

**DECLARATION OF EMERGENCY**

**Department of Children and Family Services**

**Division of Programs  
Licensing Section**

**Health Status**

**(LAC 67:V.7313 and 7315)**

The Department of Children and Family Services (DCFS) has exercised the emergency provisions of the Administrative Procedure Act, R.S. 49:953 (B) to amend LAC 67:V, Subpart 8, Chapter 73 Child Placing Agencies - General Provisions, Sections 7313 and 7315. This Emergency Rule shall be effective February 26, 2016 and shall remain in effect for a period of 120 days.

The department considers emergency action necessary due to the increased number of children entering the foster care system and the need for available foster and adoptive homes. The department seeks to expand the number of potential applicants which enables the department to certify additional foster and adoptive parents who will provide a safe and nurturing environment for our most vulnerable children.

**Title 67**

**SOCIAL SERVICES**

**Part V. Child Welfare**

**Subpart 8. Residential Licensing**

**Chapter 73. Child Placing Agencies - General Provisions**

**§7313. Foster Care Services**

A. - B.2.d.iv.(a). ...

v. health;

(a). a statement for each member of the applicant's household ~~that shall be~~ signed by a licensed physician or licensed health care professional verifying that the individual:

(i). ~~is free of a communicable or~~

~~infectious disease; and~~ has no past nor present physical or mental illness or condition that would present a health or safety risk to a child placed in the applicant's home;

(ii). ~~has no illness or condition that would present a health, to include past and present mental health, or safety risk to a child placed in the applicant's home;~~ is physically able to provide necessary care for a child; and

(iii). ~~is physically able to provide necessary care for a child;~~ is free of a communicable or infectious disease or if not free of a communicable or infectious disease, there shall be a signed statement by the licensed treating physician or licensed treating health care professional verifying the following:

[a]. the individual is under the care of a licensed physician or licensed health care professional; and

[b]. the present condition does not present a health or safety risk to a child placed in the applicant's home.

B.2.e. - C.5.b.vii. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:477 and ACT 64 of the 2010 Regular Legislative Session.

HISTORICAL NOTE: Promulgated by the Department of Children and Family Services, Division of Programs, Licensing Section, LR 37:833 (March 2011), amended by the Department of Children and Family Services, Division of Programs, Licensing Section, LR 38:985 (April 2012), LR 42:

**§7315. Adoption Services**

A. - F.2.d.iv.(a). ...

v. health:

(a). a statement for each member of the

applicant's household ~~that shall be~~ signed by a licensed physician or licensed health care professional verifying that the individual:

(i). ~~is free of a communicable or infectious disease;~~ has no past nor present physical or mental illness or condition that would present a health or safety risk to a child placed in the applicant's home;

(ii). ~~has no illness or condition that would present a health, to include past and present mental health, or safety risk to a child placed in the applicant's home;~~ and is physically able to provide necessary care for a child; and

(iii). ~~is physically able to provide necessary care for a child;~~ is free of a communicable or infectious disease or if not free of a communicable or infectious disease, there shall be a signed statement by the licensed treating physician or licensed treating health care professional verifying the following:

[a]. the individual is under the care of a licensed physician or licensed health care professional; and

[b]. the present condition does not present a health or safety risk to a child placed in the applicant's home.

F.2.e. - J.4.e. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:477 and ACT 64 of the 2010 Regular Legislative Session.

HISTORICAL NOTE: Promulgated by the Department of Children and Family Services, Division of Programs, Licensing Section LR 37:842 (March 2011), LR 42:

Marketa Garner Walters  
Secretary