

# DECLARATION OF EMERGENCY

## Department of Children and Family Services Licensing Section

State Central Registry—Juvenile Detention Facilities  
(LAC 67:V.7505, 7507, 7508 and 7511)

The Department of Children and Family Services (DCFS) has exercised the emergency provisions of the Administrative Procedure Act, R.S. 49:953 (B) to amend LAC 67:V. Subpart 8, Residential Licensing, Chapter 75, Juvenile Detention Facilities. This Emergency Rule shall be effective November 1, 2018, and shall remain in effect for a period of 120 days.

The proposed Rule amends Chapter 75, Juvenile Detention Facilities, sections 7505, 7507, and 7511, and promulgates Section 7508. In accordance with R.S. 15:1110.2, any owner, operator, current or prospective employee, or volunteer requesting licensure or licensed by the DCFS is prohibited from ownership or employment if that person's name is recorded on the state central registry as a perpetrator with a justified (valid) finding of child abuse and/or neglect. Each provider licensed by the DCFS shall submit a request for a state central registry check for all owners, staff, contractors, and volunteers prior to November 16, 2018. The implementation of this Rule will ensure that no individual with a justified (valid) finding of child abuse and/or neglect listed on the state central registry owns, provides services for, or is employed in a facility licensed by DCFS.

Pursuant to R.S. 15:1110.2, the department shall adopt rules in accordance with the required law. The department considers emergency action necessary in order to meet the requirements of R.S. 15:1110.2.

### Title 67

### SOCIAL SERVICES

### Part V. Child Welfare

### Subpart 8. Residential Licensing

### Chapter 75. Juvenile Detention Facilities

### §7505. Definitions

\* \* \*

*Individual Owner*—Repealed.

\* \* \*

*Owner* or *Operator*—individual or juridical entity exercising direct or indirect control over a licensed entity.

1. For licensing purposes the following are considered owners.

a. Individual ownership—individual and spouse listed on the licensing application submitted and who have access to the children/youth in care of the provider and/or children/youth who receive services from the provider and/or who are present at any time on the facility premises when children/youth are present;

b. Partnership—all limited or general partners and managers who are listed on the licensing application submitted and who have access to the children/youth in care of the provider and/or children/youth who receive services from the provider, and/or who are present at any time on the facility premises when children/youth are present;

c. Church-owned, university-owned or governmental entity—any clergy and/or board member who is listed on the licensing application submitted and who has access to the children/youth in care of the provider, and/or

children/youth who receive services from the provider, and/or who is present at any time on the facility premises when children/youth are present;

d. Corporation (includes limited liability companies)—individual(s) who is registered as an officer of the board with the Louisiana Secretary of State and/or listed on the licensing application submitted and who has access to the children/youth in care of the provider, and/or children/youth who receive services from the provider, and/or who is present at any time on the facility premises when children/youth are present.

*Ownership*—Repealed.

\* \* \*

*Provider*—all owners or operators of the facility including the director of such facility.

\* \* \*

*Reasonable Suspicion*—suspicion based on specific and articulable facts which indicate that an owner, or current or potential employee or volunteer has been investigated and determined to be the perpetrator of abuse and/or neglect of a minor resulting in a justified and/or valid finding prior to official notification from child welfare whether the person is or is not listed on the state central registry.

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*State Central Registry (SCR)*—a subsystem of the state repository that maintains information on perpetrators of child abuse and neglect with valid findings on tiers I, II, and III of the child welfare tiered validity system.

\* \* \*

AUTHORITY NOTE: Promulgated in accordance with R.S. 15:1110.

HISTORICAL NOTE: Promulgated by the Department of Children and Family Services, Division of Programs, Licensing Section, LR 38:1559 (July 2012), amended LR 39:1006 (April 2013), effective July 1, 2013, amended LR 42:395 (March 2016), amended by the Department of Children and Family Services, Licensing Section, LR 44:

### §7507. Licensing Requirements

A. – A.14. ...

15. Any owner/owners of a juvenile detention facility shall provide documentation of a satisfactory fingerprint based criminal record check conducted by Louisiana State Police.

a. When an individual is listed on the licensing application submitted and/or registered as an officer of the board with the Louisiana Secretary of State and does not have access to children/youth in care or children/youth who receive services from the provider and/or who is not present at any time on the facility premises when children/youth are present, a DCFS approved attestation form is acceptable in lieu of a satisfactory fingerprint based CBC from LSP signed and dated by the individual. The attestation form shall be accepted for a period of one year from the date individual signed attestation form.

B. - B.1.q. ...

r. documentation of a state central registry clearance as required in §7508.

2. - F.3.a.ix ...

x. documentation of a state central registry clearance as required in §7508.

b. – G.1.c. ...

d. any validated instance of abuse and/or neglect as noted by inclusion on the state central registry if the owner is

named or if the staff member who is named remains in the employment of the licensee;

e. – G.1.m. ...

n. knowingly permit an individual with a justified (valid) finding of child abuse and/or neglect to be on the premises without being directly supervised by another paid employee of the facility, who has not disclosed that their name appears with a justified (valid) finding prior to receipt of the official notification from child welfare that the individual is listed on the state central registry;

o. permit an individual to be on the premises or to have access to children/youth when listed on the state central registry.

H. – I.7. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 15:1110.

HISTORICAL NOTE: Promulgated by the Department of Children and Family Services, Division of Programs, Licensing Section, LR 38:1561 (July 2012), amended LR 38:3104 (December 2012), LR 39:1006 (April 2013), effective July 1, 2013, amended LR 42:395 (March 2016), amended by the Department of Children and Family Services, Licensing Section, LR 44:

#### **§7508. State Central Registry**

A. On November 1, 2018, and no later than November 9, 2018, provider shall submit a list of all owners/operators, contractors, and staff (paid, non-paid, and volunteers) employed/providing services as of November 1, 2018, to licensing management staff and shall attest that the information submitted is true and correct. The list shall be signed and dated by the director on file with the Licensing Section or by the owner. In addition, provider shall submit a list of all owners/operators, contractors, and staff (paid, non-paid, and volunteers) that have resided in another state within the previous five years which shall include the individual's name and state(s) in which the individual resided. The list shall be signed and dated by the director on file with the Licensing Section or by the owner. If no owner/operator, contractor, or staff resided in another state within the previous five years, provider shall submit a signed statement attesting to such to Licensing Section management staff.

B. Current owners as of November 1, 2018

1. Effective November 1, 2018, and in accordance with R.S. 15:1110.2, provider shall submit a state central registry request for each owner/operator including board members who meet the definition of an owner to DCFS child welfare to conduct a check of the state central registry. The request shall be submitted to child welfare no later than November 16, 2018. For owners/operators including board members who meet the definition of an owner who have resided in another state within the proceeding five years, provider shall submit a request to that state's child abuse and neglect registry no later than November 16, 2018. Documentation of request shall be available for review.

a. If the provider requests an out-of-state state central registry check and that state advises that they are unable to process the request due to statutory limitations, documentation of such shall be kept on file.

2. A search of the state central registry will determine if an owner/operator is currently listed on the state central registry as a perpetrator of valid (justified) abuse and/or neglect. No person who is recorded on any state central registry with a valid (justified) finding of abuse and/or neglect of a child shall be eligible to own, operate, or

participate in the governance or management of the juvenile detention facility.

3. Provider shall submit a state central registry request to child welfare every five years from the issue date noted on the state central registry clearance form for all owners/operators who meet the definition of an owner and at any time upon the request of DCFS when reasonable suspicion exists that an individual may be listed on the state central registry. If an owner resides in another state and is licensed to operate a juvenile detention facility in the state of Louisiana, provider shall submit a state central registry request to that state's child abuse and neglect registry every five years from the issue date noted on the previous year's registry clearance form.

4. Upon notification from child welfare or any other state that the owner/operator is not listed on the state central registry, the provider shall maintain on file the notification(s) that his/her name does not appear on the registry.

5. Upon notification to the juvenile detention facility from child welfare or any other state that the owner/operator is listed on the state central registry, the owner/operator shall no longer be eligible to own, operate, or participate in the governance or management of the juvenile detention facility. The owner/operator can voluntarily close the business or if he/she chooses not to close the business, the license shall be immediately revoked. If the owner/operator is a member of the board or clergy, the provider shall submit a signed, dated statement to licensing within 24 hours or no later than the next business day indicating that the individual has resigned or been relieved of his position with the effective date of the resignation/removal. If this statement is not received by licensing within the aforementioned timeframe, the license shall be immediately revoked. Provider shall also submit documentation to licensing within seven calendar days verifying that the individual's name has been removed from the Secretary of State's website if owned by a corporation.

6. If after an initial state central registry clearance form is received by the juvenile detention facility from child welfare noting that the owner/operator is not listed on the state central registry and due to a new justified (valid) finding, the owner/operator receives a subsequent notice that he/she is listed on the state central registry and he/she advises the juvenile detention facility of the new information prior to receiving official notification from child welfare, licensing shall be notified within 24 hours or no later than the next business day, whichever is shorter. The owner/operator shall be directly supervised by a paid staff (employee) of the juvenile detention facility at any and all times when he/she is on the premises and/or in the presence of a child/youth. The employee responsible for supervising the individual shall not be a suspected perpetrator with a justified (valid) determination of abuse and/or neglect. Under no circumstances shall the owner/operator with the valid (justified) finding of abuse and/or neglect be left alone and unsupervised with a child/youth pending the official determination from child welfare that the individual is or is not listed on the state central registry.

7. State central registry clearances are not transferable between owners.

C. Prospective owners effective November 1, 2018

1. Effective November 1, 2018, and in accordance with R.S. 15:1110.2, an inquiry of the state central registry for all owners (including board members who meet the definition of an owner) and operators shall be conducted

prior to a license being issued. For owners/operators, including board members who meet the definition of an owner who resided in another state within the proceeding five years, provider shall request a state central registry check and obtain clearance information from that state's child abuse and neglect registry. Louisiana state central registry clearances shall be dated no earlier than 45 days prior to the license being issued. Out-of-state state central registry clearances shall be dated no earlier than 120 days prior to license being issued.

a. If the provider requests an out-of-state state central registry check and that state advises that they are unable to process the request due to statutory limitations, documentation of such shall be kept on file.

2. A search of the state central registry will determine if the owner/operator is currently listed on the state central registry as a perpetrator of justified (valid) abuse and/or neglect. No person who is recorded on any state's child abuse and neglect registry with a justified (valid) finding of abuse and/or neglect of a child shall be eligible to own, operate, or participate in the governance or management of the juvenile detention facility.

3. Provider shall submit a state central registry request to child welfare every five years from the issue date noted on the state central registry clearance form for all owners/operators including board members who meet the definition of an owner and at any time upon the request of DCFS if reasonable suspicion exists that an individual may be listed on the state central registry. If an owner resides in another state and is licensed to operate a juvenile detention facility in the state of Louisiana, provider shall submit a state central registry request to that state's child abuse and neglect registry every five years from the issue date noted on the previous year's registry clearance form.

4. Upon notification from child welfare or any other state that the owner/operator(s) is not listed on the state central registry, the provider shall maintain on file the notification(s) that his/her name does not appear on the registry with a justified (valid) finding of abuse and/or neglect.

5. Upon notification to the provider from child welfare or any other state that the owner/operator is listed on the state central registry, the owner/operator shall no longer be eligible to own, operate, or participate in the governance or management of the juvenile detention facility. The owner/operator can voluntarily withdraw the application for licensure or if he/she chooses not to withdraw the application, the application shall be immediately denied. If the individual with the justified (valid) finding of abuse and/or neglect is a member of the board, the provider shall submit a signed, dated statement to licensing within 24 hours or no later than the next business day indicating that the board member has resigned his/her position on the board/been relieved of his position on the board with the effective date of the resignation/removal. Within seven calendar days, provider shall also submit documentation to licensing verifying that the individual's name has been removed from the Secretary of State's website to licensing if owned by a corporation. After receipt of the statement, the application for licensure may continue to be processed.

6. If after an initial state central registry clearance form is received by juvenile detention facility from child welfare noting that the owner/operator is not listed on the state central registry and due to a new valid finding against

the owner/operator receives a subsequent notice (issued after the provider was licensed) that he/she is listed on the state central registry and the owner/operator advises the juvenile detention facility of the new information prior to his/her appeal rights being exhausted, licensing shall be notified within 24 hours or no later than the next business day, whichever is shorter. The owner/operator, shall be directly supervised by a paid staff (employee) of the juvenile detention facility at any and all times when he/she is on the premises or in the presence of a child/youth. The employee responsible for supervising the individual shall not be a suspected perpetrator with a justified (valid) determination of abuse and/or neglect. Under no circumstances shall the owner/operator, with the justified (valid) finding of abuse and/or neglect, be left alone and unsupervised with a child/youth pending the official determination from child welfare that the individual is or is not listed on the state central registry.

7. State central registry clearances are not transferable between owners.

#### D. Current staff as of November 1, 2018

1. Effective November 1, 2018, and in accordance with R.S. 15:1110.2, provider shall submit a state central registry request for each currently employed staff (paid and non-paid staff and volunteers) to DCFS child welfare to conduct a check of the state central registry. The request shall be submitted to child welfare no later than November 16, 2018. For staff who have resided in another state within the proceeding five years, provider shall request information from that state's child abuse and neglect registry no later than November 16, 2018. Documentation of request shall be available for review.

a. If the provider requests an out-of-state state central registry check and that state advises that they are unable to process the request due to statutory limitations, documentation of such shall be kept on file.

2. A search of the state central registry will determine if the individual is currently listed on the state central registry as a perpetrator of justified (valid) abuse and/or neglect. No person who is recorded on any state's child abuse and neglect registry shall be eligible for employment or to provide volunteer services with the facility.

3. Provider shall submit a state central registry request to child welfare every five years from the issue date noted on the state central registry clearance form for all staff and at any time upon the request of DCFS if reasonable suspicion exists that a staff may be listed on the state central registry. If a person resides in another state and is employed at a juvenile detention facility in the state of Louisiana, provider shall submit a state central registry request to that state's child abuse and neglect registry every five years for this staff from the issue date noted on the previous year's registry check form.

a. If the provider requests an out-of-state state central registry check and that state advises that they are unable to process the request due to statutory limitations, documentation of such shall be kept on file.

4. Upon notification from child welfare or any other state that the staff is not listed on the state central registry, the provider shall maintain on file the notification(s) that the staff's name does not appear on the registry.

5. Upon notification to the provider from child welfare or any other state that the staff is listed on the state central registry, the staff shall no longer be eligible for

employment with the juvenile detention facility. The provider shall submit a signed, dated statement to licensing within 24 hours or no later than the next business day indicating that the staff has been relieved of his/her position at the agency with the effective date of the termination. If this statement is not received by licensing within the aforementioned timeframe, the license shall be immediately revoked.

6. If after the state central registry clearance form is received by provider from child welfare noting that the staff is not listed on the state central registry and due to a new valid finding the staff receives a subsequent notice that he/she is listed on the state central registry and advises the provider of the new information prior to his/her appeal rights being exhausted, licensing shall be notified within 24 hours or no later than the next business day, whichever is shorter. The staff with the justified (valid) finding of abuse and/or neglect, at any and all times when he/she is on the premises and/or in the presence of a child/youth, shall be directly supervised by another paid staff (employee) of the juvenile detention facility. The employee responsible for supervising the individual shall not be a suspected perpetrator with a justified (valid) determination of abuse and/or neglect. Under no circumstances shall the staff with the justified (valid) finding of abuse and/or neglect be left alone and unsupervised with a child/youth pending the official determination from child welfare that the individual is or is not listed on the state central registry.

7. State central registry clearances are not transferable between owners.

E. Prospective staff effective November 1, 2018

1. Effective November 1, 2018, and in accordance with R.S. 15:1110.2, an inquiry of the state central registry for all staff (paid, non-paid and volunteers) shall be conducted prior to employment being offered to a potential hire or volunteer services provided. For staff persons who have resided in another state within the proceeding five years, provider shall request a state central registry check and obtain clearance information from that state's child abuse and neglect registry prior to hire. Louisiana state central registry clearances shall be dated no earlier than 45 days prior to the staff being present on the premises or having access to children/youth. Out-of-state state central registry clearances shall be dated no earlier than 120 days prior to license being issued.

a. If the provider requests an out-of-state state central registry check and that state advises that they are unable to process the request due to statutory limitations, documentation of such shall be kept on file.

2. A search of the state central registry will determine if the staff is currently listed on the state central registry as a perpetrator of justified (valid) abuse and/or neglect. No person who is recorded on any state's child abuse and neglect registry with a justified (valid) finding of abuse and/or neglect shall be eligible for employment or to provide volunteer services in a licensed juvenile detention facility.

3. Provider shall submit a state central registry request to child welfare every five years for staff from the issue date noted on the state central registry clearance form and at any time upon the request of DCFS if reasonable suspicion exists that a staff may be listed on the state central registry. If a person resides in another state and is employed at a juvenile detention facility in the state of Louisiana, provider shall submit a state central registry request to that state's child

abuse and neglect registry every five years for this staff from the issue date noted on the previous year's registry clearance form.

a. If the provider requests an out-of-state state central registry check and that state advises that they are unable to process the request due to statutory limitations, documentation of such shall be kept on file.

4. Upon notification from child welfare or any other state that the staff is not listed on the state central registry, the provider shall maintain on file the notification(s) that the staff's name does not appear on the registry with a justified (valid) finding of abuse and/or neglect.

5. Upon notification to the provider from child welfare or any other state that the staff is listed on the state central registry, the staff shall no longer be eligible for employment or to provide volunteer services for the juvenile detention facility. The provider shall submit a signed, dated statement to licensing within 24 hours or no later than the next business day indicating that the staff with the justified (valid) finding of abuse and/or neglect will not be hired for a position at the agency. If this statement is not received by licensing within the aforementioned timeframe, the application shall be denied or license shall be immediately revoked.

6. If after the initial state central registry clearance form is received by the juvenile detention facility from child welfare noting that the staff is not listed on the state central registry and due to a new valid finding, the staff receives a subsequent notice that he/she is listed on the state central registry (issued after the provider was licensed) and advises the provider of the new information prior to his/her appeal rights being exhausted, licensing shall be notified within 24 hours or no later than the next business day, whichever is shorter. The staff with the justified (valid) finding of abuse and/or neglect shall be directly supervised by another paid staff (employee) of the juvenile detention facility at any and all times when he/she present on the premises and/or is in the presence of a child/youth. The employee responsible for supervising the individual shall not be a suspected perpetrator with a justified (valid) determination of abuse and/or neglect. Under no circumstances shall the staff with the justified (valid) finding of abuse and/or neglect be left alone and unsupervised with a child/youth pending the official determination from child welfare that the individual is or is not listed on the state central registry.

7. State central registry clearances are not transferable between owners.

F. Current contractors as of November 1, 2018

1. Effective November 1, 2018, and in accordance with R.S. 15:1110.2, provider shall submit a request to DCFS child welfare for a check of the state central registry for each contractor. The request shall be submitted to child welfare no later than November 16, 2018. For contractors who have resided in another state within the proceeding five years, provider shall request a state central registry check no later than November 16, 2018, and obtain clearance information from that state's child abuse and neglect registry. Documentation of request shall be available for review.

a. If the provider requests an out-of-state state central registry check and that state advises that they are unable to process the request due to statutory limitations, documentation of such shall be kept on file.

2. A search of the state central registry will determine if the individual is currently listed on the state central registry as a perpetrator of justified (valid) abuse and/or neglect. No person who is recorded on any state's child abuse and neglect registry shall be eligible to provide contracted services for the juvenile detention facility.

3. Provider shall submit a state central registry request to child welfare every five years for contractors from the issue date noted on the state central registry clearance form and at any time upon the request of DCFS when reasonable suspicion exists that an individual may be listed on the state central registry. If a contractor resides in another state and provides services in a juvenile detention facility in the state of Louisiana, provider shall submit a state central registry request to that state's child abuse and neglect registry every five years for this contractor from the issue date noted on the previous year's registry clearance form.

a. If the provider requests an out-of-state state central registry check and that state advises that they are unable to process the request due to statutory limitations, documentation of such shall be kept on file.

4. Upon notification from child welfare or any other state that the individual is not listed on the state central registry, the provider shall maintain on file the notification(s) that the individual's name does not appear on the registry with a justified (valid) finding of abuse and/or neglect.

5. Upon notification to the provider from child welfare or any other state that the individual is listed on the state central registry, the contractor shall no longer be eligible to provide services for the juvenile detention facility. The provider shall submit a signed, dated statement to licensing within 24 hours or no later than the next business day indicating that the individual will no longer provide services to the agency with the effective date of the termination of services. If this statement is not received by licensing within the aforementioned timeframe, the license shall be immediately revoked.

6. If after the initial state central registry clearance form is received by provider from child welfare noting that the individual is not listed on the state central registry and due to a new valid finding the contractor receives a subsequent notice that he/she is listed on the state central registry and advises the provider of the new information prior to his/her appeal rights being exhausted, licensing shall be notified within 24 hours or no later than the next business day, whichever is shorter. The individual with the justified (valid) finding of abuse and/or neglect shall be directly supervised by a paid staff (employee) of the juvenile detention facility at any and all times when he/she is on the premises or in the presence of a child/youth. The employee responsible for supervising the individual shall not be suspected to be a perpetrator with a justified (valid) determination of abuse and/or neglect. Under no circumstances shall the contractor with the justified (valid) finding of abuse and/or neglect be left alone and unsupervised with a child/youth pending the official determination from child welfare that the individual is or is not listed on the state central registry.

7. State central registry clearances are not transferable between owners.

G. Prospective contractors providing services effective November 1, 2018

1. Effective November 1, 2018, and in accordance with R.S. 15:1110.2, an inquiry of the state central registry

for all contractors shall be conducted prior to providing contracted services or having access to children/youth. For contractors who have resided in another state within the proceeding five years, provider shall request a state central registry check and obtain clearance information from that state's child abuse and neglect registry prior to the individual providing services or having access to children/youth. Louisiana state central registry clearances shall be dated no earlier than 45 days prior to the individual providing services or having access to children/youth. Out-of-state state central registry clearances shall be dated no earlier than 120 days prior to license being issued.

a. If the provider requests an out-of-state state central registry check and that state advises that they are unable to process the request due to statutory limitations, documentation of such shall be kept on file.

2. A search of the state central registry will determine if the individual is currently listed on the state central registry as a perpetrator of justified (valid) abuse and/or neglect. No person who is recorded on any state's child abuse and neglect registry with a justified (valid) finding of abuse and/or neglect shall be eligible to provide services for the juvenile detention facility.

3. Provider shall submit a state central registry request to child welfare every five years for contractors from the issue date noted on the state central registry clearance form and at any time upon the request of DCFS if reasonable suspicion exists that a staff may be listed on the state central registry. If a contractor resides in another state but provides services in a juvenile detention facility in the state of Louisiana, provider shall submit a state central registry request to that state's child abuse and neglect registry every five years for this contractor from the issue date noted on the previous year's registry clearance form.

4. Upon notification from child welfare or any other state that the individual is not listed on the state central registry, the provider shall maintain on file the notification(s) that the individual's name does not appear on the registry with a justified (valid) finding of abuse and/or neglect.

5. The state central registry clearance form shall be dated no earlier than 45 days of the individual being present on the juvenile detention facility premises or having access to children/youth.

6. Upon notification to the provider from child welfare or any other state that the contractor is listed on the state central registry, the individual shall no longer be eligible to provide services for the juvenile detention facility. The provider shall submit a signed, dated statement to licensing within 24 hours or no later than the next business day indicating that the individual with the justified (valid) finding of abuse and/or neglect has been relieved of his duties with the juvenile detention facility with the effective date of termination of services. If this statement is not received by licensing within the aforementioned timeframe, the license shall be immediately revoked.

7. If after the initial state central registry clearance form is received by provider from child welfare noting that the individual is not listed on the state central registry and due to a new valid finding, the contractor receives a subsequent notice that he/she is listed on the state central registry (issued after the provider was licensed) and advises the juvenile detention facility of the new information prior to his/her appeal rights being exhausted, licensing shall be notified within 24 hours or no later than the next business

day, whichever is shorter. The individual with the justified (valid) finding of abuse and/or neglect shall be directly supervised by a paid staff (employee) of the juvenile detention facility at any and all times when he/she present on the premises and/or is in the presence of a child/youth. The employee responsible for supervising the individual shall not be a suspected perpetrator with a justified (valid) determination of abuse and/or neglect. Under no circumstances shall the individual with the valid (justified) finding of abuse and/or neglect be left alone and unsupervised with a child/youth pending the official determination from child welfare that the individual is or is not listed on the state central registry.

8. State central registry clearances are not transferable between owners.

#### H. Reasonable Suspicion

1. Any information received or knowledge acquired by the provider that a current owner/operator, contractor, volunteer and/or staff, is a perpetrator of abuse and/or neglect after November 1, 2018, with a justified (valid) determination of abuse and/or neglect prior to receipt of official notification from child welfare, shall be verbally immediately reported to licensing management staff and followed up in writing no later than the close of business on the next business day. Prior to receipt of the official notification and immediately upon the knowledge that a justified (valid) finding has been issued by DCFS, the individual shall be directly supervised by a paid staff (employee) of the juvenile detention facility, at any and all times when he/she is present on the premises and/or is in the presence of a child/youth. The employee responsible for supervising the individual shall not be a suspected perpetrator with a justified (valid) determination of abuse and/or neglect. Under no circumstances shall the individual with the justified (valid) finding of abuse and/or neglect be left alone and unsupervised with a child/youth pending the official determination from child welfare that the individual is or is not listed on the state central registry.

AUTHORITY NOTE: Promulgated in accordance with R.S. 15:1110.2.

HISTORICAL NOTE: Promulgated by the Department of Children and Family Services, Licensing Section, LR 44:

### **§7511. Facility Responsibilities**

A. – A.3.d.i. ...

e. Each volunteer shall have documentation of a state central registry clearance from child welfare as required in §7508.

B. – B.5.b.iii. ...

c. Documentation of a state central registry clearance for all Louisiana Department of Education staff or local school district staff that interact with youth following the procedure outlined in §7508.

6. Documentation of a state central registry clearance from child welfare as required in §7508 for a staff.

C. – H.1.a.vii. ...

viii. documentation of a state central registry clearance for all owners and staff as required in §7508.

2. – L.2 ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 15:1110.

HISTORICAL NOTE: Promulgated by the Department of Children and Family Services, Division of Programs, Licensing Section, LR 38:1565 (July 2012), amended LR 39:1007 (April 2013), effective July 1, 2013, amended LR 42:396 (March 2016),

amended by the Department of Children and Family Services, Licensing Section, LR 44:

Marketa Garner Walters  
Secretary

1811#034