides that all confidential information that is generated or maintained by a child advocacy center is subject to the protections provided in proposed law.

Proposed law defines the term "confidential information". Further provides that confidential information is confidential and is not subject to any public records requests, subpoena, discovery, or disclosure except as provided in proposed law.

Proposed law provides for circumstances when confidential information may be shared in de-identified or aggregate form.

Proposed law provides that confidential information is privileged and protected from disclosure in child custody, civil, criminal, and administrative proceedings, except as authorized by proposed law.

Proposed law provides that the protection of proposed law is applicable only to agencies and individuals acting under formal multidisciplinary agreements.

Proposed law does not limit the disclosure of independently obtained evidence, the authority of law enforcement, or the constitutional rights of a defendant.

Present law (Ch.C. Art. 545) provides for the confidentiality of information that is disclosed pursuant to an interagency information sharing agreement.

Proposed law provides that information shared pursuant to present law is confidential and that the confidentiality provisions of present law (Ch.C. Art. 545) include the protections provided in proposed law.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 15:440.8, R.S. 44:4.1(B)(40), and Ch.C. Art. 513; Adds Ch.C. Arts. 525(C), 525.1, and 545(C))

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

1. Change all references of "work product" to "confidential information".
2. Further define confidential information.
3. Specify that proposed law does not apply to criminal proceedings or proceedings governed by present law.
4. Specify that confidential information other than forensic interviews is privileged.
5. Make technical changes.