

Regular Session, 2010

SENATE BILL NO. 467

BY SENATOR LONG

CHILDREN. Provides for training requirements for child-protection and foster-care workers. (gov sig)

1 AN ACT

2 To amend and reenact R.S. 46:285, relative to required training for child protection and  
3 foster care workers; to provide for deemed status for certain training; and to provide  
4 for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 46:285 is hereby amended and reenacted to read as follows:

7 §285. Required training for child protection and foster care workers

8 A. No employee of the Department of Social Services, office of community  
9 services, ~~hired for the position of child protection caseworker or supervisor or foster~~  
10 ~~care caseworker or supervisor~~ with direct responsibility for cases dealing with  
11 families and children after January 1, 1984, shall exercise responsibility for any  
12 cases until that employee has completed a training program consisting of at least  
13 thirty-two hours of instruction, addressing such appropriate topics as:

14 (1) Causes and effects of child abuse and neglect.

15 (2) Legal aspects of child protection and foster care including the legal duties  
16 of the representatives, which may consist of various methods of informing such  
17 representatives of such duties, in order to protect the constitutional and statutory

1 rights and safety of children and families from the initial time of contact during  
2 investigation through treatment.

3 (3) Treatment of abused and neglected children.

4 (4) Treatment of abusive and neglectful parents.

5 (5) Permanency planning for children.

6 (6) Training to ensure that workers are knowledgeable in best practices for  
7 promoting collaboration with families and that they are fully aware of the extent and  
8 the limits of their legal authority and the legal rights of parents in carrying out such  
9 investigations. Training shall include legal duties of workers to protect the  
10 constitutional and statutory rights of children and families from the initial time of  
11 contact during investigation through treatment.

12 ~~(7)~~ **B.** All representatives or employees of the Department of Social Services  
13 shall, at the initial time of contact with the individual subject to a child abuse and  
14 neglect investigation, advise the individual of the specific complaints or allegations  
15 made against the individual in a manner that is consistent with laws protecting the  
16 rights of the informant.

17 **C. Any employee hired on or after July 1, 2010, who has graduated from**  
18 **a Council on Social Work Education accredited program of social work**  
19 **certifying that the employee has completed course work and demonstrated**  
20 **competency in the core areas of effective child welfare practice, including**  
21 **successful completion of a child welfare specific internship, shall be deemed to**  
22 **have met the thirty-two hour training requirement specified in Subsection A of**  
23 **this Section and may begin exercising responsibility for cases under agency**  
24 **supervision. The Department of Social Services in partnership with the**  
25 **Louisiana University Child Welfare Workforce Alliance shall define the core**  
26 **competencies, which shall include but not be limited to the competencies set**  
27 **forth in Subsection A of this Section, of effective child welfare practice. The**  
28 **Department of Social Services shall be specifically authorized to promulgate**  
29 **rules and regulations, pursuant to the Administrative Procedure Act, which**

1 may be necessary to effect the provisions of this Section.

2 B: D. Within six months following the commencement of responsibility for  
3 cases, each such employee designated in Subsection A of this Section shall complete  
4 a training program consisting of thirty-two hours of job related instruction in  
5 addition to the training required in Subsection A.

6 C: E. Notwithstanding the provisions of Subsections A and ~~B~~ D of this  
7 Section, employees of the office of community services shall be permitted to  
8 exercise responsibility for cases on an emergency basis prior to the completion of  
9 required training if the unavailability of these employees pending such training  
10 would result in the agency's inability to meet the needs of abused or neglected  
11 children or to satisfy legal mandates, provided that appropriate training may not be  
12 delayed beyond sixty days.

13 D: F. Within the second and third full year of employment, each child  
14 protection caseworker and supervisor or foster care caseworker or supervisor as  
15 designated in Subsection A of this Section, shall receive thirty-two hours of in-  
16 service training annually, relevant to providing child welfare services.

17 E: G. Following completion of three full years of child welfare casework  
18 experience, each employee as designated in Subsection A of this Section, shall  
19 receive at least twenty hours of in-service training annually, relevant to providing  
20 child welfare services.

21 F: H. The Department of Social Services shall provide such training through  
22 its own personnel, partnerships with universities, or by contracting with outside  
23 persons or agencies.

24 G: I. The Department of Social Services may continue incentive pay  
25 schedules established by the Department of State Civil Service to compensate social  
26 work personnel with selected graduate degrees at a higher rate than other persons  
27 without such specialized advanced degrees as provided by the Department of State  
28 Civil Service and the State Civil Service Commission.

29 Section 2. This Act shall become effective upon signature by the governor or, if not

1 signed by the governor, upon expiration of the time for bills to become law without signature  
 2 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
 3 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
 4 effective on the day following such approval.

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The original instrument was prepared by Greg Waddell. The following digest, which does not constitute a part of the legislative instrument, was prepared by Michelle Broussard-Johnson.

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#### DIGEST

Long (SB 467)

Present law provides that no employee of DSS with direct responsibility for cases dealing with families and children, shall exercise responsibility for any cases until that employee has completed a training program consisting of at least 32 hours of instruction.

Proposed law retains present law.

Proposed law provides that any employee hired on or after July 1, 2010, who has graduated from a Council on Social Work Education accredited program of social work certifying that the student has completed course work and demonstrated competency in the core areas of effective child welfare practice, including successful completion of a child welfare specific internship, shall be deemed to have met the 32 hour training requirement specified in present law and may begin exercising responsibility for cases under agency supervision. DSS in partnership with the Louisiana University Child Welfare Workforce Alliance shall define the core competencies, which shall include but not be limited to the competencies set forth in present law, of effective child welfare practice.

Proposed law provides that DSS shall be specifically authorized to promulgate rules and regulations, pursuant to the APA, which may be necessary to effect the provisions of present law.

Present law provides that DSS shall provide the training required by present law through its own personnel or by contracting with outside persons or agencies.

Proposed law retains present law and further provides that the training can be provided through partnerships with universities.

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

(Amends R.S. 46:285)

#### Summary of Amendments Adopted by Senate

##### Committee Amendments Proposed by Senate Committee on Health and Welfare to the original bill.

1. Requires DSS to provide training through partnerships with universities.
2. Requires the core competencies of effective child welfare practice to include but not be limited to those competencies which are set forth in current law.

Summary of Amendments Adopted by Senate

Senate Floor Amendments to reengrossed bill.

1. Technical amendment with clarifying language