

2019 Regular Session

HOUSE BILL NO. 550

BY REPRESENTATIVE TURNER

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

EARLY CHILDHOOD: Provides that the identify of a person making a complaint relative to an early learning center or certain providers or fraud pertaining to the Child Care Assistance Program and related state Dept. of Education investigation records shall be confidential and shall not be public records

1 AN ACT

2 To amend and reenact R.S. 17:407.47 and 407.65 and R.S. 44:4.1(B)(9) and to enact R.S.
3 17:407.28(E), relative to records of the state Department of Education; to provide
4 relative to the identity of a person making a complaint relative to certain programs
5 and records of related investigations by the department; to provide for
6 confidentiality; to provide for exemptions from the Public Records Law; and to
7 provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 17:407.47 and 407.65 are hereby amended and reenacted and R.S.
10 17:407.28(E) is hereby enacted to read as follows:

11 §407.28. Federal Funds for the Child Care and Development Fund Programs; state
12 Department of Education's authority to receive; complaints

13 * * *

14 E. The identity of a person making a complaint about fraud in the Child Care
15 Assistance Program and the records of investigations of such complaints by the state
16 Department of Education shall be confidential and shall not be subject to the Public
17 Records Law.

18 * * *

19 §407.47. Complaints against centers

Present law (R.S. 17:407.61 et seq.) requires family child care providers and in-home providers to be registered if they directly or indirectly receive state or federal funds related to the child care provided. Provides for penalties.

Present law (R.S. 17:407.65) authorizes DOE to visit and inspect registered family child care providers and in-home providers. Present law (R.S. 17:407.67) authorizes the department to deny, revoke, or refuse to renew a registration of a registered family child care provider or in-home provider if an applicant has failed to comply with the provisions of present law, any applicable published rule or regulation relating to registered family child care providers or in-home providers, or any other state, federal, or local rule or regulation.

Proposed law retains present law. Additionally provides that the identity of a person making a complaint against a family child care or in-home provider and the records of investigations of such complaints by the department, including complaints about fraud in the Child Care Assistance Program, shall be confidential and shall not be subject to present law (Public Records Law).

Present law (R.S. 44:4.1) provides a listing of exceptions, exemptions, and limitations to the laws pertaining to public records. Proposed law retains present law and adds references to proposed law.

(Amends R.S. 17:407.47 and 407.65 and R.S. 44:4.1(B)(9); adds R.S. 17:407.28(E))