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John Bel Edwards, Governor  
Marketa Garner Walters, Secretary

November 10, 2021

The Honorable Fred H. Mills, Jr.  
Chairman, Senate Committee on Health and Welfare  
Via Email: [apa.s-h&w@legis.la.gov](mailto:apa.s-h&w@legis.la.gov)

The Honorable Larry Bagley  
Chairman, House Committee on Health and Welfare  
Via Email: [apa.h-hw@legis.la.gov](mailto:apa.h-hw@legis.la.gov)

RE: Department of Children and Family Services (DCFS) Rulemaking

The Department of Children and Family Services (DCFS) hereby announces its plan to proceed with rulemaking by finalizing the Notice of Intent titled "Sanctions, Child Placing Supervisory Visits, and Specialized Provider Provisions" that was promulgated and published on page 1366 of the September 2021 *Louisiana Register*. Copies of the notice and fiscal statement were provided to you on, or about, September 10, 2021.

The proposed rule places in rule the authority of the Department to institute intermediate sanctions and levy fines against licensed providers that fail to comply with the requirement of a state central registry check for individuals owning, working in, and having access to children/youth in DCFS licensed facilities and agencies. Furthermore, the rule codifies Children's Code Article 1213 of the 2021 Regular Legislative Session regarding child placing agency supervisory visits. In addition, proposed rule requires individuals to request a state central registry clearance every 5 years if the individual resides in a state other than Louisiana. Section 7117 allows a nurse practitioner to complete a medical examination, in addition to a physician. Section 7314 removes the term children of residents from the rule as this is not a term associated with child placing agency regulations. Lastly, Section 7319 clarifies the requirements of a legally married couple when applying to become a foster/adoptive parent.

DCFS held a public hearing on October 26, 2021, and no comments were received on the proposal. At this time, the department intends to submit the Final Rule to the Office of State Register for publication in the December 2021 issue of the *Louisiana Register*. This Rule is effective January 1, 2022.

Please contact me at (225) 400-3311 if the department may be of any assistance to you concerning this matter.

Sincerely,

A handwritten signature in black ink that reads "Terri Ricks".

Terri Ricks  
Deputy Secretary

tr/cd

cc: The Honorable Patrick P. Cortez, President, Louisiana Senate  
Office of the State Register

