

ACT No. 217

2015 Regular Session

HOUSE BILL NO. 385

BY REPRESENTATIVE NANCY LANDRY

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,
18 when representing a child, as defined in this Code, in a case arising out of this Code,
19 a mental health/social service practitioner shall not be considered a mandatory
20 reporter under the following limited circumstances: (i) when the practitioner is
21 engaged by an attorney to assist in the rendition of professional legal services to that
22 child, (ii) when the information that would serve as the basis for reporting arises in
23 furtherance of facilitating the rendition of those professional legal services to that
24 child, and (iii) when the information that would serve as the basis for reporting is
25 documented by the mental health/social service practitioner. The documentation

