

2019 Regular Session

HOUSE BILL NO. 548

BY REPRESENTATIVE COX

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

CRIMINAL/BUREAU CRIML ID: Requires the Bureau of Criminal Identification and Information to release certain criminal history record information to the Department of Children and Family Services

1 AN ACT

2 To amend and reenact R.S. 15:587(A)(2)(a) and (b) relative to the Louisiana Bureau of
3 Criminal Identification and Information's duty to provide information; to authorize
4 the release of certain criminal history information to the Department of Children and
5 Family Services; to grant the department the authority to receive such information;
6 and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 15:587(A)(2)(a) and (b) are hereby amended and reenacted to read
9 as follows:

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

12 A.

13 * * *

14 (2)(a) The bureau, in accordance with its powers to regulate and to enforce
15 provisions herein, may further restrict those agencies eligible to receive information.
16 However, the bureau shall make available to the Department of Children and Family
17 Services all criminal history record information as defined in R.S. 15:576 related to
18 foster and adoptive parent applicants and adult members of foster and adoptive
19 parent households; parents whose children have been removed from their custody;

1 parents or caretakers involved in investigations of abuse or neglect; potential
2 caretakers of a child who is either in the custody of the department, is the subject of
3 an investigation of abuse or neglect, or is or has been receiving services through the
4 office of children and family services; ~~and~~ potential employees of the department
5 whose duties include the investigation of child abuse or neglect, the supervisory or
6 disciplinary authority over children, direct care of a child, or performance of
7 licensing surveys; and individuals employed directly or indirectly by institutions or
8 facilities providing or with the potential of providing daily care or supervision to any
9 child or youth in the custody of or under the supervision of any Louisiana state
10 government agency. For the purposes of this Section, the bureau shall employ such
11 methods and procedures and shall observe such duty hours as to provide information
12 upon request within forty-eight hours from its receipt.

13 (b) The bureau shall facilitate national criminal history record checks of
14 prospective foster and adoptive parent applicants and adult members of foster and
15 adoptive parent households; parents whose children have been removed from their
16 custody; parents or caretakers involved in investigations of abuse or neglect;
17 potential caretakers of a child who is either in the custody of the department, is the
18 subject of an investigation of abuse or neglect, or is or has been receiving services
19 through the office of children and family services; ~~and~~ potential employees of the
20 department whose duties include the investigation of child abuse or neglect, the
21 supervisory or disciplinary authority over children, direct care of a child, or
22 performance of licensing surveys; and individuals employed directly or indirectly by
23 institutions or facilities providing or with the potential of providing daily care or
24 supervision to any child or youth in the custody of or under the supervision of any
25 Louisiana state government agency by receiving and forwarding fingerprint cards to
26 the Federal Bureau of Investigation. The Department of Children and Family
27 Services is authorized to receive and screen the results of the state and national
28 criminal history record checks in order to determine foster or adoptive parent
29 applicants' eligibility for certification or recertification as a placement resource for

Present law provides that DCFS is authorized to receive and screen the results of the state and national criminal history record checks as it relates to the fostering and adopting of certain children subject to DCFS investigation or custody. Proposed law gives DCFS authority to assess the qualifications of individuals employed, directly or indirectly, by institutions or facilities providing or with the potential of providing daily care or supervision to any child or youth in the custody of or under the supervision of any La. state government agency as it relates to fostering and adopting children.

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

(Amends R.S. 15:587(A)(2)(a) and (b))