

2018 Regular Session

SENATE BILL NO. 459

BY SENATOR BARROW

CHILDREN. Provides relative to child welfare information. (gov sig)

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AN ACT

To amend and reenact the introductory paragraph of R.S. 46:56(F) and (7)(a), relative to child welfare information; to provide for authorized release of information; to provide for consent; to provide for persons authorized to receive information; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. The introductory paragraph of R.S. 46:56(F) and (7)(a) are hereby amended and reenacted to read as follows:

§56. Applications and client case records; definitions; confidentiality; waiver; penalty

\* \* \*

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

\* \* \*

(7)(a) The department may release, upon written request or consent of a

1 **former foster child or his legal tutor**, the information described in Paragraph (1)  
 2 of this Subsection to the former foster child, ~~or his legal tutor,~~ **or to a designee who**  
 3 **is engaged in rendering services, treatment, or an assessment of services**  
 4 **previously provided to the child**, if in its discretion it believes the release of such  
 5 information to be in the best interest of the former foster child. Such information  
 6 shall not include any information regarding the identity of the birth parents or birth  
 7 siblings of a former foster child who was subsequently adopted or any information  
 8 regarding the identity of the reporter in a case of abuse or neglect.

9 \* \* \*

10 Section 2. This Act shall become effective upon signature by the governor or, if not  
 11 signed by the governor, upon expiration of the time for bills to become law without signature  
 12 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
 13 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
 14 effective on the day following such approval.

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The original instrument and the following digest, which constitutes no part  
 of the legislative instrument, were prepared by Christine Arbo Peck.

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	DIGEST	
SB 459 Original	2018 Regular Session	Barrow

Present law provides that certain information regarding child welfare shall not be released to applicants, recipients, or outside sources. Proposed law retains present law and provides for exceptions to allow certain information to be released when a former foster child or his legal tutor consent. Proposed law adds a provider of treatment or services, or one who is reviewing past services, as a party authorized to receive information from a case record.

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

(Amends R.S. 46:56(F)(intro para) and (7)(a))