

DECLARATION OF EMERGENCY

Department of Children and Family Services Child Welfare

State Central Registry
(LAC 67.V.1103)

The Department of Children and Family Services (DCFS) has exercised the emergency provisions of the Administrative Procedure Act, R.S. 49:962 to amend LAC 67:V, Subpart 3, Chapter 11, Section 1103 State Central Registry. This emergency rule shall be effective July 1, 2024, and shall remain in effect for a period of 180 days unless renewed by DCFS, or until promulgation of the final rule.

Section 1103 is being amended to allow DCFS to disclose information regarding perpetrators of child abuse and/or neglect listed on the SCR involving any owner, operator, current or prospective employee or volunteer of a juvenile detention facility licensed by the OJJ to OJJ consistent with Act 445 of the 2023 Louisiana Legislative session. Section 1103 is also being amended related to registered family child care providers and registered in-home child care providers to be consistent with BESE Bulletins 137 and 139.

The department considers this Emergency Rule necessary to ensure that administrative rules are consistent with the law that takes effect on July 1, 2024, until the final rule is promulgated.

Title 67

SOCIAL SERVICES

Part V. Child Welfare

Subpart 3. Child Protective Services

Chapter 11. Administration and Authority

§1103. State Central Registry

A. - F.2. ...

G. DCFS is authorized to release information maintained on the SCR in limited circumstances. This information will be released according to the following provisions.

1. - 8. ...

9. DCFS will disclose information on perpetrators of child abuse and/or neglect who are:

a. listed on the SCR involving any owner, operator, current or prospective employee or volunteer of a specialized provider licensed by DCFS to DCFS Licensing;

b. listed on the SCR involving any owner, operator, current or prospective employee or volunteer of an early learning center licensed by the Louisiana Department of Education (LDOE) to LDOE;

c. listed on the SCR involving any provider, current or prospective employee working in the residence or on the property where the care is provided, or resident on the property of a registered family child care provider or registered in-home child care provider registered by LDOE to LDOE;

d. LDOE employees and potential employees responsible for the performance of licensing inspections to LDOE; and/or

e. listed on the SCR involving an owner, operator, current or prospective employee or volunteer of a juvenile detention facility licensed by Office of Juvenile Justice (OJJ) to OJJ.

10. LDOE is authorized to collect the \$25 fee for the clearance on behalf of DCFS for requests from any owner,

operator, current or prospective employee or volunteer of an early learning center licensed by the LDOE or for any provider, current or prospective employee, or resident of a registered family child care provider or registered in-home child care provider registered by LDOE. An owner, operator, current or prospective employee or volunteer of a specialized provider licensed by DCFS or juvenile detention facility licensed by Office of Juvenile Justice shall submit the \$25 fee to DCFS with the written request which shall include the express consent of the applicant to the departments. DCFS will not disclose such information until there is confirmation of receipt of the \$25 fee by LDOE or DCFS.

11. - 15. ...

AUTHORITY NOTE: Promulgated in accordance with the Children's Code, title VI, articles 615 and 616 and title XII, article 1173, R.S. 14:403(H), R.S. 46:51.2(A), R.S. 46:56, R.S. 46:1414.1, 42 USC 15601 et seq., 28 CFR 115.6., 42 USC 9858f and R.S. 40:2008.10.

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of Community Services, LR 18:79 (January 1992), amended LR 20:198 (February 1994), LR 21:583 (June 1995), LR 23:590 (May 1997), LR 26:790 (April 2000), LR 31:1609 (July 2005), LR 36:838 (April 2010), amended by the Department of Children and Family Services, Division of Programs, Child Welfare Section, LR 42:862 (June 2016), amended by the Department of Children and Family Services, Division of Child Welfare, LR 44:998 (June 2018), effective July 1, 2018, amended LR 45:217 (February 2019), amended LR 45:1053 (August 2019), LR 46:14 (January 2020), effective February 1, 2020, LR 49:1028 (June 2023), LR 50:

David Matlock
Secretary

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