

**NOTICE OF INTENT**

**Department of Children and Family Services**

**Division of Programs**

**Licensing Section**

**Juvenile Detention Regulation Clarifications**

**(LAC 67:V.7505, 7507, 7511, 7513, 7515, and 7517)**

In accordance with the provisions of the Administrative Procedures Act R.S. 49:953(A), the Department of Children and Family Services (DCFS) proposes to amend LAC 67:V, Subpart 8, Chapter 75 Juvenile Detention Facilities, Sections 7505, 7507, 7511, 7513, 7515, and 7517.

The proposed rule will enhance and clarify current regulations for the health and safety of youth placed in Juvenile Detention Facilities. The modifications will address ownership and organizational type, application requirements, criminal background checks, health screenings, training, supervision, incidents, grievances, monitoring, and educational requirements.

**Title 67**

**SOCIAL SERVICES**

**Part V. Child Welfare**

**Subpart 8. Residential Licensing**

**Chapter 75. Juvenile Detention Facilities**

**§7505. Definitions**

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Change of Location – change of physical address of facility.

Change of Ownership – a transfer of ownership of a currently licensed facility that is in operation and serving youth to another entity without a break in service to the youth.

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Corporation – any entity incorporated in Louisiana or

incorporated in another State, registered with the Secretary of state in Louisiana, and legally authorized to do business in Louisiana.

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Individual Owner – a natural person who directly owns a facility without setting up or registering a corporation, LLC, partnership, church, university, or governmental entity. The spouse of a married owner is also an owner unless the business is the separate property of the licensee acquired before his/her marriage, acquired through a judicial separation of property agreement or acquired via a judicial termination of the community of acquets and gains.

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Juridical Person/Entity – corporation, partnership, limited-liability company, church, university, or governmental entity.

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Natural Person – a human being and, if that person is married and not judicially separated or divorced, the spouse of that person.

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Owner or Operator – the individual who exercises ownership or control over a facility, whether such ownership/control is direct or indirect.

Ownership – the right that confers on a person direct, immediate, and exclusive authority over a thing. The owner of a thing may use, enjoy, and dispose of it within the limits and under the conditions established by law.

1. Direct Ownership – when a natural person is the immediate owner of a facility, i.e., exercising control personally rather than through a juridical entity.

2. Indirect Ownership – when the immediate owner is

a juridical entity.

Partnership – includes any general or limited partnership licensed or authorized to do business in this state. The owners of a partnership are its limited or general partners and any managers thereof.

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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 41:

**§7507. Licensing Requirements**

A. - A.14. ...

15. The following is a listing of individuals by organizational type who are considered owners for licensing purposes.

a. Individual Ownership - individual and spouse.

b. Partnership - all limited or general partners and managers, including but not limited to, all persons registered as limited or general partners with the Secretary of State's Corporations Division.

c. Church Owned, Governmental Entity, or University Owned - any clergy and/or board member that is present in the facility during the hours of operation or when youth are present. If clergy and/or board members are not present in the facility, the director/administrator shall provide an annual statement attesting to such.

d. Corporation (includes limited liability companies) - any person who has 25 percent or greater share in the ownership or management of the business or who has less than

a 25 percent share in the ownership or management of the business and meets one or more of the criteria listed below. If a person has less than a 25 percent share in the ownership or management of the business and does not meet one or more of the criteria listed below, a signed, notarized attestation form shall be submitted in lieu of providing a criminal background clearance. This attestation form is a signed statement which shall be updated annually from each owner acknowledging that he/she has less than a 25 percent share in the ownership or management of the business and that he/she does not meet any of the criteria listed below:

- i. has unsupervised access to the youth;
- ii. is present in the facility;
- iii. makes decisions regarding the day-to-day operations of the facility;
- iv. hires or fires staff including the director/administrator; or
- v. oversees staff or conducts personnel evaluations of staff.

B. - F.2. ...

~~3. When a JDF is initiating a change in ownership, a written notice shall be submitted to DCFS prior to the ownership change. Within seven calendar days of the change of ownership, the new owner shall submit a completed application, the applicable licensing fee, and a copy of bill of sale or a lease agreement.~~ When a facility changes ownership, the current license is not transferable. A change of ownership occurs when the license and/or facility is transferred from one natural or juridical person to another, or when an officer, director, member, or shareholder not listed on the initial application exercises or asserts authority or control on behalf of the entity. The addition or removal of members of a board of

directors shall not be considered a change of ownership where such addition or removal does not substantially affect the entity's operation and shall require only notice be given to the DCFS of such addition or removal.

a. Prior to the ownership change and in order for a temporary license to be issued, the new owner shall submit a change of ownership (CHOW) application packet containing the following:

i. a completed application and full licensure fee as listed in §7507.D. based on current licensed capacity or requested capacity, whichever is less;

ii. current (as noted in §7507.F.3.b) Office of State Fire Marshal approval;

iii. current (as noted in §7507.F.3.b) Office of Public Health approval;

iv. current (as noted in §7507.F.3.b) city fire approval (if applicable);

v. a sketch or drawing of the premises including all rooms, bathrooms, common areas, kitchen, classrooms, buildings, and recreation areas;

vi. a list of staff to include staff's name and position;

vii. documentation of administrator's qualifications as listed in §7511A.2;

viii. copy of a bill of sale or lease agreement;

ix. documentation of a fingerprint-based satisfactory criminal record clearance for all staff, including owners and operators. CBC shall be dated no earlier than 30 days before the application has been received by the Licensing Section. The prior owner's documentation of satisfactory criminal background checks is not transferrable; and

x. documentation of completed state central registry disclosure forms noting no justified (valid) finding of abuse and/or neglect for all staff, including owners and operators, or a determination from the Risk Assessment Panel or Division of Administrative Law (DAL) noting that the individual does not pose a risk to children. The prior owner's documentation of state central registry disclosure forms is not transferrable.

b. The prior owner's current Office of State Fire Marshal, Office of Public Health, and city fire approvals are only transferrable for 60 calendar days. The new owner shall obtain approvals dated after the effective date of the new license from these agencies within 60 calendar days. The new owner will be responsible for forwarding the approval or extension from these agencies to the Licensing Section.

c. A licensing inspection shall be conducted within 60 calendar days from the effective date of licensure of the new owner to verify that the provider is in compliance with the minimum standards. At this time, licensing staff shall complete a measurement of the facility and recreational area. Upon review of the space, the capacity of the facility may be reduced or increased as verified by the new measurement of the facility.

d. All staff and youth's information shall be updated under the new ownership prior to or on the first day services are provided by the new owner.

e. If all information in §7507.F.3. is not received prior to or on the last day services are provided by the existing owner, the new owner shall not operate until a license is issued. The new owner is not authorized to provide services until the licensure process is completed in accordance with §7507.B-C.

F.4. - J.4. ...

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 38:01561000 (July 2012), amended LR 38:3104 (December 2012), LR 39:1006 (April 2013), effective July 1, 2013, amended LR 41:

**§7511. Facility Responsibilities**

A. - A.3.(e).iv. ...

B. Background Clearances

1. No staff of the facility shall be hired until such person has submitted his/her fingerprints to the Louisiana Bureau of Criminal Identification and Information so that it may be determined whether or not such person has a criminal conviction of a felony, or a plea of guilty, or nolo contendere of a felony, or a criminal conviction, or a plea of guilty or nolo contendere to any offense included in R.S. 15:587.1, or any offense involving a juvenile victim. CBC shall be dated no earlier than 30 days prior to the date of hire. If it is determined that such a person has a conviction or has entered a plea of guilty or nolo contendere to a crime listed in R.S. 15:587.1(C) or any offense involving a juvenile victim, that person shall not be hired. No staff shall be present on the JDF premises until such a clearance is received.

2. ...

3. A criminal record check shall be conducted on all volunteers that interact with the youth. No volunteer of the facility shall be allowed to work with youth until such person has submitted his/her fingerprints to the Louisiana Bureau of Criminal Identification and Information so that it may be determined whether or not such person has a criminal conviction,

or a plea of guilty or nolo contendere to any offense included in R.S. 15:587.1, or any offense involving a juvenile victim. CBC shall be dated no earlier than 30 days prior to the volunteer being present on the JDF premises. If it is determined that such a person has a conviction or has entered a plea of guilty or nolo contendere to a crime listed in R.S. 15:587.1(C) or any offense involving a juvenile victim, that person shall not be allowed to volunteer with youth at the JDF. No volunteer shall be present on the JDF premises until such a clearance is received.

4. Documentation of a fingerprint-based satisfactory criminal background check (CBC) from Louisiana State Police is required for all qualified mental health professionals and all qualified medical professionals who interact with youth unless they are supervised by facility staff or court-appointed or requested by legal counsel. This check shall be obtained and dated prior to the individual being present in the facility or providing services for the facility. No person who has been convicted of, or pled guilty or nolo contendere to any offense included in R.S. 15:587.1, shall be present in any capacity in any licensed JDF. A criminal background check is satisfactory for purposes of this section if it shows no arrests for any enumerated offense or, if an arrest is shown on the background check, the background check or certified documentation from the jurisdiction of arrest affirmatively shows that the charges were disposed of without a conviction for any excludable offense. A plea of guilty or nolo contendere shall be deemed a conviction.

5. Documentation of a fingerprint-based satisfactory criminal background check (CBC) from Louisiana State Police is required for all Louisiana Department of Education staff or local school district staff that interact with youth. This check shall be obtained prior to the individual being present in the



facility or providing services for the facility. No person who has been convicted of, or pled guilty or nolo contendere to any offense included in R.S. 15:587.1, shall be present in any capacity in any licensed JDF. CBC shall be dated prior to the individual being present on the premises. A criminal background check is satisfactory for purposes of this section if it shows no arrests for any enumerated offense or, if an arrest is shown on the background check, the background check or certified documentation from the jurisdiction of arrest affirmatively shows that the charges were disposed of without a conviction for any excludable offense. A plea of guilty or nolo contendere shall be deemed a conviction.

a. If an individual has previously obtained a certified copy of their criminal background check obtained from the Louisiana Bureau of Criminal Identification and Information Section of the Louisiana State Police, such certified copy shall be acceptable as meeting the CBC requirements. If an individual provides a certified copy of their criminal background check which he/she has previously obtained from the Louisiana State Police to the provider, this criminal background check shall be accepted for a period of one year from the date of issuance of the certified copy. An original certified copy or a photocopy of the certified copy shall be kept on file at the JDF. Prior to the one-year expiration of the certified criminal background check, a new fingerprint-based satisfactory criminal background check shall be obtained from Louisiana State Police in order for the individual to continue providing services at the JDF. If the clearance is not obtained prior to the one-year expiration of the certified criminal background check, the individual is no longer allowed on the premises until a clearance is received;

b. For the first school year that a LDE staff person or local school district staff person provides services

to a child, that LDE staff person or local school district staff person shall provide documentation of a fingerprint based satisfactory criminal record check as required by §7511.B.5 or shall provide the original, completed, signed, notarized, DCFS-approved affidavit to the provider prior to being present and working with a child or children at the facility. A photocopy of the original affidavit shall be kept on file at the facility. This affidavit will be acceptable for the entire school year noted in the text of the affidavit and expires on May 31 of the current school year. For all subsequent school years following the first year, the LDE staff or local school district staff person shall present a new affidavit or an original, completed, and signed letter from the superintendent of the school district or designee or superintendent of LDE or designee. The provider will need to view the original letter presented by the LDE staff or local school district staff person and keep a photocopy of the original letter on file at the facility. This letter will be acceptable for the entire school year noted in the text of the letter and expires on May 31 of the current school year. The letter is acceptable only if the following conditions are met:

i. the LDE staff person or local school district staff person has remained employed with the same school district as noted in the affidavit the provider has on file;

ii. the provider has maintained a copy of the affidavit on file; and

iii. the letter is presented on school district letterhead or LDE letterhead and signed by the superintendent of the school district or designee or superintendent of LDE or designee.

46. Prior to employment, each prospective employee shall complete a state central registry disclosure form prepared by the department as required in R.S. 15:1110.2. This information

shall be reported prior to the individual being on the premises of the juvenile detention facility and shall be updated annually, at any time upon the request of DCFS, and within 24 hours or no later than the next business day, whichever is sooner, of any staff receiving notice of a justified (valid) finding of child abuse or neglect.

a. The prospective paid staff (employee) shall complete, sign, and date the state central registry disclosure form and submit the disclosure form to the owner or operator of the facility.

i. If a prospective staff (employee) discloses that his or her name is currently recorded as a perpetrator on the state central registry, the administrator shall inform the applicant they will not be considered for employment at that time due to the state central registry disclosure. The administrator will provide the prospective employee with the risk evaluation panel form (SCR 2) so that a risk assessment evaluation may be requested.

ii. Individuals are not eligible for employment unless and until they provide written documentation from the risk evaluation panel or the Division of Administrative Law expressly stating that they do not pose a risk to youth.

b. Current staff receiving notice of a justified (valid) finding of child abuse and/or neglect shall complete an updated state central registry disclosure form (SCR 1) noting the existence of the justified (valid) finding as required by R.S. 15:1110.2. This updated SCR 1 shall be submitted to the Licensing Section management staff within 24 hours or no later than the next business day, whichever is sooner, or upon being on the juvenile detention facility premises, whichever is sooner. Staff will have 10 calendar days from the date of required completion of the state central

registry disclosure form to request a risk assessment evaluation in accordance with LAC 67:I.305 or shall be terminated immediately.

i. If the staff person will no longer be employed at the facility, the provider shall submit a signed, dated statement indicating that the staff will not be on the premises of the facility at any time.

ii. Immediately upon the receipt of the knowledge that a justified (valid) finding has been issued by DCFS and as a condition of continued employment the staff person shall be directly supervised by a paid staff (employee) of the facility who has completed the required state central registry disclosure form and who has indicated on that form that the employee's name does not appear on the state central registry with a justified (valid) finding on the state central registry. Provider shall submit a written statement to Licensing Section management staff acknowledging that the staff is under continuous direct supervision by a paid staff as provided above. When these conditions are met, the staff (employee) may be counted in staff to youth ratio. Under no circumstances may the staff person with the justified finding be left alone and unsupervised with the youth pending the disposition by the risk evaluation panel or the Division of Administrative Law that the staff person does not pose a risk to youth.

iii. If the risk evaluation panel finds the individual does pose a risk to youth and the individual fails to appeal the decision within the required timeframe, the staff (employee) shall be terminated immediately.

iv. If the risk evaluation panel finds the individual poses a risk to youth and the individual appeals the finding to the Division of Administrative Law within the required timeframe, the staff (employee) shall continue to be

under direct supervision at all times by another paid employee of the facility who has completed the required state central registry disclosure form and who has indicated on that form that the employee's name does not appear on the state central registry with a justified (valid) finding on the state central registry until a ruling is made by the Division of Administrative Law that they do not pose a risk to youth. Supervision must continue until receipt of a ruling from the Division of Administrative Law that they do not pose a risk to youth.

v. If the Division of Administrative Law upholds the risk evaluation panel finding that the individual does pose a risk to youth, the individual shall be terminated immediately.

c. Any owner, operator, current or prospective employee, or volunteer of a juvenile detention facility requesting licensure by DCFS and/or a juvenile detention facility licensed by DCFS is prohibited from working in a juvenile detention facility if the individual discloses, or information is known or received by DCFS, that the individual's name is recorded on the state central registry (SCR) as a perpetrator for a justified (valid) finding of abuse and/or neglect of a child, unless there is a finding by the risk evaluation panel or a ruling by the Division of Administrative Law that the individual does not pose a risk to youth.

#### C. Health Screening

1. All staff shall receive a physical examination ~~prior to employment, including~~ that includes screening for infectious and contagious diseases ~~prior to job assignment. in accordance with state and federal laws.~~ Documentation of this examination shall be dated within three months prior to the

staff's date of hire or within 30 days after staff's date of hire. Physical examinations shall be required every three years.

D. - F.1.b ...

2. Orientation

a. All new direct care staff and support staff that have direct contact with youth shall receive a minimum of 40 hours of orientation training before assuming any job duties. This training shall include, at a minimum, the following:

i. - 3.b.xi. ...

4. Annual Training

a. All direct care staff and support staff shall receive a minimum of 40 hours of training annually. This training shall include, at a minimum, the following:

4.a.i. - 5. a.ix. ...

6. All staff employed longer than 60 days shall maintain documentation of current certification in first aid and CPR.

G. Staffing Requirements

1. - 3. ...

4. A minimum of one direct care staff shall be maintained in rooms when educational services are being provided, with additional staff in close proximity of the educational service rooms in order to intervene, if necessary.

5. Youth shall be checked by a staff person at least every 15 minutes when in sleeping rooms, whether asleep or awake. Documentation of checks shall be maintained.

6. Direct care staff who are needed to satisfy the staff to youth ratio shall be able to directly see, hear, and speak with the youth when youth are not in their sleeping rooms.

47. There shall be a minimum of 1 to 16 ratio of direct care staff to youth during the hours that youth are asleep.

~~58.~~ Direct care staff of one gender shall be the sole supervisor of youth of the same gender during showers, physical searches, pat downs, or during other times in which personal hygiene practices or needs would require the presence of a direct care staff of the same gender.

~~69.~~ Video and audio monitoring devices shall not substitute for supervision of youth.

~~710.~~ The provider shall provide youth that have limited English proficiency with meaningful access to all programs and activities. The provider shall provide reasonable modifications to policies and procedures to avoid discrimination against persons with disabilities.

H. - I.1.d.v.(b). ...

vi. Copies of all written reports shall be maintained ~~in the youth's file~~ in a central incident file.

J. Abuse and Neglect

1. ...

2. In accordance with Article 603 of the *Louisiana ~~Youth's~~ Children's Code*, all staff employed by a juvenile detention facility are mandatory reporters. In accordance with Article 609 of the *Louisiana ~~Youth's~~ Children's Code*, a mandatory reporter who has cause to believe that a child's physical or mental health or welfare is endangered as a result of abuse or neglect or was a contributing factor in a child's death shall report in accordance with Article 610 of the *Louisiana ~~Youth's~~ Children's Code*.

K. Grievance Procedure

1. - 4. ...

5. The provider shall maintain ~~a log documenting~~ all verbal, written, and/or anonymous grievances filed and the manner in which they were resolved in a central grievance file.

6. A copy of the grievance and the resolution shall be given to the youth, ~~copy maintained in the youth's file,~~ and a copy shall be kept in a central grievance file.

L. - 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 41:

**§7513. Admissions and Release**

A. - E.2.a.xi. ...

~~2. b. Youth shall receive a Mantoux Tuberculin skin test within 72 hours of arrival at the facility, unless documentation has been received that a Mantoux Tuberculin skin test was completed in the last six months.~~

F. - H.2.c. ...

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 38:1569 (July 2012), amended LR 41:

**§7515. Youth Protections**

A. - E.2.c.vii. ...

d. Staff involved shall file an incident report with the shift supervisor by the end of the shift. The report shall outline in detail the presenting circumstances and a copy shall be kept in ~~the youth's file and~~ a central incident report file. At a minimum, the incident report shall contain the following:

- i. name of the youth;
- ii. date and time the incident occurred;



- iii. a brief description of the incident;
- iv. where the incident occurred;
- v. any youth and/or staff involved in the incident;
- vi. immediate treatment provided if any;
- vii. signature of the staff completing the report; and
- viii. any follow-up required.

E.2.e. - F.4.d. ...

5. In all situations in which a restraint is used, staff involved shall record an incident report with the shift supervisor by the end of the shift. The report shall outline in detail the presenting circumstances and a copy shall be kept in ~~the youth's file and~~ a central incident report file. At a minimum, the incident report shall contain the following:

- a. the name of the youth;
- b. the date, time, and location the intervention was used;
- c. the type of intervention used;
- d. the name of the staff member requesting use of the intervention;
- e. the name of the supervisor authorizing use of the intervention;
- f. a brief description of the incident and the reason for the use of the intervention;
- g. the efforts made to de-escalate the situation and alternatives to the use of intervention that were attempted;
- h. any other youth and/or staff involved in the incident;
- i. any injury that occurred during the intervention restraint and immediate treatment provided if any;

j. the date and time the youth was released from the intervention;

k. the name and title of the health professional authorizing continued use of a restraint if necessary beyond 60 minutes;

l. signature of the staff completing report; and

m. any follow-up required.

F.6. - G.4. ...

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 38:1572 (July 2012), amended LR 41:

**§7517. Facility Services**

A. - A.4. ...

5. Within three ~~calendar~~ school days of the youth's arrival at the facility, the provider shall request educational records from the youth's previous school. If records are not received within ten school days of the request, the administrator shall report in writing on the eleventh day to the local school district from which records were requested that the information has been requested and not received. If the records are not received within the following seven school days of notifying the local school district, the administrator shall file a written complaint with the Board of Elementary and Secondary Education (BESE) on the eighth day.

6. - 14 ...

15. The administrator shall immediately report in writing to the local school district if the facility school is not being staffed adequately to meet state student to teacher ratios for education, including not but not limited to, special

education staff and substitute teaching staff. If the issue is not ~~timely~~ resolved within five school days by the local school district, then the administrator shall file a written complaint on the sixth day with BESE ~~the State Board of Education~~ and cooperate with any subsequent directives received from BESE ~~the State Board of Education~~.

B. - D.3.b.i. ...

ii. Staff shall document the monitoring of youth on suicide watch at the time they conduct the monitoring. The qualified mental health professional shall approve the standard protocol for the maximum amount of time that should lapse between monitoring by a staff member. The qualified mental health professional shall document any deviation from the approved standard protocol for specific cases. Staff shall monitor no less frequently than the recommendations set forth by the mental health professional.

iii. - F.16. ...

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 41:

#### **Family Impact Statement**

The proposed rule is not anticipated to have an impact on family formation, stability, and autonomy as described in R.S. 49:972.

#### **Poverty Impact Statement**

The proposed rule is not anticipated to have an impact on poverty as described in R.S. 49:973.

#### **Small Business Impact Statement**

The proposed rule is not anticipated to have an adverse impact on small businesses as defined in the Regulatory Flexibility Act.

#### **Provider Impact Statement**

The proposed rule is not anticipated to have an impact on providers of services funded by the state as described in HCR 170 of the 2014 Regular Legislative Session.

#### **Public Comments**

All interested persons may submit written comments through, January 26, 2016, to Kim Glapion-Bertrand, Deputy Secretary of Programs, Department of Children and Family Services, P.O. Box 3776, Baton Rouge, LA 70821.

#### **Public Hearing**

A public hearing on the proposed Rule will be held on January 26, 2016 at the Department of Children and Family Services, Iberville Building, 627 North Fourth Street, Seminar Room 1-127, Baton Rouge, LA beginning at 9:00 a.m. All interested persons will be afforded an opportunity to submit data, views, or arguments, orally or in writing, at said hearing. Individuals with disabilities who require special services should contact the Bureau of Appeals at least seven working days in advance of the hearing. For assistance, call 225-342-4120 (Voice and TDD).

Suzy Sonnier  
Secretary

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

Person Preparing Statement: Angie Badeaux Department: Children and Family Services
Phone: 225-342-4350 Office: Division of Programs
Return Address: 627 N. 4th St., P.O. Box 3078 Rule Title: Juvenile Detention Regulation Clarifications
Baton Rouge, LA 70802 Date Rule Takes Effect: April 1, 2016

SUMMARY

In accordance with Section 953 of Title 49 of the Louisiana Revised Statutes, there is hereby submitted a fiscal and economic impact statement on the rule proposed for adoption, repeal or amendment. THE FOLLOWING STATEMENTS SUMMARIZE ATTACHED WORKSHEETS, I THROUGH IV AND WILL BE PUBLISHED IN THE LOUISIANA REGISTER WITH THE PROPOSED AGENCY RULE.

I. Estimated Implementation Costs (Savings) to State or Local Governmental Units (Summary)

This rule proposes to amend LAC 67:V, Subpart 8, Chapter 75 Juvenile Detention Facilities, sections 7505, 7507, 7511, 7513, 7515, and 7517. The proposed rule will clarify and enhance current regulations for the health and safety of youths placed in Juvenile Detention Facilities. The modifications will address ownership and organizational type, application requirements, criminal background checks, health screenings, training, supervision, incidents, grievances, monitoring, and educational requirements.

The only cost associated with this proposed rule is the cost of publishing rulemaking, which is estimated to be approximately \$4,047 (\$1,012 State General Funds and \$3,035 Federal Funds) in FY 15-16. This is a one-time cost that is routinely included in the department's operating budget.

II. Estimated Effect on Revenue Collections of State or Local Governmental Units (Summary)

Implementation of this rule will have no effect on state or local revenue collections.

III. Estimated Costs and/or Economic Benefits to Directly Affected Persons or Non-Governmental Groups (Summary)

This rule will have no impact on the estimated costs of any persons or non-governmental groups.

IV. Estimated Impact on Competition and Employment (Summary)

There is no estimated impact on competition and employment.

Signature of Agency Head or Designee

Date

LEGISLATIVE FISCAL OFFICER OR DESIGNEE

Kim Glapion-Bertrand, Deputy Secretary
Typed Name and Title of Agency Head

DATE OF SIGNATURE

DCFS Undersecretary