

Regular Session, 2005

HOUSE BILL NO. 516

BY REPRESENTATIVE GRAY

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

CHILDRENS CODE: Provides for children of certain parishes placed under the care of the office of youth services

1 AN ACT

2 To enact Children's Code Article 908 (D), relative to children placed under the care of the
3 Department of Public Safety and Corrections, office of youth services; to provide for
4 exceptions for children of certain parishes placed in out-of-home placements; to
5 provide for assessments by children and youth planning boards; to provide for
6 treatment by local community services; to provide for funding; and to provide for
7 related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. Children's Code Article 908(D) is hereby enacted to read as follows:

10 Art. 908. Care and treatment by Department of Public Safety and Corrections;
11 exception, certain parishes

12 * * *

13 D.(1) Notwithstanding the provisions of this Article, any youth placed under
14 the care of the department, office of youth services, who is from a parish with a
15 population in excess of four hundred eighty thousand as determined by the most
16 recently published decennial federal census, shall be assessed, placed, and treated by
17 local bodies, services, and facilities who know best the needs of their community's
18 children and families. The office of youth services shall provide the funding for each
19 child treated locally equivalent to what it spends on placements and treatment for
20 children in its care statewide.

1 (2) Any child described in Subparagraph (1) of this Paragraph placed in an
2 out-of-home placement shall be assessed within ninety days of placement by the
3 children and youth planning board created pursuant to R.S. 46:1941.1 et seq. of the
4 judicial district of the child's parish. The board shall determine with all due diligence
5 those that can be treated by community services while remaining in the home. The
6 child shall be treated and supported by local community services under the
7 supervision of the juvenile court for the child's parish.

8 (3) If the board determines that a treatment plan cannot be made for the child
9 in his home, he shall be placed in a local non-secure care facility except those few
10 who are designated violent offenders under Article 897.1 who shall be placed in a
11 secure care facility not more than twenty-five miles from his home.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument.

Gray

HB No. 516

Abstract: Provides for assessment and placement of children placed under the care of the DPS&C, office of youth services (OYS) by the children and youth planning board of the judicial district of the child's parish. Applies to any child placed in an out-of-home placement under the care of OYS who is from a parish with a population in excess of 480,000 as determined by the most recently published decennial federal census

Present law provides for the care and treatment of children placed in the care of the DPS&C, office of youth services (OYS).

Proposed law adds an exception for any child placed in an out-of-home placement under the care of OYS, who is from a parish with a population in excess of 480,000 as determined by the most recently published decennial federal census. Provides that the child shall be assessed within 90 days of placement by the children and youth planning board of the judicial district of the child's parish. Provides that the board shall determine with all due diligence those that can be treated by community services while remaining in the home. Provides that the child shall be treated and supported by local community services under the supervision of the juvenile court of the child's parish.

Proposed law provides that OYS shall provide the funding for each child treated locally equivalent to what it spends on placements and treatment for children in its care statewide.

Proposed law provides that if the board determines that a treatment plan cannot be made for the child in his home, he shall be placed in a local non-secure care facility except those few who are designated as violent offenders who shall be placed in a secure care facility not more than 25 miles from his home.

(Adds Ch.C. Art. 908(D))