

2015 Regular Session

HOUSE BILL NO. 385

BY REPRESENTATIVE NANCY LANDRY

(On Recommendation of the Louisiana State Law Institute)

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

CHILDREN/ABUSE: Provides with respect to mandatory reporters

1 AN ACT

2 To amend and reenact Children's Code Article 603(17)(b), relative to mandatory reporters;
3 to establish an exception for certain mental health/social service practitioners; and
4 to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. Children's Code Article 603(17)(b) is hereby amended and reenacted to
7 read as follows:

8 Art. 603. Definitions

9 As used in this Title:

10 * * *

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

12 * * *

13 (b) "Mental health/social service practitioner" is any individual who provides
14 mental health care or social service diagnosis, assessment, counseling, or treatment,
15 including a psychiatrist, psychologist, marriage or family counselor, social worker,
16 member of the clergy, aide, or other individual who provides counseling services to
17 a child or his family. Notwithstanding any other provision of law to the contrary, a
18 mental health/social service practitioner shall not be considered a mandatory reporter
19 under the following limited circumstances: (i) when the practitioner is engaged by

Proposed law retains present law but adds an exception to the definition for mental health/social service practitioners serving as part of the legal team rendering legal services to a client.

(Amends Ch.C. Art. 603(17)(b))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Health and Welfare to the original bill:

1. Remove the proposed addition of behavioral health professional to the definition of mental health/social service practitioner.
2. Make technical changes.