

Mandatory Reporting Requirements, Law Enforcement, and Patient Confidentiality in Louisiana

Note: This resource is up-to-date as of June 2026.

Why use this fact sheet?

Confidentiality is central to the provider-patient relationship and a core part of medical ethics. In addition, violating patient confidentiality unnecessarily may carry professional or legal penalties. This fact sheet provides an overview of some of the major mandatory reporting requirements and where they intersect with patient privacy – with a specific focus on self-managed abortion. This factsheet does not include reporting requirements that are specific to long-term care facilities. This fact sheet does not contain legal advice, and we recommend that providers who have further questions about their reporting requirements consult an in-state attorney for more information.

Who wrote this guide and why?

If/When/How: Lawyering for Reproductive Justice is a legal advocacy organization. We created this fact sheet in part because the most common cause of the criminalization of people who self-manage their own abortion care is unnecessary reports to law enforcement by medical providers. We also frequently field questions from providers who are concerned about what they may need to report. We know providers share our concern that risk to patients may be high when a report to law enforcement is triggered. In the case of reporting self-managed abortion, the consequences to patients might include jail time, losing custody of their children, a criminal record, or fines – all of which are unjust responses by an overzealous, racially biased system and frequently violate people's rights. Failure to report when it is necessary also carries risk of liability, so we want providers to feel confident in their ability to discern when reporting is legally required, and what must be included.

Providers can also help protect their patients from unjust criminalization.

Know your mandatory reporting obligations, and where they intersect with patient privacy.

This fact sheet covers most mandatory reporting requirements that are in Louisiana laws. Your hospital, clinic, or practice may have additional reporting requirements that you should be familiar with. Providers can help patients maintain their agency and confidentiality while fulfilling their mandatory reporting obligations by:

- Not reporting patients if not legally required
- Not asking patients for information that is not necessary to patient care
- Informing patients of what the provider may have to report prior to taking patient history or treating the patient
- Carefully considering what information is necessary to document in a medical chart

Providers can also help protect their patients from unjust criminalization by ensuring that their hospital or clinic reporting policies do not conflict with HIPAA or state laws on medical privacy.

Major Mandatory Reporting Requirements in Louisiana¹

Crime: Self-managed abortion is not a crime.

Louisiana health care providers are not required to report crimes other than child abuse, or certain results of crimes, such as serious injuries as described elsewhere in this fact sheet. Abortion seekers are exempt from criminal liability for using abortion pills to end their own pregnancy.² The abortion seeker is also exempt³ from criminal liability under Louisiana's current ban on abortion provision.

Child and vulnerable adult abuse: A child or vulnerable adult self-managing an abortion is not ordinarily reportable as abuse.

Legal requirements for child abuse reporting are fraught with bias, in particular toward families of color and families struggling to make ends meet. However, all health care providers in Louisiana who diagnose, examine, treat, or provide counseling are mandatory reporters for suspected child abuse⁴ and neglect.⁵ Health care providers are also mandatory reporters for suspected vulnerable adult abuse and neglect.⁶ Because suspicion is subjective and can often stem from bias, health care providers should thoroughly examine any potential bias at play when deciding whether or not a report is required under the law. Under Louisiana law, pregnancy is not a trigger for an abuse investigation, however, a pregnancy of a child 12 or under is "cause to consider"⁸ abuse.

**Have more questions?
Reach out to request technical assistance.**

Even if a provider decides to make an abuse report, the fact that a minor or vulnerable adult self-managed their own abortion would not ordinarily need to be included in a report. Providers are not required to report domestic violence or sexual assault in Louisiana unless the victim is a minor or vulnerable adult.

Statutory rape: If a provider does need to report a statutory rape, the fact that the patient attempted to end the pregnancy is not relevant to the investigation.

Louisiana requires all health care providers to report statutory rape as child abuse.⁹ Statutory rape includes a young person aged 16 or younger having sexual contact with anyone who is 2 or more years older.¹⁰ In general, unless providers know the age of the patient's partner, they lack the information required to make a report. The age of a minor's sexual partner is rarely clinically significant to care provision. Health care providers should inform adolescent patients about what constitutes reportable sexual conduct prior to talking to them about care where possible.

Certain traumas and injuries: Self-managed abortion is not a reportable injury.

Louisiana hospitals must report gunshot wounds, burn injuries, severe head trauma, spinal cord injury, and some other conditions to law enforcement.¹¹ Though most people self-manage with medication, sometimes people without access to medication or other safe abortion care may utilize more physical methods, such as asking someone to punch them in the stomach in order to induce a miscarriage. Providers in Louisiana would not need to report such an injury. If a provider reports a gunshot wound that was an attempt to induce a miscarriage, it is a violation of patient confidentiality to divulge the reason behind the injury. Additionally, providers should note that allowing law enforcement into a patient's room is often a patient privacy violation.¹²

Overdoses and drug use during pregnancy: There are limited circumstances where a provider must report substance use during pregnancy.¹³ If a provider knows that someone is overdosing in order to cause a miscarriage, that patient's intention behind the overdose is not required information to include in a report.

Louisiana defines use of criminalized drugs during pregnancy that results in harm to a born child as "prenatal neglect."¹⁴ However, this is in contemplation of the termination of parental rights, and applies only where a child is born as a result of the pregnancy.¹⁵ In this context, Louisiana defines harm as when a child is born with neonatal abstinence syndrome or similar symptoms.¹⁶

Only physicians are required to report prenatal drug exposure¹⁷ that results in harm to a born child. A provider is required to make a child abuse report to the Louisiana Department of Children and Family Services when a newborn exhibits symptoms of withdrawal or other harm due to alcohol use during the pregnancy or when a drug test of the newborn is positive.¹⁹ Louisiana also mandates that coroners report when an overdose results in death.²⁰

Self-harm:

Louisiana law requires mental health care providers to report when someone is a danger to themselves or others.²¹ Revealing an intention to self-manage an abortion is not a threat of self-harm, unless the patient reveals a physical threat to themselves. However, mental health providers may be able to mitigate this risk without reporting by employing other clinical interventions that successfully eliminate this threat.

Abortion:²² It is never necessary to report a patient's intention to self-manage an abortion.

Louisiana requires abortion reporting for vital statistics purposes,²³ including specific requirements around reporting abortion complications,²⁴ serious adverse event reporting,²⁵ and abortion information reporting.²⁶ Generally, physicians²⁷ are only required to report abortions that they themselves perform, though all physicians must report abortion complications they treat.²⁸ The intention to self-manage - or the event of self-managing - is not information a physician is required to provide under state law.

Fetal death: Under the current definition of "fetal death", providers are not clearly required to report any induced termination of pregnancy, including self-managed abortion.²⁹

A provider who attends a fetal death must prepare a fetal death certificate when a fetus weighs more than 350 grams or is older than 20 weeks gestational age.³⁰ Typically a provider's institution will file the certificate.³¹ If a fetal death occurs without medical attendance, or due to causes other than natural ones, a provider must report such death to the registrar, who will ask the coroner to investigate the death and prepare and file a certificate.³² "Unclaimed stillbirths" (after 20 weeks or when a fetus weighs at least 350 grams) must be reported to the Bureau of Anatomical services, who will likely refer the case to the coroner.³³

HIPAA:

HIPAA generally prevents health care providers and entities from disclosing patient information without patient consent, and the state reporting laws discussed in this fact sheet are exceptions to that rule.³⁴ This means that when a provider is legally required to make a report, HIPAA allows them to share patient information that is specifically required or permitted by the applicable state reporting law.

Providing any additional patient information beyond what is specifically required or permitted by state law would likely violate HIPAA. Accordingly, providers should carefully consider what patient information is necessary for making a report. For example, if a provider treats a minor patient for an injury that gives them cause to suspect physical abuse, the provider could share the records that are relevant to the suspected abuse, but they likely could not share the patient's entire medical record without violating HIPAA.

Providers with questions about medical privacy laws in relation to reproductive health care can request technical assistance from If/When/How: <https://ifwhenhow.org/learn/technical-assistance/>.

Citations

1. This fact sheet focuses on mandatory reporting requirements that involve law enforcement or an analogous health authority. It does not include mandatory reporting requirements concerning communicable diseases, childhood blood lead levels, etc. It also does not include reporting requirements specific to long-term care facilities. The fact sheet intends to cover reporting requirements for physicians, nurses, physician assistants, midwives, social workers, mental health professionals, and emergency medical technicians. If you know of a mandatory reporting requirement for these professionals in Louisiana involving or potentially involving law enforcement that is not covered on this sheet, please contact info@ifwhenhow.org.
2. La. R.S. § 14:87.9(C)(2) and (C)(3).
3. La. R.S. § 40:1061(H). Although prosecution for self-managed abortion is not supported by Louisiana law, Louisiana—like other states—may seek to prosecute self-managed abortion even where laws do not explicitly apply.
4. A child means a person under 18 who is not legally emancipated or married. La. Child. Code Ann. art. 603(6)
5. La. Child. Code Ann. art. 603(17).

Citations

6. A vulnerable adult is “any individual eighteen years of age or older, or an emancipated minor who, due to a physical, mental, or developmental disability or the infirmities of aging, is unable to manage his own resources, carry out the activities of daily living, or protect himself from abuse, neglect, or exploitation.” La. R.S. § 15:1503(3)
7. La. R.S. § 15:1504.
8. La. Child. Code Ann. art. 609(A)(1)(b).
9. La. Child. Code Ann. art. 603(2)(c).
10. La. R.S. §14-80, § 14-80.1, § 14-81. Sexual contact with a young person under 13 years of age is always considered assault. La. R.S. § 14-42(A)(4).
11. La. R.S. § 14:403.4-5. The full list of Louisiana reportable conditions can be found here: <https://perma.cc/L4LP-AL4A>.
12. *Working Group on Policing and Patient Rights, Police in the Emergency Department: A Medical Provider Toolkit for Protecting Patient Privacy* (2021), <https://perma.cc/T8QF-PGY8>.
13. If/When/How offers a detailed Resource on prenatal and infant drug testing and reporting requirements. See If/When/How: *Lawyering for Reproductive Justice, Prenatal Drug Exposure: CAPTA Reporting Requirements for Medical Professionals* (Jan. 2026), <https://ifwhenhow.org/resources/prenatal-drug-exposure-capta/>.
14. ““Prenatal neglect” means exposure to chronic or severe use of alcohol or the unlawful use of any controlled dangerous substance, as defined by R.S. 40:961 et seq., or in a manner not lawfully prescribed, which results in symptoms of withdrawal in the newborn or the presence of a controlled substance or a metabolic thereof in his body, blood, urine, or meconium that is not the result of medical treatment, or observable and harmful effects in his physical appearance or functioning.” La. Child. Code Ann. art. 603(24).
15. Arguably, only physicians must report prenatal neglect. Though all medical providers are mandatory reporters, and prenatal neglect is technically neglect (and thus reportable by anyone), a brochure from the Louisiana Department of Health only lists physicians as reporters of prenatal neglect. La. Admin. Code tit.67 § V.1135.

Citations

16. La. Admin. Code tit.67 § V.1135. Note that there are two methods depending on whether the drugs ingested were prescribed or unlawfully obtained. Prescribed drugs require a faxed form, while unlawful drug use requires a call to the CPS Hotline. The full directive from the form is as follows: "This notification does not constitute a report of child abuse and or neglect and shall be faxed to Centralized Intake at (225) 342-7768. This notification is used to notify DCFS newborns who exhibit symptoms of withdrawal or other observable and harmful effects in his physical appearance or functioning that a physician believes is due to the use of a controlled dangerous substance, as defined by R.S. 40:961 et seq., in a lawfully prescribed manner, by the mother during pregnancy. If a newborn is exhibiting withdrawal symptoms that are believed to be the result of unlawful use of a controlled dangerous substance; or, if you suspect abuse and or neglect including suspicion of prenatal neglect, you must contact the CPS Hotline at 1-855-4LA-KIDS to make a report of suspected child abuse/neglect."

17. Though Louisiana law is unclear on this point, a positive test for prescription medication, such as methadone, buprenorphine, or cannabis, likely does not trigger a report unless the provider knows it was used unlawfully.

18. La. Admin. Code tit.67 § V.1135 only applies to physicians.

19. La. Child. Code Ann. art. 610(G)(2).

20. La. R.S. § 40:34(C)(2).

21. This requires a "threat of physical violence...against a clearly identified victim...coupled with the apparent intent and ability to carry out such threat." La. R.S. § 9:2800.2.

Citations

22. ““Abortion” or “induced abortion” means the performance of any act with the intent to terminate a clinically diagnosable pregnancy with knowledge that the termination by those means will, with reasonable likelihood, cause the death of the unborn child, whether or not the child survives, by one or more of the following means: (i) Administering, prescribing, or providing any abortion-inducing drug, potion, medicine, or any other substance, device, or means to a pregnant female. (ii) Using an instrument or external force on a pregnant female. (b) Abortion shall not mean any one or more of the following acts, if performed by a physician: (i) A medical procedure performed with the intention to save the life or preserve the health of an unborn child. (ii) The removal of a dead unborn child or the inducement or delivery of the uterine contents in case of a positive diagnosis, certified in writing in the woman’s medical record along with the results of an obstetric ultrasound test, that the pregnancy has ended or is in the unavoidable and untreatable process of ending due to spontaneous miscarriage, also known in medical terminology as spontaneous abortion, missed abortion, inevitable abortion, incomplete abortion, or septic abortion. (iii) The removal of an ectopic pregnancy.” La. R.S. § 14:87.1(1). In 2026, HB288 added R.S. 22:46.1 and R.S. 40:1300.81, allowing for the term “miscarriage” to be added in parentheses next to “spontaneous abortion” whenever it is used in medical records or in medical billing.
23. La. R.S. § 40: 1061.21(A). This section does not discuss abortion reporting requirements related to abortion *clinics*, such as La. R.S. § 40:2175.7.
24. La. R.S. § 40: 1061.21(B).
25. La. R.S. § 40:1061.11. This section only applies to adverse events from abortion-inducing drugs, and then only when the physician themselves prescribed or gave an abortion-inducing drug to a pregnant person.
26. La. R.S. § 40:1061.17. It is unclear under current law how physicians are required to report the dispensing of abortion information where no abortion is then performed.
27. The Louisiana code does not currently contemplate abortion reporting requirements for abortions performed by others. La. R.S. § 40: 1061.21(A).
28. La. R.S. § 40:1061.21(B).
29. The Louisiana definition of fetal death explicitly excludes abortion. “‘Spontaneous fetal death’ and ‘stillbirth’ mean the expulsion or extraction of a product of human conception resulting in other than a live birth and when the expulsion or extraction is not the result of an induced termination of pregnancy.” La. R.S. § 40:32.
30. La. R.S. § 40:49(B)(2).
31. La. R.S. § 40:49(B)(10).
32. La. R.S. § 40:47. “Natural causes” is not defined under Louisiana law.
33. La. Admin. Code tit.48 § I.705.

Citations

34. See, e.g., Dep't of Health & Hum. Servs., *My state law authorizes health care providers to report suspected child abuse to the state department of health and social services. Does the HIPAA Privacy Rule preempt this state law?* (last reviewed Dec. 28, 2022), <https://perma.cc/4BUP-ZZDA> “[I]f a provision of State law provided for [reporting of disease or injury, child abuse, birth, or death, or for public health surveillance, investigation, or intervention] and was contrary to the [HIPAA] Privacy Rule, the State law would prevail.” *Id.* In other words, HIPAA protects all patient information from disclosure, except for what a state reporting law either requires or permits.