



## Mandatory Reporters of Child Abuse and Neglect

The Federal Child Abuse Prevention and Treatment Act (CAPTA) requires each State to have provisions or procedures for requiring certain individuals to report known or suspected instances of child abuse and neglect.<sup>1</sup> For this publication, information regarding mandatory reporting laws was collected for all States. The results indicate that all States, the District of Columbia, American Samoa, Guam, the Northern Mariana Islands, Puerto Rico, and the U.S. Virgin Islands identify in statute the professionals and other persons who are required to report instances of suspected child maltreatment. These statutes also address reporting by other persons, the responsibilities of institutions in making reports, standards for making a report, and confidentiality of the reporter's identity.

<sup>1</sup> 42 U.S.C. § 5106a(b)(2)(B)(i)

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**To find statute information for a particular State, go to**

<https://www.childwelfare.gov/topics/systemwide/laws-policies/state/>

## Professionals Required to Report

Approximately 47 States, the District of Columbia, American Samoa, Guam, the Northern Mariana Islands, Puerto Rico, and the Virgin Islands designate professions whose members are mandated by law to report child maltreatment.<sup>2</sup> Individuals designated as mandatory reporters typically have frequent contact with children. The professionals most commonly mandated to report across the States include the following:

- Social workers
- Teachers, principals, and other school personnel
- Physicians, nurses, and other health-care workers
- Counselors, therapists, and other mental health professionals
- Child care providers
- Medical examiners or coroners
- Law enforcement officers

Additional professionals who are mandated to report suspected or known maltreatment by some States include the following:

- Commercial film or photograph processors (12 States, Guam, and Puerto Rico)<sup>3</sup>
- Computer technicians (in 6 States)<sup>4</sup>
- Substance abuse counselors (14 States)<sup>5</sup>
- Probation or parole officers (17 States)<sup>6</sup>
- Directors, employees, and volunteers at entities that provide organized activities for children, such as camps, day camps, youth centers, and recreation centers (13 States)<sup>7</sup>

<sup>2</sup> The word "approximately" is used to stress the fact that States frequently amend their laws. This information is current only through April 2019. As of this date, Indiana, New Jersey, and Wyoming are the only States that do not enumerate specific professional groups as mandated reporters but require all persons to report.

<sup>3</sup> Alaska, California, Colorado, Georgia, Illinois, Iowa, Louisiana, Maine, Missouri, Oklahoma, South Carolina, and West Virginia.

<sup>4</sup> Alaska, California, Illinois, Missouri, Oklahoma, and South Carolina.

<sup>5</sup> Alaska, California, Connecticut, Illinois, Iowa, Kansas, Massachusetts, Nevada, New York, North Dakota, Oregon, South Carolina, South Dakota, and Wisconsin.

<sup>6</sup> Arkansas, California, Colorado, Connecticut, Hawaii, Illinois, Louisiana, Massachusetts, Minnesota, Missouri, Nevada, North Dakota, South Dakota, Texas, Vermont, Virginia, and Washington.

<sup>7</sup> California, Hawaii, Illinois, Louisiana, Maine, Nevada, New York, Ohio, Oregon, Pennsylvania, Vermont, Virginia, and West Virginia.

- Domestic violence workers (6 States and the District of Columbia)<sup>8</sup>
- Animal control or humane officers (7 States and the District of Columbia)<sup>9</sup>
- Court-appointed special advocates (11 States)<sup>10</sup>
- Members of the clergy (28 States and Guam)<sup>11</sup>
- Faculty, administrators, athletics staff, or other employees and volunteers at institutions of higher learning, including public and private colleges and universities and vocational and technical schools (11 States)<sup>12</sup>

## Reporting by Other Persons

In approximately 18 States and Puerto Rico, any person who suspects child abuse or neglect is required to report. Of these 18 States, 15 States and Puerto Rico specify certain professionals who must report but also require all persons to report suspected abuse or neglect, regardless of profession.<sup>13</sup> The other three States—Indiana, New Jersey, and Wyoming—require all persons to report without specifying any professions. In all other States, territories, and the District of Columbia, any person is permitted to report. These voluntary reporters of maltreatment are often referred to as "permissive reporters."

<sup>8</sup> Alaska, Arizona, Arkansas, Connecticut, Maine, and South Dakota.

<sup>9</sup> California, Colorado, Maine, Massachusetts, Ohio, Virginia, and West Virginia.

<sup>10</sup> Arkansas, California, Louisiana, Maine, Montana, Ohio, Oregon, South Carolina, Virginia, Washington, and Wisconsin.

<sup>11</sup> Alabama, Arizona, Arkansas, California, Colorado, Connecticut, Georgia, Illinois, Louisiana, Maine, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nevada, New Hampshire, New Mexico, North Dakota, Ohio, Oregon, Pennsylvania, South Carolina, Vermont, Virginia, West Virginia, and Wisconsin have this requirement. For more information, see Child Welfare Information Gateway's *Clergy as Mandatory Reporters of Child Abuse and Neglect* at <https://www.childwelfare.gov/topics/systemwide/laws-policies/statutes/clergymandated/>.

<sup>12</sup> Alabama, Arkansas, California, Georgia, Illinois, Iowa (includes only instructors at community colleges), Louisiana, Oregon, Pennsylvania, Virginia, and Washington.

<sup>13</sup> Delaware, Florida, Idaho, Kentucky, Maryland, Mississippi, Nebraska, New Hampshire, New Mexico, North Carolina, Oklahoma, Rhode Island, Tennessee, Texas, and Utah.

## Institutional Responsibility to Report

The term “institutional reporting” refers to those situations in which the mandated reporter is working (or volunteering) as a staff member of an institution, such as a school or hospital, at the time he or she gains the knowledge that leads him or her to suspect that abuse or neglect has occurred. Many institutions have internal policies and procedures for handling reports of maltreatment, and these usually require the person who suspects maltreatment to notify the head of the institution that abuse or neglect has been discovered or is suspected and needs to be reported to child protective services or other appropriate authorities.

Statutes in 32 States, the District of Columbia, and the Virgin Islands provide procedures that must be followed in those cases.<sup>14</sup> In 18 States, the District of Columbia, and the Virgin Islands, any staff member who suspects maltreatment must notify the head of the institution when the staff member feels that maltreatment or possible maltreatment should be reported to an appropriate authority.<sup>15</sup> In nine States, the District of Columbia, and the Virgin Islands, the staff member who suspects maltreatment notifies the head of the institution first, and then the head or his or her designee is required to make the report.<sup>16</sup> In nine States, the individual reporter must make the report to the appropriate child protection authority first and then notify the institution that a report has been made.<sup>17</sup>

Laws in 17 States, the District of Columbia, and the Virgin Islands make clear that, regardless of any policies within the organization, the mandatory reporter is not relieved

<sup>14</sup> Alaska, Arkansas, California, Connecticut, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, New York, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, South Dakota, Tennessee, Texas, Vermont, Virginia, West Virginia, Wisconsin, and Wyoming.

<sup>15</sup> California, Connecticut, Georgia, Hawaii, Idaho, Illinois, Indiana (applies staff of a licensed hospital), Maine, Maryland, Massachusetts, Michigan, New York, Pennsylvania, South Dakota, Tennessee, Virginia, West Virginia, and Wyoming.

<sup>16</sup> Georgia, Idaho, Indiana (applies staff of a licensed hospital), Kentucky, Maine, Massachusetts, South Dakota, Virginia, and Wyoming.

<sup>17</sup> California, Connecticut (the commissioner of Children and Families makes the notification to the institution upon receiving a report), Hawaii, Illinois, Indiana (applies to staff of a school or other institution), Michigan, New York, Pennsylvania, Tennessee, and West Virginia.

of his or her responsibility to report.<sup>18</sup> In 12 States, an employer is expressly prohibited from taking any action to prevent or discourage an employee from making a report.<sup>19</sup> In 17 States, an employer is expressly prohibited from retaliating against an employee who has made a report.<sup>20</sup> Retaliation is any adverse employment action, including, but not limited to, demotion, a reduction in pay or benefits, a negative performance evaluation, suspension, or termination of employment.

## Standards for Making a Report

The circumstances under which a mandatory reporter must make a report vary from State to State. Typically, a report must be made when the reporter, in his or her official capacity, *suspects or has reason to believe* that a child has been abused or neglected. Another frequently used standard is the requirement to report in situations in which the reporter has knowledge of, or observes a child being subjected to, conditions that would reasonably result in harm to the child. In Maine, a mandatory reporter must report when he or she has reasonable cause to suspect that a child is not living with the child’s family.

Mandatory reporters are required to report the facts and circumstances that led them to suspect that a child has been abused or neglected. They do not have the burden of providing proof that abuse or neglect has occurred. Permissive reporters follow the same standards when electing to make a report.

## Privileged Communications

Mandatory reporting statutes also may specify when a communication is privileged. “Privileged communications” is the statutory recognition of the right to maintain confidential communications between professionals and their clients, patients, or congregants. To enable States to provide protection to maltreated

<sup>18</sup> Alaska, California, Florida, Indiana, Iowa, Kentucky, Maine, Michigan, Missouri, North Dakota, Oklahoma, Oregon, South Carolina, Tennessee, Texas, West Virginia, and Wyoming.

<sup>19</sup> Arkansas, California, Connecticut, Georgia, Illinois, Indiana, Iowa, Maine, Missouri, New York, Oklahoma, and Tennessee.

<sup>20</sup> Alabama, California, Connecticut, Iowa, Kansas, Massachusetts, Michigan, Missouri, New York, North Dakota, Oklahoma, Pennsylvania, South Carolina, Texas, Vermont, Wisconsin, and Wyoming.

children, the reporting laws in most States and territories restrict this privilege for mandated reporters. All but three States and Puerto Rico currently address the issue of privileged communications within their reporting laws, either affirming the privilege or denying it (i.e., not allowing privilege to be grounds for failing to report).<sup>21</sup> The physician-patient and husband-wife privileges are the most common to be denied by States, and the attorney-client privilege is most commonly affirmed. The clergy-penitent privilege is also widely affirmed, although that privilege usually is limited to confessional communications and, in some States, denied altogether.<sup>22</sup> In Louisiana, a mental health or social services practitioner is not required to report if the practitioner is engaged by an attorney to assist in the provision of legal services to a child.

## Inclusion of the Reporter's Name in the Report

Most States maintain toll-free telephone numbers for receiving reports of abuse or neglect.<sup>23</sup> Reports may be made anonymously to most of these reporting numbers, but States find it helpful to their investigations to know the identity of reporters. Approximately 19 States, the District of Columbia, American Samoa, Guam, and the Virgin Islands currently require mandatory reporters to provide their names and contact information, either at the time of the initial oral report or as part of a written report.<sup>24</sup> The laws in Connecticut, Delaware, and Washington allow child protection workers to request the name of the reporter. In Wyoming, the reporter does not have to provide his or her identity as part of the written

<sup>21</sup> Connecticut, Mississippi, and New Jersey do not currently address the issue of privileged communications within their reporting laws. The issue of privilege may be addressed elsewhere in the statutes of these States, such as rules of evidence.

<sup>22</sup> New Hampshire, North Carolina, Oklahoma, Rhode Island, Texas, West Virginia, and Guam disallow the use of the clergy-penitent privilege as grounds for failing to report suspected child abuse or neglect. For a more complete discussion of the requirement for clergy to report child abuse and neglect, see Information Gateway's *Clergy as Mandatory Reporters of Child Abuse and Neglect* at <https://www.childwelfare.gov/topics/systemwide/laws-policies/statutes/clergymandated/>.

<sup>23</sup> For State-specific information about these hotlines, see Information Gateway's State *Child Abuse Reporting Numbers* at [https://www.childwelfare.gov/organizations/?CWIGFunctionsaction=rols:main.dspROL&rolType=Custom&RS\\_ID=5](https://www.childwelfare.gov/organizations/?CWIGFunctionsaction=rols:main.dspROL&rolType=Custom&RS_ID=5).

<sup>24</sup> Arizona, California, Colorado, Florida, Illinois, Indiana, Iowa, Louisiana, Maine, Massachusetts, Minnesota, Mississippi, Missouri, Nebraska, New Mexico, New York, North Carolina, Pennsylvania, and Vermont.

report, but if the person takes and submits photographs or x-rays of the child, his or her name must be provided.

## Disclosure of the Reporter's Identity

All jurisdictions have provisions in statute to maintain the confidentiality of abuse and neglect records. The identity of the reporter is specifically protected from disclosure to the alleged perpetrator in 44 States, the District of Columbia, American Samoa, Guam, the Northern Mariana Islands, and Puerto Rico.<sup>25</sup> This protection is maintained even when other information from the report may be disclosed.

Release of the reporter's identity is allowed in some jurisdictions under specific circumstances or to specific departments or officials, for example, when information is needed for conducting an investigation or family assessment or upon a finding that the reporter knowingly made a false report.<sup>26</sup> In six States,<sup>27</sup> the District of Columbia, and Guam, the reporter can waive confidentiality and give consent to the release of his or her name.

This publication is a product of the State Statutes Series prepared by Child Welfare Information Gateway. While every attempt has been made to be complete, additional information on these topics may be in other sections of a State's code as well as agency regulations, case law, and informal practices and procedures.

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<sup>25</sup> The statutes in Alaska, Delaware, Idaho, Massachusetts, Rhode Island, Wyoming, and the Virgin Islands do not specifically protect reporter identity but do provide for confidentiality of records in general. For more information about this issue, see the Information Gateway publication *Disclosure of Confidential Child Abuse and Neglect Records* at <https://www.childwelfare.gov/topics/systemwide/laws-policies/statutes/confide/>.

<sup>26</sup> In Alabama, Arkansas, Connecticut, Kentucky, Louisiana, Minnesota, Nevada, South Dakota, Vermont, and Virginia, the name of the reporter may be disclosed if it is determined that the reporter knowingly made a false report.

<sup>27</sup> California, Florida, Minnesota, Tennessee, Texas, and Vermont.

## Alabama

*Current Through April 2019*

### Professionals Required to Report

**Citation: Ala. Code § 26-14-3**

Reports are required from all of the following:

- Hospitals, clinics, sanitariums, doctors, physicians, surgeons, medical examiners, coroners, dentists, osteopaths, optometrists, chiropractors, podiatrists, pharmacists, physical therapists, and nurses
- Public and private K–12 employees, teachers, and school officials
- Peace officers and law enforcement officials
- Social workers
- Daycare workers or employees
- Mental health professionals
- Employees of public and private institutions of postsecondary and higher education
- Members of the clergy
- Any other person called upon to render aid or medical assistance to a child

### Reporting by Other Persons

**Citation: Ala. Code § 26-14-4**

Any other person who has reasonable cause to suspect that a child is being abused or neglected may report.

### Institutional Responsibility to Report

**Citation: Ala. Code § 26-14-3**

A public or private employer who discharges, suspends, disciplines, or penalizes an employee solely for reporting suspected child abuse or neglect pursuant to this section shall be guilty of a class C misdemeanor.

### Standards for Making a Report

**Citation: Ala. Code § 26-14-3**

A report must be made when the child is known or suspected of being a victim of abuse or neglect.

### Privileged Communications

**Citation: Ala. Code §§ 26-14-3; 26-14-10**

Only clergy-penitent and attorney-client privileges are permitted.

### Inclusion of Reporter's Name in Report

The reporter is not specifically required by statute to provide his or her name in the report.

### Disclosure of Reporter Identity

**Citation: Ala. Code § 26-14-8**

The department will not release the identity of the reporter except under court order when the court has determined that the reporter knowingly made a false report.

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## Alaska

*Current Through April 2019*

### Professionals Required to Report

**Citation: Alaska Stat. §§ 47.17.020; 47.17.023**

The following persons are required to report:

- Health practitioners or administrative officers of institutions
- Teachers and school administrators, including athletic coaches, of public and private schools
- Child care providers

- Paid employees of domestic violence and sexual assault programs, crisis intervention and prevention programs, or organizations that provide counseling or treatment to individuals seeking to control their use of drugs or alcohol
- Peace officers or officers of the Department of Corrections
- Persons who process or produce visual or printed matter, either privately or commercially
- Members of a child fatality review team or the multidisciplinary child protection team
- Volunteers who interact with children in a public or private school for more than 4 hours a week

**Reporting by Other Persons****Citation: Alaska Stat. § 47.17.020**

Mandated reporters may report cases that come to their attention in their nonoccupational capacities. Any other person who has reasonable cause to suspect that a child has been harmed may report.

**Institutional Responsibility to Report****Citation: Alaska Stat. § 47.17.020(g)**

A person required to report child abuse or neglect who makes the report to the person's job supervisor or to another individual working for the entity that employs the person is not relieved of the obligation to make the report to the department as required by law.

**Standards for Making a Report****Citation: Alaska Stat. §§ 47.17.020; 47.17.023**

A report must be made when, in the performance of his or her occupational or appointed duties, a reporter has reasonable cause to suspect that a child has suffered harm as a result of abuse or neglect.

A person providing—either privately or commercially—film, photo, visual, printed-matter processing, production, or finishing services; or computer installation, repair, or other services; or internet or cellular telephone services; who in the process of providing those services observes a film, photo, picture, computer file, image, or other matter and has reasonable cause to suspect that the film, photo, picture, computer file, image, or other matter visually depicts a child engaged in conduct described in § 11.41.455(a) (sexual exploitation of a minor or child pornography) shall immediately report the observation to the nearest law enforcement agency.

**Privileged Communications****Citation: Alaska Stat. § 47.17.060**

Neither the physician-patient nor the husband-wife privilege is recognized.

**Inclusion of Reporter's Name in Report**

The reporter is not specifically required by statute to provide his or her name in the report.

**Disclosure of Reporter Identity**

This issue is not addressed in the statutes reviewed.

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**American Samoa***Current Through April 2019***Professionals Required to Report****Citation: Ann. Code § 45.2002**

The following persons are required to report:

- Physicians or surgeons, including physicians in training, osteopaths, optometrists, chiropractors, podiatrists, child health associates, medical examiners or coroners, dentists, nurses, or hospital personnel
- Christian Science practitioners
- School officials or employees
- Social workers or workers in family care homes or child care centers
- Mental health professionals

**Reporting by Other Persons****Citation: Ann. Code § 45.2002**

All other persons are urged and authorized to report.

**Institutional Responsibility to Report**

This issue is not addressed in the statutes reviewed.

**Standards for Making a Report****Citation: Ann. Code § 45.2002**

A report is required under the following circumstances:

- A reporter has reasonable cause to know or suspect that a child has been subjected to abuse or neglect.
- A reporter has observed the child being subjected to circumstances or conditions that would result in abuse or neglect.

**Privileged Communications****Citation: Ann. Code § 45.2016**

The physician-patient privilege and the husband-wife privilege are not recognized as grounds for excluding evidence.

**Inclusion of Reporter's Name in Report****Citation: Ann. Code § 45.2010**

The name, address, and occupation of the person making the report must be included in the report.

**Disclosure of Reporter Identity****Citation: Ann. Code § 45.2027**

The identity of the reporter is not released to the subject of the report if that release would be detrimental to the safety or interests of the reporter.

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**Arizona***Current Through April 2019***Professionals Required to Report****Citation: Rev. Stat. § 13-3620**

The following persons are required to report:

- Physicians, physician's assistants, optometrists, dentists, behavioral health professionals, nurses, psychologists, counselors, or social workers
- Peace officers, child welfare investigators, or child protective services workers
- Members of the clergy, priests, or Christian Science practitioners
- Parents, stepparents, or guardians
- School personnel, domestic violence victim advocates, or sexual assault victim advocates
- Any other person who has responsibility for the care or treatment of minors

**Reporting by Other Persons****Citation: Rev. Stat. § 13-3620**

Any other person who reasonably believes that a minor is a victim of abuse or neglect may report.

**Institutional Responsibility to Report**

This issue is not addressed in the statutes reviewed.

**Standards for Making a Report****Citation: Rev. Stat. § 13-3620**

A report is required when a person reasonably believes that a minor is or has been the victim of physical injury, abuse, child abuse, a reportable offense, or neglect that appears to have been inflicted on the minor by other than accidental means or that is not explained by the available medical history as being accidental in nature.

A 'reportable offense' means any of the following:

- Any offense listed in chapters 14 and 35.1 of this title or § 13-3506.01
- Surreptitious photographing, videotaping, filming, or digitally recording or viewing a minor pursuant to § 13-3019
- Child sex trafficking pursuant to § 13-3212
- Incest pursuant to § 13-3608
- Unlawful mutilation pursuant to § 13-1214

**Privileged Communications****Citation: Rev. Stat. § 13-3620**

Only the attorney-client and the clergy-penitent privileges are recognized.

**Inclusion of Reporter's Name in Report****Citation: Rev. Stat. § 8-455**

A report made to the child abuse hotline that is maintained by the Department of Child Safety must include the name and address or contact information for the person making the report.

**Disclosure of Reporter Identity****Citation: Rev. Stat. § 8-807**

Before it releases records pertaining to child maltreatment investigations, the department shall take whatever precautions it determines are reasonably necessary to protect the identity and safety of a person who reports child abuse or neglect.

**Arkansas**

*Current Through April 2019*

**Professionals Required to Report****Citation: Ann. Code § 12-18-402**

The following individuals are mandated reporters:

- Child care, daycare, or foster care workers
- Coroners
- Dentists and dental hygienists
- Domestic abuse advocates and domestic violence shelter employees or volunteers
- Employees of the Department of Human Services
- Employees working under contract for the Division of Youth Services of the Department of Human Services
- Foster parents
- Judges, law enforcement officials, peace officers, and prosecuting attorneys
- Licensed nurses, physicians, mental health professionals or paraprofessionals, surgeons, resident interns, osteopaths, and medical personnel who may be engaged in the admission, examination, care, or treatment of persons
- Public or private school counselors; school officials, including, without limitation, institutions of higher education; and teachers
- Social workers and juvenile intake or probation officers
- Court-appointed special advocate program staff members or volunteers
- Attorneys ad litem
- Clergy members, which includes ministers, priests, rabbis, accredited Christian Science practitioners, or other similar functionaries of a religious organization
- Employees of a child advocacy center or a child safety center
- Sexual abuse advocates or volunteers who work with victims of sexual abuse

- Child abuse advocates or volunteers who work with child victims of abuse or maltreatment as employees of a community-based victim service or a mental health agency
- Victim/witness coordinators
- Victim assistance professionals or volunteers
- Employees of the Crimes Against Children Division of the Department of Arkansas State Police
- Employees or volunteers at reproductive health-care facilities
- An individual not otherwise identified in this subsection who is engaged in performing his or her employment duties with a nonprofit charitable organization other than a nonprofit hospital

**Reporting by Other Persons****Citation: Ann. Code § 12-18-401**

Any person who has reasonable cause to suspect child maltreatment may report.

**Institutional Responsibility to Report****Citation: Ann. Code §§ 12-18-402(c); 12-18-204**

An employer or supervisor of an employee identified as a mandated reporter shall not prohibit an employee or a volunteer from directly reporting child maltreatment to the child abuse hotline.

An employer or supervisor of an employee identified as a mandated reporter shall not require an employee or a volunteer to obtain permission or notify any person, including an employee or a supervisor, before reporting child maltreatment to the child abuse hotline.

Nothing in the reporting laws shall prohibit any person or institution from requiring an employee or volunteer who is a mandatory reporter to inform a representative of that person or institution that the reporter has made a report to the child abuse hotline.

**Standards for Making a Report****Citation: Ann. Code § 12-18-402**

An individual listed as a mandatory reporter shall immediately notify the child abuse hotline in the following circumstances:

- He or she has reasonable cause to suspect that a child has been subjected to maltreatment, has died as a result of maltreatment, or died suddenly and unexpectedly.
- He or she observes a child being subjected to conditions or circumstances that would reasonably result in maltreatment.

**Privileged Communications****Citation: Ann. Code §§ 12-18-402(c); 12-18-803**

A privilege or contract shall not prevent a person from reporting child maltreatment when he or she is a mandated reporter and required to report under this section.

No privilege, except that between a lawyer and a client and between a minister, including a Christian Science practitioner, and a person confessing to or being counseled by a minister, shall prevent anyone from testifying concerning child maltreatment.

When a physician, psychologist, psychiatrist, counselor, or therapist conducts interviews with or provides therapy to a subject of a report of suspected child maltreatment for purposes related to child maltreatment, the physician, psychologist, psychiatrist, licensed counselor, or therapist is deemed to be performing services on behalf of the child.

An adult subject of a report of suspected child maltreatment cannot invoke privilege on the child's behalf.

**Inclusion of Reporter's Name in Report****Citation: Ann. Code § 12-18-302**

A mandated reporter may report child maltreatment or suspected child maltreatment by telephone call, facsimile transmission, or online reporting.

Facsimile transmission and online reporting may be used in nonemergency situations by an identified mandated reporter who provides the following contact information:

- Name and phone number
- In the case of online reporting, his or her email address

A mandated reporter who wishes to remain anonymous shall make a report through the toll-free child abuse hotline telephone system.

### **Disclosure of Reporter Identity**

**Citation: Ann. Code § 12-18-909**

The identity of the reporter shall not be disclosed unless a court determines that the reporter knowingly made a false report.

## **California**

*Current Through April 2019*

### **Professionals Required to Report**

**Citation: Penal Code § 11165.7**

Mandated reporters include the following:

- Teachers, teacher’s aides, administrators, and employees of public or private schools
- Administrators or employees of day camps, youth centers, or youth recreation programs
- Administrators or employees of licensed community care or child daycare facilities
- Head Start program teachers
- Public assistance workers
- Foster parents, group home personnel, and personnel of residential care facilities
- Social workers, probation officers, and parole officers
- Employees of school district police or security departments
- District attorney investigators, inspectors, or local child support agency caseworkers
- Peace officers and firefighters, except for volunteer firefighters
- Physicians, surgeons, psychiatrists, psychologists, dentists, residents, interns, podiatrists, chiropractors, licensed nurses, dental hygienists, optometrists, marriage and family therapists, or social workers
- State or county public health employees who treat minors for venereal diseases or other conditions
- Coroners and medical examiners
- Commercial film and photographic print or image processors
- Computer technicians
- Child visitation monitors
- Animal control or humane society officers
- Clergy members and custodians of records of clergy members
- Employees of police departments, county sheriff’s departments, county probation departments, or county welfare departments
- Employees or volunteers of a court-appointed special advocate program
- Alcohol and drug counselors
- Employees or administrators of public or private postsecondary institutions
- Athletic coaches, athletic administrators, or athletic directors employed by any public or private schools
- Athletic coaches, including, but not limited to, assistant coaches or graduate assistants involved in coaching at public or private postsecondary institutions

### **Reporting by Other Persons**

**Citation: Penal Code §§ 11165.7; 11166**

Volunteers of public or private organizations whose duties require direct contact with and supervision of children are not mandated reporters but are encouraged to obtain training in the identification and reporting of child abuse and neglect and are further encouraged to report known or suspected instances of child abuse or neglect.

Any other person who reasonably suspects that a child is a victim of abuse or neglect may report.

For the purposes of this section, ‘any other person’ includes a mandated reporter who acts in his or her private capacity and not in his or her professional capacity or within the scope of his or her employment.

**Institutional Responsibility to Report****Citation: Penal Code § 11166(h)-(i)**

When two or more persons who are required to report have joint knowledge of a known or suspected instance of child abuse or neglect, and when there is agreement among them, the telephone report may be made by a member of the team selected by mutual agreement, and a single report may be made and signed by the selected member of the reporting team. Any member who has knowledge that the member who was originally designated to report has failed to do so shall thereafter make the report.

The reporting duties under this section are individual. No supervisor or administrator may impede or inhibit the reporting duties, and no person making a report shall be subject to any sanction for making the report. However, internal procedures to facilitate reporting and apprise supervisors and administrators of reports may be established, provided that they are not inconsistent with this article. An internal policy shall not direct an employee to allow his or her supervisor to file or process a mandated report under any circumstances.

The internal procedures shall not require any employee required to make reports to disclose his or her identity to the employer.

Reporting the information regarding a case of possible child abuse or neglect to an employer, supervisor, school principal, school counselor, coworker, or other person shall not be a substitute for making a mandated report to an agency specified in § 11165.9.

**Standards for Making a Report****Citation: Penal Code §§ 11166; 11165.7**

A report is required when the following circumstances apply:

- A mandated reporter, in his or her professional capacity or within the scope of his or her employment, has knowledge of or observes a child whom the reporter knows or reasonably suspects is the victim of abuse or neglect.
- Commercial film and photographic print processors have knowledge of or observe any film, photograph, videotape, negative, or slide depicting a child under age 16 engaged in an act of sexual conduct.
- Commercial computer technicians have knowledge of or observe, within the scope of their professional capacity or employment, any representation of information, data, or an image, including, but not limited to, any computer hardware, software, file, floppy disk, data storage medium, CD-ROM, computer-generated equipment, or computer-generated image, that is retrievable in perceivable form and that is intentionally saved, transmitted, or organized on an electronic medium, depicting a child under age 16 engaged in an act of sexual conduct.

For the purposes of this article, 'reasonable suspicion' means that it is objectively reasonable for a person to entertain a suspicion based upon facts that could cause a reasonable person in a like position, drawing, when appropriate, on his or her training and experience, to suspect child abuse or neglect. 'Reasonable suspicion' does not require certainty that child abuse or neglect has occurred nor does it require a specific medical indication of child abuse or neglect; any 'reasonable suspicion' is sufficient. For the purposes of this article, the pregnancy of a minor does not, in and of itself, constitute a basis for a reasonable suspicion of sexual abuse.

**Privileged Communications****Citation: Penal Code § 11166**

The clergy-penitent privilege is permitted for penitential communications. This does not modify or limit a clergy member's duty to report known or suspected child abuse or neglect when the clergy member is acting in some other capacity that would otherwise make the clergy member a mandated reporter.

**Inclusion of Reporter's Name in Report****Citation: Penal Code § 11167**

Reports of mandated reporters shall include the following:

- The name, business address, and telephone number of the mandated reporter
- The capacity that makes the person a mandated reporter

Reports of other persons do not require the reporter's name.

**Disclosure of Reporter Identity****Citation: Penal Code § 11167**

The identity of the reporter shall be confidential and disclosed only as follows:

- Among agencies receiving or investigating mandated reports
- To the prosecutor in a criminal prosecution or in an action initiated under § 602 of the Welfare and Institutions Code arising from alleged child abuse
- To counsel appointed pursuant to § 317(c) of the Welfare and Institutions Code
- To the county counsel or prosecutor in a proceeding under part 4 (commencing with section 7800) of division 12 of the Family Code or § 300 of the Welfare and Institutions Code
- To a licensing agency when abuse or neglect in out-of-home care is reasonably suspected
- When the reporter waives confidentiality
- By court order

**Colorado**

*Current Through April 2019*

**Professionals Required to Report****Citation: Rev. Stat. § 19-3-304**

Persons required to report include the following:

- Physicians, surgeons, physicians in training, child health associates, medical examiners, coroners, dentists, osteopaths, optometrists, chiropractors, podiatrists, nurses, hospital personnel, dental hygienists, physical therapists, pharmacists, or registered dietitians
- Public or private school officials or employees
- Social workers, Christian Science practitioners, mental health professionals, psychologists, professional counselors, and marriage and family therapists
- Veterinarians, peace officers, firefighters, or victim's advocates
- Commercial film and photographic print processors
- Counselors, marriage and family therapists, or psychotherapists
- Clergy members, including priests; rabbis; duly ordained, commissioned, or licensed ministers of a church; members of religious orders; or recognized leaders of any religious bodies
- Workers in the State Department of Human Services
- Juvenile parole and probation officers
- Child and family investigators
- Officers and agents of the State Bureau of Animal Protection and animal control officers
- The child protection ombudsman
- Educators providing services through a Federal special supplemental nutrition program for women, infants, and children, as provided for in 42 U.S.C. § 1786
- Directors, coaches, assistant coaches, or athletic program personnel employed by private sports organizations or programs
- Persons registered as psychologist candidates, marriage and family therapist candidates, or licensed professional counselor candidates
- Emergency medical service providers
- Officials or employees of county departments of health, human services, or social services
- Registered naturopathic doctors

**Reporting by Other Persons****Citation: Rev. Stat. § 19-3-304**

Any other person may report known or suspected child abuse or neglect.

**Institutional Responsibility to Report**

This issue is not addressed in the statutes reviewed.

**Standards for Making a Report****Citation: Rev. Stat. § 19-3-304**

A report is required when any of the following apply:

- A mandated reporter has reasonable cause to know or suspect child abuse or neglect.
- A reporter has observed a child being subjected to circumstances or conditions that would reasonably result in abuse or neglect.
- Commercial film and photographic print processors have knowledge of or observe any film, photograph, videotape, negative, or slide depicting a child engaged in an act of sexual conduct.

**Privileged Communications****Citation: Rev. Stat. §§ 19-3-304; 19-3-311**

The clergy-penitent privilege is permitted. The physician-patient, psychologist-client, and husband-wife privileges are not allowed as grounds for failing to report.

**Inclusion of Reporter's Name in Report****Citation: Rev. Stat. § 19-3-307**

The report shall include the name, address, and occupation of the person making the report.

**Disclosure of Reporter Identity****Citation: Rev. Stat. § 19-1-307**

The identity of the reporter shall be protected.

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**Connecticut**

*Current Through April 2019*

**Professionals Required to Report****Citation: Gen. Stat. §§ 17a-101; 53a-65**

The following persons are required to report:

- Physicians, surgeons, residents, interns, nurses, medical examiners, dentists, dental hygienists, optometrists, chiropractors, podiatrists, physician assistants, pharmacists, or physical therapists
- Psychologists or other mental health professionals
- School employees, as defined by § 53a-65
- Social workers
- Police officers, juvenile or adult probation officers, or parole officers
- Members of the clergy
- Alcohol and drug counselors, marital and family therapists, professional counselors, sexual assault counselors, or domestic violence counselors
- Licensed foster parents
- Licensed behavior analysts
- Emergency medical services providers
- Any person paid to care for a child in any public or private facility, child daycare center, group daycare home, or family daycare home that is licensed by the State
- Employees of the Department of Children and Families (DCF), the Department of Public Health, and the Office of Early Childhood who are responsible for the licensing of child daycare centers, group daycare homes, family daycare homes, or youth camps
- The Child Advocate and any employee of the Office of Child Advocate
- Family relations counselor trainees or family services supervisors employed by the Judicial Department

The term 'school employee' includes teachers, substitute teachers, school administrators, school superintendents, guidance counselors, psychologists, social workers, nurses, physicians, school paraprofessionals, or coaches employed by a local or regional board of education or a private elementary, middle, or high school or any other person who, in the performance of his or her duties, has regular contact with students.

**Reporting by Other Persons****Citation: Gen. Stat. § 17a-103**

Any mandated reporter acting outside his or her professional capacity, or any other person having reasonable cause to suspect that a child is being abused or neglected, may report.

**Institutional Responsibility to Report****Citation: Gen. Stat. §§ 17a-101b(d); 17a-101e(a)**

Whenever a mandated reporter has reasonable cause to suspect or believe that any child has been abused or neglected by a member of the staff of a public or private institution or facility that provides care for such child or a public or private school, the mandated reporter shall report as required by law. The DCF commissioner or the commissioner's designee shall notify the principal, headmaster, executive director, or other person in charge of the institution, facility, or school, or that person's designee, unless that person is the alleged perpetrator of the abuse or neglect of the child. In the case of a public school, the commissioner also shall notify the person's employing superintendent. The person in charge or the person's designee then shall immediately notify the child's parent or other person responsible for the child's care that a report has been made.

No employer shall do any of the following:

- Discharge or in any manner discriminate or retaliate against any employee who in good faith makes a report of child abuse or neglect, testifies, or is about to testify in any proceeding involving child abuse or neglect
- Hinder, prevent, or attempt to hinder or prevent any employee from making a report as required or testifying in any proceeding involving child abuse or neglect

**Standards for Making a Report****Citation: Gen. Stat. § 17a-101a**

A report is required when, in the ordinary course of his or her employment or profession, a reporter has reasonable cause to suspect or believe the following of any child under age 18:

- Has been abused or neglected
- Has had a nonaccidental physical injury or an injury that is at variance with the history given of the injury
- Is placed at imminent risk of serious harm

Any school employee shall report when, in the ordinary course of his or her employment or profession, he or she has reasonable cause to suspect or believe that any person who is being educated by the technical high school system or a local or regional board of education, other than as part of an adult education program, is a victim of abuse and the perpetrator is a school employee.

A mandated reporter's suspicion or belief may be based on factors, including, but not limited to, observations, allegations, facts, or statements by a child, victim, or a third party. Such suspicion or belief does not require certainty or probable cause.

**Privileged Communications**

This issue is not addressed in the statutes reviewed.

**Inclusion of Reporter's Name in Report****Citation: Gen. Stat. §§ 17a-101d; 17a-103**

The reporter is not specifically required by statute to include his or her name in the report. The DCF commissioner shall use his or her best efforts to obtain the name and address of the reporter.

**Disclosure of Reporter Identity****Citation: Gen. Stat. § 17a-28(f)**

The name of an individual reporting suspected child abuse or neglect or cooperating with an investigation of child abuse or neglect shall be kept confidential upon request or upon determination by the department that disclosure of such information may be detrimental to the safety or interests of the individual. The following are exceptions for which the name of the reporter may be disclosed:

- An employee of the department for reasons reasonably related to the business of the department
- A law enforcement officer for purposes of investigating the following:
  - » Abuse or neglect of a child or youth
  - » An allegation that the individual falsely reported the suspected abuse or neglect of a child or youth

- A State's attorney for purposes of investigating or prosecuting the following:
  - » Abuse or neglect of a child or youth
  - » An allegation that the individual falsely reported the suspected abuse or neglect of a child or youth
- An assistant attorney general or other legal counsel representing the department
- A judge of the Superior Court and all necessary parties in a court proceeding pursuant to § 17a-112 or 46b-129, or a criminal prosecution involving child abuse or neglect
- A State child care licensing agency
- The executive director of any institution, school, or facility or superintendent of schools pursuant to § 17a-101i

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## Delaware

*Current Through April 2019*

### Professionals Required to Report

**Citation: Ann. Code Tit. 16, § 903**

Any person, agency, organization, or entity that knows or in good faith suspects child abuse or neglect shall make a report. For purposes of this section, 'person' shall include, but not be limited to, the following:

- Physicians, interns, residents, nurses, or medical examiners
- Other persons in the healing arts, including persons licensed to render services in medicine, osteopathy, or dentistry
- School employees, social workers, or psychologists
- Hospitals or health-care institutions
- The Medical Society of Delaware
- Law enforcement agencies

### Reporting by Other Persons

**Citation: Ann. Code Tit. 16, § 903**

Any person who knows or in good faith suspects child abuse or neglect shall make a report.

### Institutional Responsibility to Report

This issue is not addressed in the statutes reviewed.

### Standards for Making a Report

**Citation: Ann. Code Tit. 16, § 903**

A report is required when the reporter knows or in good faith suspects child abuse or neglect.

### Privileged Communications

**Citation: Ann. Code Tit. 16, § 909**

Only attorney-client and clergy-penitent privileges are recognized.

### Inclusion of Reporter's Name in Report

**Citation: Ann. Code Tit. 16, § 905**

Although reports may be made anonymously, the Division of Family Services shall request the name and address of any person making a report.

### Disclosure of Reporter Identity

This issue is not addressed in the statutes reviewed.

## District of Columbia

*Current Through April 2019*

### Professionals Required to Report

**Citation: Ann. Code § 4-1321.02**

Persons required to report include the following:

- Child and Family Services Agency employees, agents, and contractors
- Physicians, psychologists, medical examiners, dentists, chiropractors, registered nurses, licensed practical nurses, or persons involved in the care and treatment of patients
- Law enforcement officers or humane officers of any agency charged with the enforcement of animal cruelty laws
- School officials, teachers, or athletic coaches
- Department of Parks and Recreation employees, public housing resident managers, social service workers, or daycare workers
- Human trafficking counselors
- Domestic violence counselors or mental health professionals

### Reporting by Other Persons

**Citation: Ann. Code § 4-1321.02**

Any other person who knows or has reason to suspect that a child is being abused or neglected may report.

### Institutional Responsibility to Report

**Citation: Ann. Code § 4-1321.02**

Whenever a person is required to report in his or her capacity as a member of the staff of a hospital, school, social agency, or similar institution, he or she shall immediately notify the person in charge of the institution, or his or her designated agent, who shall then be required to make the report. The fact that such a notification has been made does not relieve the person who was originally required to report from his or her duty to report.

### Standards for Making a Report

**Citation: Ann. Code § 4-1321.02**

A report is required when any of the following apply:

- A mandated reporter knows or has reasonable cause to suspect that a child known to him or her in his or her professional or official capacity has been or is in immediate danger of being a mentally or physically abused or neglected child.
- A health professional, law enforcement officer, or humane officer, except an undercover officer whose identity or investigation might be jeopardized, has reasonable cause to believe that a child is abused as a result of inadequate care, control, or subsistence in the home environment due to exposure to drug-related activity.
- A mandated reporter knows or has reasonable cause to suspect that a child known to him or her in his or her professional or official capacity has been, or is in immediate danger of being, the victim of sexual abuse or attempted sexual abuse; the child was assisted, supported, caused, encouraged, commanded, enabled, induced, facilitated, or permitted to become a prostitute; the child has an injury caused by a bullet; or the child has an injury caused by a knife or other sharp object that was caused by other than accidental means.
- A licensed health professional who in his or her own professional or official capacity knows that a child under 12 months of age is diagnosed as having a fetal alcohol spectrum disorder.

### Privileged Communications

**Citation: Ann. Code §§ 4-1321.02(b); 4-1321.05**

A mandated reporter is not required to report when employed by a lawyer who is providing representation in a criminal, civil (including family law), or delinquency matter and the basis for the suspicion arises solely in the course of that representation.

Neither the husband-wife nor the physician-patient privilege is permitted.

### Inclusion of Reporter's Name in Report

**Citation: Ann. Code § 4-1321.03**

Mandated reporters are required to provide their names, occupations, and contact information.

**Disclosure of Reporter Identity****Citation: Ann. Code § 4-1302.03**

The child protection register staff shall not release any information that identifies the source of a report or the witnesses to the incident referred to in a report to the alleged perpetrator of the abuse, the child's parent or guardian, or a child-placing agency investigating a foster or adoptive placement, unless said staff first obtains permission from the source of the report or from the witnesses named in the report.

**Florida***Current Through April 2019***Professionals Required to Report****Citation: Ann. Stat. § 39.201**

The following persons are mandated reporters:

- Physicians, osteopaths, medical examiners, chiropractors, nurses, or hospital personnel
- Other health or mental health professionals
- Practitioners who rely solely on spiritual means for healing
- Teachers or other school officials or personnel
- Social workers, daycare center workers, or other professional child care, foster care, residential, or institutional workers
- Law enforcement officers or judges

**Reporting by Other Persons****Citation: Ann. Stat. § 39.201**

Any person who knows or has reasonable cause to suspect that a child is abused, abandoned, or neglected by a parent, legal custodian, caregiver, or other person responsible for the child's welfare or that a child is in need of supervision and care and has no parent, legal custodian, or responsible adult relative immediately known and available to provide supervision and care shall report such knowledge or suspicion to the department.

Any person who knows or who has reasonable cause to suspect that a child is abused by an adult other than a parent, legal custodian, caregiver, or other person responsible for the child's welfare shall report such knowledge or suspicion to the department.

Any person who knows or has reasonable cause to suspect that a child is the victim of childhood sexual abuse or the victim of a known or suspected juvenile sexual offender shall report such knowledge or suspicion to the department.

**Institutional Responsibility to Report****Citation: Ann. Stat. § 39.201**

Nothing in this chapter or in the contracting with community-based care providers for foster care and related services as specified in § 409.1671 shall be construed to remove or reduce the duty and responsibility of any person, including any employee of the community-based care provider, to report a suspected or actual case of child abuse, abandonment, or neglect or the sexual abuse of a child to the central abuse hotline.

**Standards for Making a Report****Citation: Ann. Stat. § 39.201**

A report is required when either of the following apply:

- A person knows or has reasonable cause to suspect that a child is abused, abandoned, or neglected.
- A person knows that a child is in need of supervision and care and has no parent, legal custodian, or responsible adult relative immediately known and available to provide supervision and care.

**Privileged Communications****Citation: Ann. Stat. § 39.204**

Only attorney-client and clergy-penitent privileges are permitted.

**Inclusion of Reporter's Name in Report****Citation: Ann. Stat. § 39.201**

Professionals who are mandated reporters are required to provide their names to hotline staff.

**Disclosure of Reporter Identity****Citation: Ann. Stat. §§ 39.201; 39.202**

The names of reporters shall be entered into the record of the report but shall be held confidential. The name of the reporter may not be released to any person other than employees of the Department of Children and Family Services responsible for child protective services, the central abuse hotline, law enforcement, the child protection team, or the appropriate State attorney, without the written consent of the person reporting.

This does not prohibit the serving of a subpoena to a person reporting child abuse, abandonment, or neglect when deemed necessary by the court, the State attorney, or the department, provided the fact that such person made the report is not disclosed.

**Georgia***Current Through April 2019***Professionals Required to Report****Citation: Ann. Code §§ 19-7-5; 16-12-100**

The following persons are required to report:

- Physicians, physician assistants, residents, interns, hospital and medical personnel, podiatrists, dentists, or nurses
- Teachers, school administrators, school counselors, visiting teachers, school social workers, or school psychologists
- Psychologists, counselors, social workers, or marriage and family therapists
- Child welfare agency personnel (as that agency is defined by § 49-5-12) or child-counseling personnel
- Child service organization personnel (includes any organization—whether public, private, for-profit, not-for-profit, or voluntary—that provides care, treatment, education, training, supervision, coaching, counseling, recreational programs, or shelter to children)
- Law enforcement personnel
- Reproductive health-care facility or pregnancy resource center personnel and volunteers
- Persons who process or produce visual or printed matter

The term 'school' means any public or private prekindergarten, elementary school, secondary school, technical school, vocational school, college, university, or institution of postsecondary education.

**Reporting by Other Persons****Citation: Ann. Code § 19-7-5**

Any other person who has reasonable cause to believe that a child has been abused may report.

**Institutional Responsibility to Report****Citation: Ann. Code § 19-7-5**

If a person is required to report child abuse because that person attends to a child as part of the person's duties as an employee of or volunteer at a hospital, school, social agency, or similar facility, that person shall notify the person in charge of the facility, or the designated delegate thereof, and the person so notified shall report or cause a report to be made in accordance with this section. An employee or volunteer who makes a report to the person designated shall be deemed to have fully complied with this subsection. Under no circumstances shall any person in charge of such hospital, school, agency, or facility—or the designated delegate thereof—to whom such notification has been made exercise any control, restraint, or modification—or make other changes to—the information provided by the reporter, although each of the aforementioned persons may be consulted prior to the making of a report and may provide any additional, relevant, and necessary information when making the report.

**Standards for Making a Report****Citation: Ann. Code §§ 19-7-5; 16-12-100**

A report is required when either of the following apply:

- A reporter has reasonable cause to believe that child abuse has occurred.
- A person who processes or produces visual or printed matter has reasonable cause to believe that the visual or printed matter submitted for processing or producing depicts a minor engaged in sexually explicit conduct.

**Privileged Communications****Citation: Ann. Code § 19-7-5(g)**

A mandated reporter must report regardless of whether the reasonable cause to believe that abuse has occurred or is occurring is based in whole or in part upon any communication to that person that is otherwise made privileged or confidential by law. However, a member of the clergy shall not be required to report child abuse reported solely within the context of confession or other similar communication required to be kept confidential under church doctrine or practice. When a clergy member receives information about child abuse from any other source, the clergy member shall comply with the reporting requirements of this section, even though the clergy member may have also received a report of child abuse from the confession of the perpetrator.

**Inclusion of Reporter's Name in Report**

The reporter is not specifically required by statute to provide his or her name in the report.

**Disclosure of Reporter Identity****Citation: Ann. Code § 49-5-41**

Any release of records shall protect the identity of any person reporting child abuse.

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**Guam***Current Through April 2019***Professionals Required to Report****Citation: Ann. Code Tit. 19, § 13201**

Persons required to report suspected child abuse include, but are not limited to, the following:

- Physicians, medical examiners, dentists, osteopaths, optometrists, chiropractors, podiatrists, interns, nurses, hospital personnel, or Christian Science practitioners
- Clergy members
- School administrators, teachers, nurses, or counselors
- Social services workers, daycare center workers, or any other child care or foster care workers
- Mental health professionals, peace officers, or law enforcement officials
- Commercial film and photographic print processors

**Reporting by Other Persons****Citation: Ann. Code Tit. 19, § 13202**

Any person may make a report if that person has reasonable cause to suspect that a child is an abused or neglected child.

**Institutional Responsibility to Report**

This issue is not addressed in the statutes reviewed.

**Standards for Making a Report****Citation: Ann. Code Tit. 19, § 13201**

A report is required when either of the following apply:

- A reporter, who in the course of his or her employment, occupation, or professional practice comes into contact with children, has reason to suspect on the basis of his or her medical, professional, or other training and experience that a child is an abused or neglected child.
- Any commercial film and photographic print processor has knowledge of or observes any film, photograph, videotape, negative, or slide depicting a child under age 18 engaged in an act of sexual conduct.

**Privileged Communications****Citation: Ann. Code Tit. 19, § 13201**

No person may claim privileged communications as a basis for his or her refusal or failure to report suspected child abuse or neglect or to provide child protective services or the Guam Police Department with required information. Such privileges are specifically abrogated with respect to reporting suspected child abuse or neglect or of providing information to the agency.

**Inclusion of Reporter's Name in Report****Citation: Ann. Code Tit. 19, § 13203**

Every report should include the name of the person making the report. Persons who are required by law to report shall be required to reveal their names.

**Disclosure of Reporter Identity****Citation: Ann. Code Tit. 19, § 13203**

The identity of the reporter shall be confidential and may be disclosed only as follows:

- Among child protective agencies
- To counsel representing a child protective agency
- To the attorney general's office in a criminal prosecution or family court action
- To a licensing agency when abuse in licensed out-of-home care is reasonably suspected
- When the reporter waives confidentiality
- By court order

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**Hawaii***Current Through April 2019***Professionals Required to Report****Citation: Rev. Stat. § 350-1.1**

The following persons are required to report:

- Physicians, physicians in training, psychologists, dentists, nurses, osteopathic physicians and surgeons, optometrists, chiropractors, podiatrists, pharmacists, and other health-related professionals
- Medical examiners or coroners
- Employees or officers of any public or private school
- Child care employees or employees or officers of any licensed or registered child care facility, foster home, or similar institution
- Employees or officers of any public or private agency or institution, or other individuals, providing social, medical, hospital, or mental health services, including financial assistance
- Employees or officers of any law enforcement agency, including, but not limited to, the courts, police departments, departments of public safety, correctional institutions, and parole or probation offices
- Employees of any public or private agency providing recreational or sports activities

**Reporting by Other Persons****Citation: Rev. Stat. § 350-1.3**

Any other person who becomes aware of facts or circumstances that cause the person to believe that child abuse or neglect has occurred may report.

**Institutional Responsibility to Report****Citation: Rev. Stat. § 350-1.1**

Whenever a person designated as a mandatory reporter is a member of the staff of any public or private school, agency, or institution, that staff member shall immediately report the known or suspected child abuse or neglect directly to the department or to the police department and also shall immediately notify the person in charge or a designated delegate of the report made in accordance with this chapter.

**Standards for Making a Report****Citation: Rev. Stat. § 350-1.1**

A report is required when, in his or her professional or official capacity, a reporter has reason to believe that child abuse or neglect has occurred or that there exists a substantial risk that child abuse or neglect may occur in the reasonably foreseeable future.

**Privileged Communications****Citation: Rev. Stat. § 350-5**

The physician-patient, psychologist-client, husband-wife, and victim-counselor privileges are not grounds for failing to report.

**Inclusion of Reporter's Name in Report**

The reporter is not specifically required by statute to provide his or her name in the report.

**Disclosure of Reporter Identity****Citation: Rev. Stat. § 350-1.4**

Every reasonable good-faith effort shall be made by the department to maintain the confidentiality of the name of a reporter who requests that his or her name be confidential.

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**Idaho**

*Current Through April 2019*

**Professionals Required to Report****Citation: Ann. Code § 16-1605**

The following persons are required to report:

- Physicians, residents on hospital staffs, interns, nurses, or coroners
- Teachers or daycare personnel
- Social workers or law enforcement personnel
- Other persons

**Reporting by Other Persons****Citation: Ann. Code § 16-1605**

Any person who has reason to believe that a child has been abused, abandoned, or neglected is required to report.

**Institutional Responsibility to Report****Citation: Ann. Code § 16-1605**

When the attendance of a physician, resident, intern, nurse, daycare worker, or social worker is pursuant to the performance of services as a member of the staff of a hospital or similar institution, he or she shall notify the person in charge of the institution, or his or her designated delegate, who shall make the necessary reports.

**Standards for Making a Report****Citation: Ann. Code § 16-1605**

A report is required when either of the following apply:

- A person has reason to believe that a child has been abused, abandoned, or neglected.
- A person observes a child being subjected to conditions or circumstances that would reasonably result in abuse, abandonment, or neglect.

**Privileged Communications****Citation: Ann. Code §§ 16-1605; 16-1606**

Any privilege between a husband and wife and any professional and client, except for the clergy-penitent or attorney-client privilege, shall not be grounds for failure to report.

Any privilege between husband and wife, or between any professional person—except the lawyer-client privilege and including, but not limited to, physicians, counselors, hospitals, clinics, daycare centers, and schools—and their clients shall not be grounds for excluding evidence at any proceeding regarding the abuse, abandonment, or neglect of the child or the cause thereof.

### **Inclusion of Reporter’s Name in Report**

The reporter is not specifically required by statute to provide his or her name in the report.

### **Disclosure of Reporter Identity**

This issue is not addressed in the statutes reviewed.

## **Illinois**

*Current Through April 2019*

### **Professionals Required to Report**

**Citation: Comp. Stat. Ch. 325, § 5/4; Ch. 720, § 5/11-20.2**

The following persons are required to report:

- Physicians, residents, interns, hospital administrators and personnel, surgeons, dentists, dental hygienists, osteopaths, chiropractors, podiatric physicians, physician assistants, or substance abuse treatment personnel
- Funeral home directors or employees, coroners, or medical examiners
- Emergency medical technicians, acupuncturists, or crisis line or hotline personnel
- School personnel, including administrators and employees, educational advocates, or truant officers
- Personnel of institutions of higher education
- Members of a school board or the Chicago Board of Education
- Members of the governing body of a private school
- Social workers, social services administrators, or domestic violence program personnel
- Nurses, genetic counselors, respiratory care practitioners, advanced practice nurses, or home health aides
- Directors or staff assistants of nursery schools or child care centers
- Recreational or athletic program or facility personnel
- Early intervention providers, as defined in the Early Intervention Services System Act
- Law enforcement officers or probation officers
- Licensed professional counselors, psychologists, psychiatrists, or their assistants
- Field personnel of the Departments of Healthcare and Family Services, Juvenile Justice, Public Health, Human Services, Corrections, Human Rights, or Children and Family Services
- Supervisors and administrators of general assistance under the Illinois Public Aid Code
- Animal control officers or Department of Agriculture Bureau of Animal Health and Welfare field investigators
- Foster parents, homemakers, or child care workers
- Members of the clergy
- Commercial film and photographic print processors or computer technicians

### **Reporting by Other Persons**

**Citation: Comp. Stat. Ch. 325, § 5/4**

Any other person who has reasonable cause to believe that a child is abused or neglected may report.

### **Institutional Responsibility to Report**

**Citation: Comp. Stat. Ch. 325, § 5/4**

Whenever such person is required to report in his or her capacity as a member of the staff of a medical or other public or private institution, school, facility, or agency, or as a member of the clergy, he or she shall make a report immediately to the Department of Children and Family Services and also may notify the person in charge of such institution, school, facility, or agency; or church, synagogue, temple, mosque, or other religious institution; or his or her designated agent that a report has been made. Under no circumstances shall any person in charge of such institution, school, facility, or agency; or church, synagogue, temple, mosque, or other religious institution; or his or her designated agent to whom such notification has been made exercise any control, restraint, modification, or other change in the report or the forwarding of the report to the department.

**Standards for Making a Report****Citation: Comp. Stat. Ch. 325, § 5/4; Ch. 720, § 5/11-20.2**

A report is required when any of the following apply:

- A reporter has reasonable cause to believe that a child known to him or her in his or her professional capacity may be abused or neglected.
- A physician, physician's assistant, registered nurse, licensed practical nurse, medical technician, certified nursing assistant, social worker, or licensed professional counselor of any office, clinic, or any other physical location that provides abortions, abortion referrals, or contraceptives has reasonable cause to believe a child known to him or her in his or her professional or official capacity may be an abused child or a neglected child.
- Commercial film and photographic print processors or computer technicians have knowledge of or observe any film, photograph, videotape, negative, slide, computer hard drive, or any other magnetic or optical media that depicts a child engaged in any actual or simulated sexual conduct.

**Privileged Communications****Citation: Comp. Stat. Ch. 325, § 5/4; Ch. 735, § 5/8-803**

The privileged quality of communication between any professional person required to report and his or her patient or client shall not apply to situations involving abused or neglected children and shall not constitute grounds for failure to report.

A member of the clergy shall not be compelled to disclose a confession or admission made to him or her as part of the discipline of the religion.

The reporting requirements shall not apply to the contents of a privileged communication between an attorney and his or her client or to confidential information within the meaning of rule 1.6 of the Illinois Rules of Professional Conduct relating to the legal representation of an individual client.

**Inclusion of Reporter's Name in Report****Citation: Comp. Stat. Ch. 325, § 5/7.9**

The report shall include the name, occupation, and contact information of the person making the report.

**Disclosure of Reporter Identity****Citation: Comp. Stat. Ch. 325, § 5/11.1a**

Any disclosure of information shall not identify the person making the report.

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**Indiana***Current Through April 2019***Professionals Required to Report****Citation: Ann. Code § 31-33-5-1**

Any person who has reason to believe that a child is a victim of abuse or neglect must report.

**Reporting by Other Persons****Citation: Ann. Code § 31-33-5-1**

Any person who has reason to believe that a child is a victim of abuse or neglect must report.

**Institutional Responsibility to Report****Citation: Ann. Code §§ 31-33-5-2; 31-33-5-2.5; 31-33-5-3; 31-33-5-5**

Section 31-33-5-2 does not apply to an individual required to make a report under this article in the individual's capacity as a member of the staff of a licensed hospital. An individual required to make a report under this article in the individual's capacity as a member of the staff is subject to § 31-33-5-2.5.

If an individual is required to make a report in the individual's capacity as a member of the staff of a medical or other public or private institution, school, facility, or agency, the individual shall immediately make a report to either the Department of Child Services or the local law enforcement agency. After making the report, the individual shall notify the individual in charge of the institution, school, facility, or agency that the report was made.

Section 31-33-5-2.5 applies only to an individual required to make a report under this article in the individual's capacity as a member of the staff of a licensed hospital. If an individual is required to make a report under this article in the individual's capacity as a member of the staff of a licensed hospital, the individual shall immediately notify the individual in charge of the hospital. The individual in charge of the hospital who received the notification shall immediately report or cause a report to be made to the department or the local law enforcement agency.

This chapter does not relieve an individual of the obligation to report on the individual's own behalf, unless a report has already been made to the best of the individual's belief.

A medical institution or other public or private institution, public or nonpublic school, corporation, facility, or agency may not establish any policy that restricts or delays the duty of an employee or individual to report under this chapter.

### **Standards for Making a Report**

#### **Citation: Ann. Code § 31-33-5-1**

In addition to any other duty to report arising under this article, an individual who has reason to believe that a child is a victim of child abuse or neglect shall make a report as required by this article.

### **Privileged Communications**

#### **Citation: Ann. Code § 31-32-11-1**

Privileged communications between any of the following shall not be grounds for failing to report:

- A husband and wife
- A health-care provider and the provider's patient
- A licensed social worker, clinical social worker, marriage and family therapist, mental health counselor, addiction counselor, or clinical addiction counselor and a client of any of these professionals
- A school counselor or psychologist and a student

### **Inclusion of Reporter's Name in Report**

#### **Citation: Ann. Code § 31-33-7-4**

The written report must include the name and contact information for the person making the report.

### **Disclosure of Reporter Identity**

#### **Citation: Ann. Code § 31-33-18-2**

The report shall be made available to the person about whom a report has been made, with protection for the identity of the following:

- Any person reporting known or suspected child abuse or neglect
- Any other person if the person or agency making the information available finds that disclosure of the information would be likely to endanger the life or safety of the person

The report also may be made available to each parent, guardian, custodian, or other person responsible for the welfare of a child named in a report and an attorney of any of these individuals, with protection for the identity of reporters and other appropriate individuals.

**Iowa**

*Current Through April 2019*

**Professionals Required to Report**

**Citation: Ann. Stat. §§ 232.69; 728.14**

The following persons are required to report:

- Health practitioners
- Social workers or psychologists
- School employees, certified paraeducators, coaches, or instructors employed by community colleges
- Employees or operators of health-care facilities, child care centers, Head Start programs, family development and self-sufficiency grant programs, substance abuse programs or facilities, juvenile detention or juvenile shelter care facilities, foster care facilities, or mental health centers
- Employees of Department of Human Services institutions
- Peace officers, counselors, or mental health professionals
- Employees, operators, owners, or other persons who perform duties for certified children's residential facilities
- Commercial film and photographic print processors

**Reporting by Other Persons**

**Citation: Ann. Stat. § 232.69**

Any other person who believes that a child has been abused may report.

**Institutional Responsibility to Report**

**Citation: Ann. Stat. §§ 232.70; 232.73A**

The employer or supervisor of a person who is a mandatory or permissive reporter shall not apply a policy, work rule, or other requirement that interferes with the person making a report of child abuse.

An employer shall not take retaliatory action against an employee as a reprisal for the employee's participation in good faith in making a report, photograph, or x-ray; in the performance of a medically relevant test pursuant to this chapter; or in aiding and assisting in an assessment of a child abuse report. This section does not apply to a disclosure of information that is prohibited by statute.

For purposes of this section, 'retaliatory action' includes, but is not limited to, an employer's action to discharge an employee or to take or fail to take action regarding an employee's appointment or proposed appointment to a position in employment, to take or fail to take action regarding an employee's promotion or proposed promotion to a position in employment, or to fail to provide an advantage in a position in employment.

This section may be enforced through a civil action, as follows:

- A person who violates this section is liable to an aggrieved employee for affirmative relief, including reinstatement, with or without back pay, or any other equitable relief the court deems appropriate, including attorney fees and costs.
- When a person commits, is committing, or proposes to commit an act in violation of this section, an injunction may be granted through an action in district court to prohibit the person from continuing such acts. The action for injunctive relief may be brought by an aggrieved employee or the county attorney.

**Standards for Making a Report**

**Citation: Ann. Stat. §§ 232.69; 728.14**

A report is required when either of the following apply:

- A reporter, in the scope of his or her professional practice or employment responsibilities, reasonably believes that a child has been abused.
- A commercial film and photographic print processor has knowledge of or observes a visual depiction of a minor engaged in a prohibited sexual act or in the simulation of a prohibited sexual act.

**Privileged Communications**

**Citation: Ann. Stat. § 232.74**

The husband-wife or health practitioner-patient privilege does not apply to evidence regarding abuse to a child.

**Inclusion of Reporter's Name in Report****Citation: Ann. Stat. § 232.70**

The report shall contain the name and address of the person making the report.

**Disclosure of Reporter Identity****Citation: Ann. Stat. § 232.71B**

A person named in a report shall be informed of the complaint or allegation made regarding the person. The person shall be informed in a manner that protects the confidentiality rights of the individual who reported the child abuse or provided information as part of the assessment process.

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**Kansas***Current Through April 2019***Professionals Required to Report****Citation: Ann. Stat. § 38-2223**

The following persons are required to report:

- Persons providing medical care or treatment, including persons licensed to practice the healing arts, dentistry, and optometry; persons engaged in postgraduate training programs approved by the State Board of Healing Arts; licensed professional or practical nurses; and chief administrative officers of medical care facilities
- Persons licensed by the State to provide mental health services, including psychologists, clinical psychotherapists, social workers, marriage and family therapists, behavioral analysts, professional counselors, and registered alcohol and drug abuse counselors
- Teachers, school administrators, or other employees of an educational institution that the child is attending
- Licensed child care providers or their employees at the place where the child care services are being provided to the child
- Firefighters, emergency medical services personnel, law enforcement officers, juvenile intake and assessment workers, court services officers, community corrections officers, case managers, and mediators
- Employees or volunteers for any organization, whether for profit or not-for-profit, that provides social services to pregnant teenagers, including, but not limited to, counseling, adoption services, and pregnancy education and maintenance

**Reporting by Other Persons****Citation: Ann. Stat. § 38-2223**

Any person who has reason to suspect that a child may be a child in need of care may report.

**Institutional Responsibility to Report****Citation: Ann. Stat. § 38-2224**

No employer shall terminate the employment of, prevent or impair the practice or occupation of, or impose any other sanction on any employee because the employee made an oral or written report to or cooperated with an investigation by a law enforcement agency or the department relating to harm inflicted upon a child that the employee suspected was the result of the physical, mental, or emotional abuse or neglect or sexual abuse of the child.

Violation of this section is a class B misdemeanor.

**Standards for Making a Report****Citation: Ann. Stat. § 38-2223**

A report is required when a reporter has reason to suspect that a child has been harmed as a result of physical, mental, or emotional abuse or neglect or sexual abuse.

**Privileged Communications****Citation: Ann. Stat. § 38-2249**

In all proceedings under this code, the rules of evidence of the code of civil procedure shall apply, except that no evidence relating to the condition of a child shall be excluded solely on the ground that the matter is or may be the subject of a physician-patient privilege, psychologist-client privilege, or social worker-client privilege.

**Inclusion of Reporter's Name in Report**

The reporter is not specifically required by statute to provide his or her name in the report.

**Disclosure of Reporter Identity**

**Citation: Ann. Stat. § 38-2212**

Information from agency records that is authorized to be disclosed by this section shall not contain information that identifies a reporter of a child alleged or adjudicated to be a child in need of care.

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**Kentucky**

*Current Through April 2019*

**Professionals Required to Report**

**Citation: Rev. Stat. § 620.030**

All persons are required to report, including, but not limited to, the following:

- Physicians, osteopathic physicians, nurses, coroners, medical examiners, residents, interns, chiropractors, dentists, optometrists, emergency medical technicians, paramedics, or health professionals
- Teachers, school personnel, or child care personnel
- Social workers or mental health professionals
- Peace officers

**Reporting by Other Persons**

**Citation: Rev. Stat. § 620.030**

Any person who knows or has reasonable cause to believe that a child is dependent, neglected, or abused shall immediately report.

Any person who knows or has reasonable cause to believe that a child is a victim of human trafficking, as defined in § 529.010, immediately shall cause an oral or written report to be made to a local law enforcement agency or the State police, the cabinet or its designated representative, the Commonwealth's attorney, or the county attorney by telephone or otherwise. This subsection shall apply regardless of whether the person believed to have caused the human trafficking of the child is a parent, guardian, fictive kin, person in a position of authority, person in a position of special trust, or person exercising custodial control or supervision.

**Institutional Responsibility to Report**

**Citation: Rev. Stat. § 620.030(1)**

Any supervisor who receives from an employee a report of suspected dependency, neglect, or abuse shall promptly make a report to the proper authorities for investigation. Nothing in this section shall relieve individuals of their obligations to report.

**Standards for Making a Report**

**Citation: Rev. Stat. § 620.030**

A report is required when a person knows or has reasonable cause to believe that a child is dependent, neglected, or abused.

**Privileged Communications**

**Citation: Rev. Stat. § 620.030(4)**

Neither the husband-wife nor any professional-client/patient privilege, except the attorney-client and clergy-penitent privilege, shall be a ground for refusing to report.

**Inclusion of Reporter's Name in Report**

The reporter is not specifically required by statute to provide his or her name in the report.

**Disclosure of Reporter Identity**

**Citation: Rev. Stat. § 620.050(11)**

Identifying information concerning the individual initiating the report shall not be disclosed, except as follows:

- To law enforcement officials who have a legitimate interest in the case
- To the agency designated by the cabinet to investigate or assess the report

- To members of multidisciplinary teams
- Under a court order, after the court has conducted an in camera review of the record of the State related to the report and has found reasonable cause to believe that the reporter knowingly made a false report
- To the external child fatality and near-fatality review panel

## Louisiana

*Current Through April 2019*

### Professionals Required to Report

**Citation: Children's Code Art. 603(17)**

Mandatory reporters include any of the following individuals:

- Health practitioners, including physicians, surgeons, physical therapists, dentists, residents, interns, hospital staff, podiatrists, chiropractors, nurses, nursing aides, dental hygienists, emergency medical technicians, paramedics, optometrists, medical examiners, or coroners
- Mental health/social service practitioners, including psychiatrists, psychologists, marriage or family counselors, social workers, members of the clergy, or aides
- Members of the clergy, including priests, rabbis, duly ordained clerical deacons or ministers, Christian Science practitioners, or other similarly situated functionaries of a religious organization
- Teaching or child care providers, including public or private teachers, teacher's aides, instructional aides, school principals, school staff members, bus drivers, coaches, professors, technical or vocational instructors, technical or vocational school staff members, college or university administrators, college or university staff members, social workers, probation officers, foster home parents, group home or other child care institutional staff members, personnel of residential home facilities, daycare providers, or any individual who provides such services to a child in a voluntary or professional capacity
- Police officers or law enforcement officials
- Commercial film and photographic print processors
- Mediators
- Parenting coordinators
- Court-appointed special advocates
- Organizational or youth activity providers, including administrators, employees, or volunteers of any day camp, summer camp, youth center, or youth recreation programs or any other organization that provides organized activities for children
- School coaches, including, but not limited to, public technical or vocational school, community college, college, or university coaches and coaches of intramural or interscholastic athletics

### Reporting by Other Persons

**Citation: Children's Code Art. 609**

Any other person who has cause to believe that a child's health is endangered as a result of abuse or neglect may report.

### Institutional Responsibility to Report

This issue is not addressed in the statutes reviewed.

### Standards for Making a Report

**Citation: Children's Code Art. 609; 610**

A report is required when any of the following apply:

- A reporter has cause to believe that a child's physical or mental health or welfare is endangered as a result of abuse or neglect.
- A commercial film or photographic print processor has knowledge of or observes any film, photograph, videotape, negative, or slide depicting a child, whom he or she knows or should know is under age 17, that constitutes child pornography.
- A physician has cause to believe that a newborn was exposed in utero to an unlawfully used controlled dangerous substance, as determined by a toxicology test upon the newborn that may be administered without the consent of the newborn's parents or guardian. Positive test results shall not be admissible in a criminal prosecution.

- A physician observes symptoms of withdrawal in a newborn or other observable and harmful effects in his or her physical appearance or functioning that the physician has cause to believe are due to the chronic or severe use of alcohol by the mother during pregnancy.

#### **Privileged Communications**

**Citation: Children’s Code Art. 603(17); 609**

A clergy member is not required to report a confidential communication from a person to a member of the clergy who, in the course of the discipline or practice of that church, denomination, or organization, is authorized or accustomed to hearing confidential communications and, under the discipline or tenets of the church, denomination, or organization, has a duty to keep such communications confidential.

Notwithstanding any other provision of law to the contrary, when representing a child in a case arising out of this code, a mental health or social service practitioner shall not be considered a mandatory reporter under the following limited circumstances:

- When the practitioner is engaged by an attorney to assist in the rendition of professional legal services to that child
- When the information that would serve as the basis for reporting arises in furtherance of facilitating the rendition of those professional legal services to that child
- When the information that would serve as the basis for reporting is documented by the mental health/social service practitioner

The documentation shall be retained by the mental health/social service practitioner until 1 year after the child has reached the age of majority.

Notwithstanding any claim of privileged communication, any 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 that abuse or neglect was a contributing factor in a child’s death, shall report.

#### **Inclusion of Reporter’s Name in Report**

**Citation: Children’s Code Art. 610**

The report must include the name and address of the reporter.

#### **Disclosure of Reporter Identity**

**Citation: Rev. Stat. § 46:56(F)(8)(b)**

The Department of Children and Family Services shall not disclose identifying information concerning an individual who initiated a report or complaint of alleged child abuse or neglect, except that the department shall disclose such information pursuant to a court order after the court has reviewed, in camera, the department’s case record and finds reason to believe that the reporter knowingly made a false report.

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## **Maine**

*Current Through April 2019*

#### **Professionals Required to Report**

**Citation: Rev. Stat. Tit. 22, § 4011-A**

Mandatory reporters include the following:

- The following persons, when acting in a professional capacity:
  - » Allopathic or osteopathic physicians, residents, interns, emergency medical services persons, medical examiners, physician’s assistants, dentists, dental hygienists, dental assistants, chiropractors, podiatrists, or registered or licensed practical nurses
  - » Teachers, guidance counselors, school officials, youth camp administrators or counselors, or social workers
  - » Court-appointed special advocates or guardians ad litem
  - » Homemakers, home health aides, medical or social service workers, psychologists, child care personnel, or mental health professionals
  - » Law enforcement officials, State or municipal fire inspectors, or municipal code enforcement officials
  - » Commercial film and photographic print processors

- » Clergy members
- » Chairs of professional licensing boards that have jurisdiction over mandated reporters
- » Humane agents employed by the Department of Agriculture, Conservation and Forestry
- » Sexual assault counselors or family or domestic violence victim advocates
- » School bus drivers or attendants
- Any person who has assumed full, intermittent, or occasional responsibility for the care or custody of the child, regardless of whether the person receives compensation
- Any person affiliated with a church or religious institution who serves in an administrative capacity or has otherwise assumed a position of trust or responsibility to the members of that church or religious institution, while acting in that capacity, regardless of whether the person receives compensation

### **Reporting by Other Persons**

**Citation: Rev. Stat. Tit. 22, § 4011-A**

Any person may make a report if that person knows or has reasonable cause to suspect that a child has been or is likely to be abused or neglected or that there has been a suspicious child death.

An animal control officer may report to the State Department of Health and Human Services when that person knows or has reasonable cause to suspect that a child has been or is likely to be abused or neglected.

### **Institutional Responsibility to Report**

**Citation: Rev. Stat. Tit. 22, § 4011-A**

Whenever a person is required to report in a capacity as a member of the staff of a medical or public or private institution, agency, or facility, that person immediately shall notify either the person in charge of the institution, agency, or facility or a designated agent who then shall cause a report to be made. The staff also may make a report directly to the department.

If a person required to report notifies either the person in charge of the institution, agency, or facility, or the designated agent, the notifying person shall acknowledge in writing that the institution, agency, or facility has provided confirmation to the notifying person that another individual from the institution, agency, or facility has made a report to the department. The confirmation must include, at a minimum, the name of the individual making the report to the department, the date and time of the report, and a summary of the information conveyed. If the notifying person does not receive the confirmation from the institution, agency, or facility within 24 hours of the notification, the notifying person immediately shall make a report directly to the department.

An employer may not take any action to prevent or discourage an employee from making a report.

### **Standards for Making a Report**

**Citation: Rev. Stat. Tit. 22, §§ 4011-A; 4011-B**

A report is required when any of the following apply:

- The person knows or has reasonable cause to suspect that a child is or is likely to be abused or neglected or that a suspicious death has occurred.
- A child who is under 6 months of age or otherwise nonambulatory exhibits evidence of the following:
  - » Fracture of a bone
  - » Substantial bruising or multiple bruises
  - » Subdural hematoma
  - » Burns
  - » Poisoning
  - » Injury resulting in substantial bleeding, soft tissue swelling, or impairment of an organ
- A health-care provider involved in the delivery or care of an infant knows or has reasonable cause to suspect that the infant has been born affected by illegal substance use or is demonstrating withdrawal symptoms that have resulted from or have likely resulted from prenatal drug exposure that require medical monitoring or care beyond standard newborn care, whether the prenatal exposure was to legal or illegal drugs, or has fetal alcohol spectrum disorders.

A mandatory reporter shall report to the department if the person knows or has reasonable cause to suspect that a child is not living with the child's family. Although a report may be made at any time, a report must be made immediately if there is reason to suspect that a child has been living with someone other than the child's family for more than 6 months or if there is reason to suspect that a child has been living with someone other than the child's family for more than 12 months pursuant to a power of attorney or other nonjudicial authorization.

**Privileged Communications****Citation: Rev. Stat. Tit. 22, §§ 4011-A; 4015**

A member of the clergy may claim privilege when information is received during a confidential communication.

The husband-wife and physician- and psychotherapist-patient privileges under the Maine Rules of Evidence and the confidential quality of communication under State and applicable Federal law are abrogated in relation to required reporting, cooperating with the department or a guardian ad litem in an investigation or other child protective activity, or giving evidence in a child protection proceeding.

**Inclusion of Reporter's Name in Report****Citation: Rev. Stat. Tit. 22, § 4012**

The report shall include the name, occupation, and contact information for the person making the report.

**Disclosure of Reporter Identity****Citation: Rev. Stat. Tit. 22, § 4008**

The department will protect the identity of reporters and other persons as appropriate when disclosing information in the records to a child named in a report, the child's parent, custodian, or caregiver, or a party to a child protection proceeding.

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**Maryland***Current Through April 2019***Professionals Required to Report****Citation: Fam. Law § 5-704**

Persons required to report include the following:

- Health practitioners
- Educators or human service workers
- Police officers

**Reporting by Other Persons****Citation: Fam. Law §§ 5-705; 5-704.1**

Any other person who has reason to believe that a child has been subjected to abuse or neglect must report.

An individual may notify the local department or the appropriate law enforcement agency if the individual has reason to believe that a parent, guardian, or caregiver of a child allows the child to reside with or be in the regular presence of an individual, other than the child's parent or guardian, who is registered as a child sex offender and, based on additional information, poses a substantial risk of sexual abuse to the child.

**Institutional Responsibility to Report****Citation: Fam. Law § 5-704**

A mandated reporter who is acting as a staff member of a hospital, public health agency, child care institution, juvenile detention center, school, or similar institution immediately shall notify and give all information required by this section to the head of the institution or the designee of the head.

**Standards for Making a Report****Citation: Fam. Law §§ 5-704; 5-705**

A mandatory reporter is required to report when, acting in a professional capacity, the person has reason to believe that a child has been subjected to abuse or neglect. Other persons shall report when they have reason to believe that a child has been subjected to abuse or neglect.

**Privileged Communications****Citation: Fam. Law §§ 5-704; 5-705**

Mandatory reporters are required to report regardless of any other provision of law, including any law on privileged communications.

Only attorney-client and clergy-penitent privileges are permitted.

**Inclusion of Reporter's Name in Report**

The reporter is not specifically required by statute to provide his or her name in the report.

**Disclosure of Reporter Identity****Citation: Hum. Serv. Code § 1-202(c)**

Any disclosure of a report or record concerning child abuse or neglect must make provisions to protect the identity of the reporter or any other person whose life or safety is likely to be endangered by disclosing the information.

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**Massachusetts***Current Through April 2019***Professionals Required to Report****Citation: Gen. Laws Ch. 119, § 21**

Mandatory reporters include the following:

- Physicians, medical interns, hospital personnel, medical examiners, psychologists, emergency medical technicians, dentists, nurses, chiropractors, podiatrists, optometrists, osteopaths, allied mental health and human services professionals, drug and alcoholism counselors, psychiatrists, or clinical social workers
- Public or private schoolteachers, educational administrators, guidance or family counselors, or child care workers
- Persons paid to care for or work with children in any public or private facility, home, or program that provides child care or residential services to children
- Persons who provide the services of child care resource and referral agencies, voucher management agencies, family child care systems, or child care food programs
- Licensors of the Department of Early Education and Care or school attendance officers
- Probation officers, clerk-magistrates of a district court, parole officers, social workers, foster parents, firefighters, police officers, or animal control officers
- Priests, rabbis, clergy members, ordained or licensed ministers, leaders of any church or religious body, or accredited Christian Science practitioners
- Persons performing official duties on behalf of a church or religious body that are recognized as the duties of a priest, rabbi, clergy, ordained or licensed minister, leader of any church or religious body, or accredited Christian Science practitioner
- Persons employed by a church or religious body to supervise, educate, coach, train, or counsel a child on a regular basis
- Persons in charge of a medical or other public or private institution, school, or facility or that person's designated agent
- The child advocate

**Reporting by Other Persons****Citation: Gen. Laws Ch. 119, § 51A**

Any other person who has reasonable cause to believe that a child is suffering from or has died as a result of abuse or neglect may file a report.

**Institutional Responsibility to Report****Citation: Gen. Laws Ch. 119, § 51A(a), (h)**

If a mandated reporter is a member of the staff of a medical or other public or private institution, school, or facility, the mandated reporter may instead notify the person or designated agent in charge of such institution, school, or facility, who shall become responsible for notifying the department in the manner required by this section.

No employer shall discharge, discriminate, or retaliate against a mandated reporter who, in good faith, files a report, testifies, or is about to testify in any proceeding involving child abuse or neglect. Any employer who discharges, discriminates, or retaliates against that mandated reporter shall be liable to the mandated reporter for treble damages, costs, and attorney's fees.

**Standards for Making a Report****Citation: Gen. Laws Ch. 119, § 51A**

A mandated reporter must report when, in his or her professional capacity, he or she has reasonable cause to believe that a child is suffering physical or emotional injury resulting from any of the following:

- Abuse inflicted upon the child that causes harm or substantial risk of harm to the child's health or welfare, including sexual abuse
- Neglect, including malnutrition
- Physical dependence upon an addictive drug at birth
- Being a sexually exploited child
- Being a human trafficking victim, as defined by chapter 233, § 20M

**Privileged Communications****Citation: Gen. Laws Ch. 119, § 51A**

Any privilege relating to confidential communications established by §§ 135 to 135B, inclusive, of chapter 112 (regarding social worker-client privilege) or by §§ 20A (clergy-penitent privilege) and 20B (psychotherapist-patient privilege) of chapter 233 shall not prohibit the filing of a report under this section or a care and protection petition under § 24, except that a priest, rabbi, clergy member, ordained or licensed minister, leader of a church or religious body, or accredited Christian Science practitioner need not report information solely gained in a confession or similarly confidential communication in other religious faiths. Nothing in the general laws shall modify or limit the duty of a priest, rabbi, clergy member, ordained or licensed minister, leader of a church or religious body, or accredited Christian Science practitioner to report suspected child abuse or neglect under this section when the priest, rabbi, clergy member, ordained or licensed minister, leader of a church or religious body, or accredited Christian Science practitioner is acting in some other capacity that would otherwise make him or her a mandated reporter.

**Inclusion of Reporter's Name in Report****Citation: Gen. Laws Ch. 119, § 51A**

A report shall include the name of the person making the report.

**Disclosure of Reporter Identity**

This issue is not addressed in the statutes reviewed.

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**Michigan***Current Through April 2019***Professionals Required to Report****Citation: Comp. Laws § 722.623**

Mandatory reporters include the following:

- Physicians, physician assistants, dentists, dental hygienists, medical examiners, nurses, persons licensed to provide emergency medical care, or audiologists
- School administrators, counselors, or teachers
- Regulated child care providers
- Psychologists, marriage and family therapists, licensed professional counselors, social workers, or social work technicians

- Persons employed in a professional capacity in any office of the friend of the court
- Law enforcement officers
- Members of the clergy
- Department of Human Services employees, including eligibility specialists, family independence managers, family independence specialists, social services specialists, social work specialists, social work specialist managers, or welfare services specialists
- Any employee of an organization or entity that, as a result of Federal funding statutes, regulations, or contracts, would be prohibited from reporting in the absence of a State mandate or court order

**Reporting by Other Persons****Citation: Comp. Laws § 722.624**

Any other person, including a child, who has reasonable cause to suspect child abuse or neglect may report.

**Institutional Responsibility to Report****Citation: Comp. Laws § 722.623**

If the reporting person is a member of the staff of a hospital, agency, or school, the reporting person shall notify the person in charge of the hospital, agency, or school of his or her finding and that the report has been made and shall make a copy of the written report available to the person in charge. A notification to the person in charge of a hospital, agency, or school does not relieve the member of the staff of the hospital, agency, or school of the obligation of reporting to the department as required by this section. One report from a hospital, agency, or school is adequate to meet the reporting requirement. A member of the staff of a hospital, agency, or school shall not be dismissed or otherwise penalized for making a report required by this act or for cooperating in an investigation.

**Standards for Making a Report****Citation: Comp. Laws § 722.623**

A report is required when a reporter has reasonable cause to suspect child abuse or neglect.

**Privileged Communications****Citation: Comp. Laws § 722.631**

Only the attorney-client or clergy-penitent privilege can be grounds for not reporting.

**Inclusion of Reporter's Name in Report**

The reporter is not specifically required by statute to provide his or her name in the report.

**Disclosure of Reporter Identity****Citation: Comp. Laws §§ 722.625; 722.627**

The identity of a reporting person is confidential and subject to disclosure only with the consent of that person or by judicial process.

The identity of the reporter is protected in any release of information to the subject of the report.

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**Minnesota***Current Through April 2019***Professionals Required to Report****Citation: Ann. Stat. § 626.556, Subd. 3**

Mandatory reporters include the following:

- A professional or professional's delegate who is engaged in the practice of the healing arts, hospital administration, psychological or psychiatric treatment, child care, education, social services, correctional supervision, probation or correctional services, or law enforcement
- A member of the clergy who received the information while engaged in ministerial duties

**Reporting by Other Persons****Citation: Ann. Stat. § 626.556, Subd. 3**

Any person may voluntarily report to the local welfare agency, agency responsible for assessing or investigating the report, police department, county sheriff, Tribal social services agency, or Tribal police department if the person knows, has reason to believe, or suspects a child is being or has been neglected or subjected to physical or sexual abuse.

**Institutional Responsibility to Report****Citation: Ann. Stat. § 626.556, Subd. 3(c)**

A person mandated to report physical or sexual child abuse or neglect occurring within a licensed facility shall report the information to the agency responsible for licensing the facility or a nonlicensed personal care provider organization. A health or corrections agency receiving a report may request the local child welfare agency to provide assistance. A board or other entity whose licensees perform work within a school facility, upon receiving a complaint of alleged maltreatment, shall provide information about the circumstances of the alleged maltreatment to the commissioner of education.

**Standards for Making a Report****Citation: Ann. Stat. § 626.556, Subd. 3**

A report is required when a reporter knows or has reason to believe that a child is being neglected or sexually or physically abused or has been neglected or physically or sexually abused within the preceding 3 years.

**Privileged Communications****Citation: Ann. Stat. § 626.556, Subd. 3 & 8**

A member of the clergy is not required by this subdivision to report information that is otherwise privileged under § 595.02, subdivision 1, paragraph (c).

No evidence relating to the neglect or abuse of a child, or to any prior incidents of neglect or abuse involving any of the same persons accused of neglect or abuse, shall be excluded in any proceeding on the grounds of privilege set forth in § 595.02, subdivision 1, paragraph (a) (husband-wife), (d) (medical practitioner-patient), or (g) (mental health professional-client).

**Inclusion of Reporter's Name in Report****Citation: Ann. Stat. § 626.556, Subd. 7**

The written report from a mandatory reporter must include the name and address of the reporter.

**Disclosure of Reporter Identity****Citation: Ann. Stat. § 626.556, Subd. 11**

Any person conducting an investigation or assessment under this section who intentionally discloses the identity of a reporter prior to the completion of the investigation or assessment is guilty of a misdemeanor. After the assessment or investigation is completed, the name of the reporter shall be confidential. The subject of the report may compel disclosure of the name of the reporter only with the consent of the reporter or upon a written finding by the court that the report was false and that there is evidence that the report was made in bad faith.

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**Mississippi***Current Through April 2019***Professionals Required to Report****Citation: Ann. Code § 43-21-353**

The following professionals are required to report:

- Physicians, dentists, interns, residents, or nurses
- Public or private school employees or child care givers
- Psychologists, social workers, family protection workers, or family protection specialists
- Attorneys, ministers, or law enforcement officers

**Reporting by Other Persons****Citation: Ann. Code § 43-21-353**

All other persons who have reasonable cause to suspect that a child is abused or neglected must report.

**Institutional Responsibility to Report**

This issue is not addressed in the statutes reviewed.

**Standards for Making a Report****Citation: Ann. Code § 43-21-353**

A report is required when a person has reasonable cause to suspect that a child is abused or neglected.

**Privileged Communications**

This issue is not addressed in the statutes reviewed.

**Inclusion of Reporter's Name in Report****Citation: Ann. Code § 43-21-353**

The report shall include the name and address of all witnesses, including the reporter if he or she is a material witness to the abuse.

**Disclosure of Reporter Identity****Citation: Ann. Code § 43-21-353**

The identity of the reporting party shall not be disclosed to anyone other than law enforcement officers or prosecutors without an order from the appropriate youth court. The identity of the reporter shall not be disclosed to an individual under investigation.

**Missouri**

*Current Through April 2019*

**Professionals Required to Report****Citation: Rev. Stat. §§ 210.115; 352.400; 573.215**

Professionals required to report include the following:

- Physicians, medical examiners, coroners, dentists, chiropractors, optometrists, podiatrists, residents, interns, nurses, hospital and clinic personnel, or other health practitioners
- Daycare center workers or other child care workers, teachers, principals, or other school officials
- Psychologists, mental health professionals, or social workers
- Ministers, including clergypersons, priests, rabbis, Christian Science practitioners, or other persons serving in a similar capacity for any religious organization
- Juvenile officers, probation or parole officers, peace officers, law enforcement officials, or jail or detention center personnel
- Volunteers or personnel of community service programs that offer support services for families in crisis to assist in the delegation of any powers regarding the care and custody of a child by a properly executed power of attorney
- Other persons with responsibility for the care of children
- Film and photographic print processors; computer providers, installers, or repair persons; or internet service providers

**Reporting by Other Persons****Citation: Rev. Stat. § 210.115**

Any other person who has reasonable cause to suspect that a child has been subjected to abuse or neglect may report.

**Institutional Responsibility to Report****Citation: Rev. Stat. § 210.115**

If two or more members of a medical institution who are required to report jointly have knowledge of a known or suspected instance of child abuse or neglect, a single report may be made by a designated member of that medical team. Any member who has knowledge that the member designated to report has failed to do so shall thereafter immediately make the report. Nothing in this section, however, is meant to preclude any person from reporting abuse or neglect.

The reporting requirements under this section are individual, and no supervisor or administrator may impede or inhibit any reporting under this section. No person making a report shall be subject to any sanction, including any adverse employment action, for making such report. Every employer shall ensure that any employee required to report has immediate and unrestricted access to the communications technology necessary to make an immediate report and is temporarily relieved of other work duties for such time as is required to make any report required by this section.

### **Standards for Making a Report**

**Citation: Rev. Stat. §§ 210.115; 573.215**

A report is required under the following circumstances:

- A reporter has reasonable cause to suspect that a child has been subjected to abuse or neglect.
- A reporter observes a child being subjected to conditions or circumstances that would reasonably result in abuse or neglect.
- A film and photographic print processor has knowledge of or observes any film, photograph, videotape, negative, slide, or computer-generated image or picture depicting a child younger than age 18 engaged in an act of sexual conduct.

### **Privileged Communications**

**Citation: Rev. Stat. § 210.140**

Only the attorney-client or clergy-penitent privilege may be grounds for failure to report.

### **Inclusion of Reporter's Name in Report**

**Citation: Rev. Stat. § 210.130**

The report must include the name, address, occupation, and contact information for the person making the report.

### **Disclosure of Reporter Identity**

**Citation: Rev. Stat. § 210.150**

The names or other identifying information of reporters shall not be furnished to any child, parent, guardian, or alleged perpetrator named in the report.

## **Montana**

*Current Through April 2019*

### **Professionals Required to Report**

**Citation: Ann. Code §§ 41-3-201; 15-6-201(2)(b)**

Professionals required to report include the following:

- Physicians, residents, interns, members of hospital staffs, nurses, osteopaths, chiropractors, podiatrists, medical examiners, coroners, dentists, optometrists, or any other health professionals
- Teachers, school officials, or school employees who work during regular school hours
- Operators or employees of any registered or licensed daycare or substitute care facility, or operators or employees of child care facilities
- Mental health professionals or social workers
- Religious healers
- Foster care, residential, or institutional workers
- Members of the clergy, as defined in § 15-6-201(2)(b)
- Guardians ad litem or court-appointed advocates authorized to investigate a report
- Peace officers or other law enforcement officials

The term 'clergy' includes any of the following:

- An ordained minister, priest, or rabbi
- A commissioned or licensed minister of a church or church denomination that ordains ministers if the person has the authority to perform substantially all the religious duties of the church or denomination
- A member of a religious order who has taken a vow of poverty
- A Christian Science practitioner

**Reporting by Other Persons****Citation: Ann. Code § 41-3-201**

Any other person who knows or has reasonable cause to suspect that a child is abused or neglected may report.

**Institutional Responsibility to Report**

This issue is not addressed in the statutes reviewed.

**Standards for Making a Report****Citation: Ann. Code § 41-3-201**

A report is required when either of the following apply:

- A reporter knows or has reasonable cause to suspect, as a result of information received in his or her professional or official capacity, that a child is abused or neglected.
- A health-care professional involved in the delivery or care of an infant knows that the infant is affected by a dangerous drug.

**Privileged Communications****Citation: Ann. Code § 41-3-201**

A person listed as a mandated reporter may not refuse to make a report as required in this section on the grounds of a physician-patient or similar privilege.

A member of the clergy or a priest is not required to make a report under this section if the communication is required to be confidential by canon law, church doctrine, or established church practice.

**Inclusion of Reporter's Name in Report**

The reporter is not specifically required by statute to provide his or her name in the report.

**Disclosure of Reporter Identity****Citation: Ann. Code § 41-3-205**

The identity of the reporter shall not be disclosed in any release of information to the subject of the report.

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**Nebraska**

*Current Through April 2019*

**Professionals Required to Report****Citation: Rev. Stat. § 28-711**

Professionals required to report include the following:

- Physicians, medical institutions, or nurses
- School employees
- Social workers
- The inspector general appointed under § 43-4317

The Office of Inspector General of Nebraska Child Welfare was created within the Office of Public Counsel for the purpose of conducting investigations, audits, inspections, and other reviews of the Nebraska child welfare system. The inspector general shall be appointed by the public counsel with approval from the chairperson of the Executive Board of the Legislative Council and the chairperson of the Health and Human Services Committee of the legislature.

**Reporting by Other Persons****Citation: Rev. Stat. § 28-711**

All other persons who have reasonable cause to believe that a child has been subjected to abuse or neglect must report.

**Institutional Responsibility to Report**

This issue is not addressed in the statutes reviewed.

**Standards for Making a Report****Citation: Rev. Stat. § 28-711**

A report is required when either of the following apply:

- A reporter has reasonable cause to believe that a child has been subjected to abuse or neglect.
- A reporter observes a child being subjected to conditions or circumstances that reasonably would result in abuse or neglect.

**Privileged Communications****Citation: Rev. Stat. § 28-714**

The physician-patient, counselor-client, and husband-wife privileges shall not be grounds for failing to report.

**Inclusion of Reporter's Name in Report****Citation: Rev. Stat. § 28-711**

The initial oral report shall include the reporter's name and address.

**Disclosure of Reporter Identity****Citation: Rev. Stat. § 28-719**

The name and address of the reporter shall not be included in any release of information.

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**Nevada**

*Current Through April 2019*

**Professionals Required to Report****Citation: Rev. Stat. § 432B.220**

Mandatory reporters include the following:

- Persons providing services licensed or certified in this State pursuant to, without limitation, hospitals, physicians and other medical personnel, psychologists, therapists, social workers, and counselors, as described in chapters 450B, 630, 630A, 631, 632, 633, 634, 634A, 635, 636, 637, 637B, 639, 640, 640A, 640B, 640C, 640D, 640E, 641, 641A, 641B, and 641C
- Any personnel of a licensed medical facility engaged in the admission, examination, care, or treatment of persons or an administrator, manager, or other person in charge of the medical facility upon notification of suspected abuse or neglect of a child by a member of the staff of the medical facility
- Coroners
- Members of the clergy, Christian Science practitioners, or religious healers
- Employees of public or private schools and any volunteers serving at such schools
- Persons who maintain or are employed by facilities that provide care for children, children's camps, or other public or private facilities, institutions, or agencies furnishing care to children
- Persons licensed to conduct foster homes
- Officers or employees of law enforcement agencies or adult or juvenile probation officers
- Except as otherwise provided below, attorneys
- Persons who maintain, are employed by, or serve as volunteers for agencies or services that advise persons regarding abuse or neglect of a child and refer them to persons and agencies where their requests and needs can be met
- Persons who are employed by or serve as volunteers for a youth shelter
- Any adult person who is employed by an entity that provides organized activities for children, including, without limitation, any person who is employed by a school district or public school

**Reporting by Other Persons****Citation: Rev. Stat. § 432B.220**

Any other person may report.

**Institutional Responsibility to Report**

This issue is not addressed in the statutes reviewed.

### **Standards for Making a Report**

#### **Citation: Rev. Stat. § 432B.220**

A report is required when any of the following apply:

- A reporter, in his or her professional capacity, knows or has reason to believe that a child is abused or neglected.
- A reporter has reasonable cause to believe that a child has died as a result of abuse or neglect.
- A medical services provider who delivers or provides medical services to a newborn infant, in his or her professional or occupational capacity, knows or has reasonable cause to believe that the newborn infant has been affected by prenatal illegal substance abuse or has withdrawal symptoms resulting from prenatal drug exposure.

### **Privileged Communications**

#### **Citation: Rev. Stat. §§ 432B.220; 432B.225; 432B.250**

The clergy-penitent privilege applies when the knowledge is gained during religious confession.

- Notwithstanding the provisions of § 432B.220, an attorney shall not make a report of the abuse or neglect of a child if the attorney acquired knowledge of the abuse or neglect from a client during a privileged communication if the client:
  - Has been or may be accused of committing the abuse or neglect

Is the victim of the abuse or neglect, is in foster care, and did not give consent to the attorney to report the abuse or neglect

Nothing in this section shall be construed as relieving an attorney from either of the following:

- The duty to report the abuse or neglect of a child, except as otherwise provided above
- Complying with any ethical duties of attorneys, including, without limitation, any duty to take reasonably necessary actions to protect his or her client if the client is not capable of making adequately considered decisions because of age, mental impairment, or any other reason

Any other person who is required to report may not invoke privilege for failure to make a report.

### **Inclusion of Reporter's Name in Report**

The reporter is not specifically required by statute to provide his or her name in the report.

### **Disclosure of Reporter Identity**

#### **Citation: Rev. Stat. § 432B.290**

Information maintained by a child welfare agency may be made available to the persons listed below, as long as the identity of the person making the report is kept confidential:

- The proposed guardian or proposed successor guardian of a child
- A parent or legal guardian of the child and his or her attorney
- A child age 14 or older over whom a guardianship is sought
- Upon written consent of the parent, any officer of this State or a city or county, or a legislator, to investigate the activities or programs of a child welfare agency

An agency investigating a report of the abuse or neglect of a child shall, upon request, provide to a person named in the report as allegedly causing the abuse or neglect of the child a written summary of the allegations made against the person who is named in the report as allegedly causing the abuse or neglect of the child. The summary must not identify the person responsible for reporting the alleged abuse or neglect or any collateral sources and reporting parties.

Except as provided below, before releasing any information an agency shall take whatever precautions it determines are reasonably necessary to protect the identity and safety of any person who reports child abuse or neglect.

A person who is the subject of an unsubstantiated report of child abuse or neglect who believes that the report was made in bad faith or with malicious intent may petition a district court to order the agency that provides child welfare services to release information maintained by the agency. If the court finds that there is a reasonable cause to believe that the report was made in bad faith or with malicious intent and that the disclosure of the identity of the person who made the report would not be likely to endanger the life or safety of the person who made the report, the court shall provide a copy of the information to the petitioner.

## New Hampshire

*Current Through April 2019*

### Professionals Required to Report

**Citation: Rev. Stat. § 169-C:29**

The following professionals are required to report:

- Physicians, surgeons, county medical examiners, psychiatrists, residents, interns, dentists, osteopaths, optometrists, chiropractors, nurses, hospital personnel, or Christian Science practitioners
- Teachers, school officials, nurses, or counselors
- Daycare workers or any other child or foster care workers
- Social workers
- Psychologists or therapists
- Priests, ministers, or rabbis
- Law enforcement officials

### Reporting by Other Persons

**Citation: Rev. Stat. § 169-C:29**

All other persons who have reason to suspect that a child has been abused or neglected must report.

### Institutional Responsibility to Report

This issue is not addressed in the statutes reviewed.

### Standards for Making a Report

**Citation: Rev. Stat. § 169-C:29**

A report is required when a person has reason to suspect that a child has been abused or neglected.

### Privileged Communications

**Citation: Rev. Stat. § 169-C:32**

Only the attorney-client privilege is permitted.

### Inclusion of Reporter's Name in Report

The reporter is not specifically required by statute to provide his or her name in the report.

### Disclosure of Reporter Identity

**Citation: Rev. Stat. § 170-G:8-a**

The case records of the Department of Health and Human Services do not include the name of a person who makes a report of suspected abuse or neglect of a child or any information that would identify the reporter.

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## New Jersey

*Current Through April 2019*

### Professionals Required to Report

No professional groups are specified in statute; all persons are required to report.

### Reporting by Other Persons

**Citation: Ann. Stat. § 9:6-8.10**

Any person having reasonable cause to believe that a child has been subjected to child abuse, including sexual abuse, or acts of child abuse shall report.

### Institutional Responsibility to Report

This issue is not addressed in the statutes reviewed.

**Standards for Making a Report****Citation: Ann. Stat. § 9:6-8.10**

A report is required when a person has reasonable cause to believe that a child has been subjected to abuse or neglect.

**Privileged Communications**

This issue is not addressed in the statutes reviewed.

**Inclusion of Reporter's Name in Report**

The reporter is not specifically required by statute to provide his or her name in the report.

**Disclosure of Reporter Identity****Citation: Ann. Stat. § 9:6-8.10a**

The identity of the reporter shall not be made public. Any information that could endanger any person shall not be released.

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**New Mexico**

*Current Through April 2019*

**Professionals Required to Report****Citation: Ann. Stat. § 32A-4-3**

Professionals required to report include the following:

- Licensed physicians
- Residents or interns
- Law enforcement officers or judges
- Registered nurses or visiting nurses
- Teachers or school officials
- Social workers acting in their official capacity
- Members of the clergy

**Reporting by Other Persons****Citation: Ann. Stat. § 32A-4-3**

Every person who knows or has a reasonable suspicion that a child is an abused or a neglected child shall report the matter immediately.

**Institutional Responsibility to Report**

This issue is not addressed in the statutes reviewed.

**Standards for Making a Report****Citation: Ann. Stat. § 32A-4-3**

A report is required when a person knows or has a reasonable suspicion that a child is abused or neglected.

**Privileged Communications****Citation: Ann. Stat. §§ 32A-4-3; 32A-4-5**

A clergy member need not report any information that is privileged.

The report or its contents or any other facts related thereto or to the condition of the child who is the subject of the report shall not be excluded on the ground that the matter is or may be the subject of a physician-patient privilege or similar privilege or rule against disclosure.

**Inclusion of Reporter's Name in Report****Citation: Ann. Stat. § 32A-4-5**

The identity of the mandated reporter will be verified before any investigation is initiated.

**Disclosure of Reporter Identity****Citation: Ann. Stat. § 32A-4-33**

Any release of information to a parent, guardian, or legal custodian shall not include identifying information about the reporter.

**New York**

*Current Through April 2019*

**Professionals Required to Report****Citation: Soc. Serv. Law § 413**

The following persons and officials are required to report:

- Physicians, physician assistants, surgeons, medical examiners, coroners, dentists, dental hygienists, osteopaths, optometrists, chiropractors, podiatrists, residents, interns, psychologists, registered nurses, social workers, or emergency medical technicians
- Licensed creative arts therapists, marriage and family therapists, mental health counselors, or psychoanalysts
- Hospital personnel or Christian Science practitioners
- School officials, including, but not limited to, teachers, guidance counselors, school psychologists, school social workers, school nurses, or administrators
- Full- or part-time compensated school employees required to hold temporary coaching licenses or professional coaching certificates
- Social services workers, daycare center workers, providers of family or group family daycare, or any other child care or foster care worker
- Employees of publicly-funded emergency shelters for families with children
- Directors of children's overnight camps, summer day camps, or traveling summer day camps
- Employees or volunteers in residential care facilities for children that are licensed, certified, or operated by the Office of Children and Family Services
- Mental health professionals, substance abuse counselors, alcoholism counselors, or all persons credentialed by the Office of Alcoholism and Substance Abuse Services
- Employees of health home-care agencies or home- and community-based services who are expected to have regular and substantial contact with children
- Peace officers, police officers, district attorneys or assistant district attorneys, investigators employed in the office of a district attorney, or other law enforcement officials

**Reporting by Other Persons****Citation: Soc. Serv. Law § 414**

Any other person who has reasonable cause to suspect that a child is abused or maltreated may report.

**Institutional Responsibility to Report****Citation: Soc. Serv. Law § 413**

Whenever a person is required to report in his or her capacity as a member of the staff of a medical or other public or private institution, school, facility, or agency, he or she shall make the report as required and immediately notify the person in charge of such institution, school, facility, or agency, or his or her designated agent. The person in charge, or the designated agent of such person, shall be responsible for all subsequent administration necessitated by the report. Any report shall include the name, title, and contact information for every staff person of the institution who is believed to have direct knowledge of the allegations in the report. Nothing in this section or title is intended to require more than one report from any such institution, school, or agency.

A medical or other public or private institution, school, facility, or agency shall not take any retaliatory personnel action against an employee because such employee believes that he or she has reasonable cause to suspect that a child is an abused or maltreated child and that employee therefore makes a report in accordance with this title. No school, school official, child care provider, foster care provider, residential care facility provider, hospital, medical institution provider, or mental health facility provider shall impose any conditions, including prior approval or prior notification, upon a member of their staff specifically required to report under this title.

**Standards for Making a Report****Citation: Soc. Serv. Law § 413**

A report is required when the reporter has reasonable cause to suspect that either of the following is true:

- A child coming before him or her in his or her professional or official capacity is an abused or maltreated child.
- The parent, guardian, custodian, or other person legally responsible for the child comes before the reporter and states from personal knowledge facts, conditions, or circumstances that, if correct, would render the child an abused or maltreated child.

**Privileged Communications****Citation: Soc. Serv. Law § 415**

Notwithstanding the privileges set forth in article 45 of the civil practice law and rules, and any other provision of law to the contrary, mandated reporters who make a report that initiates an investigation of an allegation of child abuse or maltreatment are required to comply with all requests for records made by a child protective services agency relating to the report.

**Inclusion of Reporter's Name in Report****Citation: Soc. Serv. Law § 415**

The report shall include the name and contact information for the reporter.

**Disclosure of Reporter Identity****Citation: Soc. Serv. Law § 422-a**

Any disclosure of information shall not identify the source of the report.

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**North Carolina**

*Current Through April 2019*

**Professionals Required to Report****Citation: Gen. Stat. § 7B-301**

Any person or institution that has cause to suspect abuse or neglect shall report.

**Reporting by Other Persons****Citation: Gen. Stat. § 7B-301**

All persons who have cause to suspect that any juvenile is abused, neglected, or dependent or has died as the result of maltreatment shall report.

**Institutional Responsibility to Report**

This issue is not addressed in the statutes reviewed.

**Standards for Making a Report****Citation: Gen. Stat. § 7B-301**

A report is required when a reporter has cause to suspect that any juvenile is abused, neglected, or dependent or has died as the result of maltreatment.

**Privileged Communications****Citation: Gen. Stat. § 7B-310**

No privilege shall be grounds for failing to report, even if the knowledge or suspicion is acquired in an official professional capacity, except when the knowledge or suspicion is gained by an attorney from that attorney's client during representation only in the abuse, neglect, or dependency case. No privilege, except the attorney-client privilege, shall be grounds for excluding evidence of abuse, neglect, or dependency.

**Inclusion of Reporter's Name in Report****Citation: Gen. Stat. § 7B-301**

The report must include the name, address, and telephone number of the reporter.

**Disclosure of Reporter Identity****Citation: Gen. Stat. § 7B-302**

The Department of Social Services shall hold the identity of the reporter in strictest confidence, except that the department shall disclose confidential information regarding the identity of the reporter to any Federal, State, or local government entity or its agent with a court order. The department may only disclose confidential information regarding the identity of the reporter to a Federal, State, or local government entity or its agent without a court order when the entity demonstrates a need for the reporter's name to carry out the entity's mandated responsibilities.

**North Dakota**

*Current Through April 2019*

**Professionals Required to Report****Citation: Cent. Code §§ 50-25.1-03; 25-01-01**

The following professionals are required to report:

- Dentists, dental hygienists, optometrists, medical examiners or coroners, or any other medical or mental health professionals
- Tier 1, tier 2, tier 3, or tier 4 mental health professionals, as defined under § 25-01-01
- Religious practitioners of the healing arts
- Schoolteachers, administrators, or school counselors
- Child care workers or foster parents
- Police or law enforcement officers, juvenile court personnel, probation officers, or division of juvenile services employees
- Licensed social workers, family services specialists, or child care licensors
- Members of the clergy

Mental health professionals are classified as follows:

- Tier 1 mental health professionals include licensed psychiatrists, psychologists, physicians, or physician assistants, and advanced practice registered nurses.
- Tier 2 mental health professionals include licensed independent clinical social workers, professional clinical counselors, marriage and family therapists, addiction counselors, and registered nurses.
- Tier 3 mental health professionals include licensed associate professional counselors, master social workers, baccalaureate social workers, professional counselors, associate marriage and family therapists, occupational therapists, practical nurses, behavior analysts, vocational rehabilitation counselors, school psychologists, and human relations counselors.
- Tier 4 mental health professionals include direct care associates or technicians.

**Reporting by Other Persons****Citation: Cent. Code § 50-25.1-03**

Any other person who has reasonable cause to suspect that a child is abused or neglected may report.

**Institutional Responsibility to Report****Citation: Cent. Code §§ 50-25.1-04; 50-25.1-09.1**

Reports involving known or suspected institutional child abuse or neglect must be made and received in the same manner as all other reports made under this chapter.

An employer is prohibited from retaliating against an employee solely because the employee in good faith reported having reasonable cause to suspect that a child was abused or neglected or died as a result of abuse or neglect or because the employee is a child with respect to whom a report was made.

There is a rebuttable presumption that any adverse action within 90 days of a report is retaliatory. For purposes of this subsection, an 'adverse action' is action taken by an employer against the person making the report or the child with respect to whom a report was made, including any of the following:

- Discharge, suspension, termination, or transfer from any facility, institution, school, agency, or other place of employment
- Discharge from or termination of employment

- Demotion or reduction in remuneration for services
- Restriction or prohibition of access to any facility, institution, school, agency, or other place of employment or persons affiliated with it

**Standards for Making a Report****Citation: Cent. Code § 50-25.1-03**

A report is required when a reporter has knowledge of or reasonable cause to suspect that a child is abused or neglected, if the knowledge or suspicion is derived from information received by that person in that person's official or professional capacity.

A person who has knowledge of or reasonable cause to suspect that a child is abused or neglected based on images of sexual conduct by a child discovered on a workplace computer shall report the circumstances to the department.

**Privileged Communications****Citation: Cent. Code §§ 50-25.1-03; 50-25.1-10**

A member of the clergy is not required to report such circumstances if the knowledge or suspicion is derived from information received in the capacity of spiritual adviser.

Any privilege of communication between husband and wife or between any professional person and the person's patient or client, except between attorney and client, cannot be used as grounds for failing to report.

**Inclusion of Reporter's Name in Report**

The reporter is not specifically required by statute to provide his or her name in the report.

**Disclosure of Reporter Identity****Citation: Cent. Code § 50-25.1-11**

All reports are confidential and must be made available to a parent, the child's guardian, and any person who is the subject of a report provided that the identity of persons reporting or supplying information is protected.

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**Northern Mariana Islands***Current Through April 2019***Professionals Required to Report****Citation: Commonwealth Code Tit. 6, § 5313**

Reports are required from the following:

- Any health-care worker, including anesthesiologists, acupuncturists, chiropractors, dentists, health aides, hypnotists, massage therapists, mental health counselors, midwives, nurses, nurse practitioners, osteopaths, naturopaths, physical therapists, physicians, physician's assistants, psychiatrists, psychologists, radiologists, religious healing practitioners, surgeons, or x-ray technicians
- Teachers or other school officials
- Daycare providers, nannies, au pair workers, or any other person who is entrusted with the temporary care of a minor child in return for compensation, except babysitters who are themselves minor children
- Counselors or social workers
- Peace officers or other law enforcement officials

**Reporting by Other Persons****Citation: Commonwealth Code Tit. 6, § 5313**

Any other person may at any time report known or suspected instances of child abuse or neglect.

**Institutional Responsibility to Report**

This issue is not addressed in the statutes reviewed.

**Standards for Making a Report****Citation: Commonwealth Code Tit. 6, § 5313**

A report is required when a mandated reporter comes into contact in a professional capacity with a child who the person knows or has reasonable cause to suspect is abused or neglected.

**Privileged Communications****Citation: Commonwealth Code Tit. 6, § 5317**

Common law and statutory privileges as to communications between husband and wife and a professional person and his or her patient or client, except for that between attorney and client, do not apply to communications relating to the reporting of child abuse offenses.

**Inclusion of Reporter's Name in Report**

The reporter is not specifically required by statute to provide his or her name in the report.

**Disclosure of Reporter Identity****Citation: Commonwealth Code Tit. 6, § 5325**

The release of data that would identify the person who made a report of suspected child abuse or the person who cooperated in a subsequent investigation is prohibited.

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**Ohio**

*Current Through April 2019*

**Professionals Required to Report****Citation: Rev. Code § 2151.421**

Mandatory reporters include the following:

- Attorneys
- Physicians, interns, residents, dentists, podiatrists, nurses, or other health-care professionals
- Licensed psychologists, school psychologists, or marriage and family therapists
- Speech pathologists or audiologists
- Coroners
- Administrators or employees of child daycare centers, certified child care agencies, or other public or private children services; residential camps; child day camps; or private, nonprofit therapeutic wilderness camps agencies
- Teachers, school employees, or school authorities
- Persons engaged in social work or the practice of professional counseling
- Peace officers or agents of county humane societies
- Persons, other than clerics, rendering spiritual treatment through prayer in accordance with the tenets of a well-recognized religion
- Professional employees of a county Department of Job and Family Services who works with children and families
- Superintendents or regional administrators employed by the Department of Youth Services
- Superintendents, board members, or employees of county boards of developmental disabilities; investigative agents contracted with by a county board of developmental disabilities; employees of the Department of Developmental Disabilities; employees of a facility or home that provides respite care; employees of a home health agency; or employees of an entity that provides homemaker services
- Persons performing the duties of an assessor or third party employed by a public children's services agency to assist in providing child- or family-related services
- Court-appointed special advocates or guardians ad litem

**Reporting by Other Persons****Citation: Rev. Code § 2151.421**

Any other person who suspects that a child has suffered or faces a threat of suffering from abuse or neglect may report.

### **Institutional Responsibility to Report**

This issue is not addressed in the statutes reviewed.

### **Standards for Making a Report**

**Citation: Rev. Code § 2151.421**

A report is required when a mandated person is acting in an official or professional capacity and knows or suspects that a child under age 18 or a person under age 21 with a developmental disability or physical impairment has suffered or faces a threat of suffering any physical or mental wound, injury, disability, or condition of a nature that reasonably indicates abuse or neglect of the child.

### **Privileged Communications**

**Citation: Rev. Code § 2151.421**

An attorney, physician, or cleric is not required to make a report concerning any communication the attorney, physician, or cleric receives from a client, patient, or penitent in a professional relationship, if, in accordance with § 2317.02, the attorney, physician, or cleric could not testify with respect to that communication in a civil or criminal proceeding.

If all the following apply, the client, patient, or penitent in the relationship is deemed to have waived any testimonial privilege with respect to any communication the attorney, physician, or cleric receives, and the attorney, physician, or cleric shall make a report with respect to that communication:

- The client, patient, or penitent, at the time of the communication, is either a child under age 18 or a mentally retarded, developmentally disabled, or physically impaired person under age 21.
- The attorney, physician, or cleric knows, or has reasonable cause to suspect based on facts that would cause a reasonable person in similar position to suspect, as a result of the communication or any observations made during that communication, that the client, patient, or penitent has suffered or faces a threat of suffering any physical or mental wound, injury, disability, or condition of a nature that reasonably indicates abuse or neglect of the person.
- The abuse or neglect does not arise out of the person's attempt to have an abortion without the notification of her parents, guardian, or custodian in accordance with § 2151.85.

### **Inclusion of Reporter's Name in Report**

**Citation: Rev. Code § 2151.421**

The reporter is not required to provide his or her name in the report, but if he or she wants to receive information on the outcome of the investigation, he or she must provide his or her name, address, and telephone number to the person who receives the report.

### **Disclosure of Reporter Identity**

**Citation: Rev. Code § 2151.421**

The information provided in a report made pursuant to this section and the name of the person who made the report shall not be released for use and shall not be used as evidence in any civil action or proceeding brought against the person who made the report.

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## **Oklahoma**

*Current Through April 2019*

### **Professionals Required to Report**

**Citation: Ann. Stat. Tit. 10A, § 1-2-101; Tit. 21, § 1021.4**

Mandatory reporters include the following:

- All persons
- Commercial film and photographic print processors or computer technicians

### **Reporting by Other Persons**

**Citation: Ann. Stat. Tit. 10A, § 1-2-101**

Every person who has reason to believe that a child is a victim of abuse or neglect must report.

**Institutional Responsibility to Report****Citation: Ann. Stat. Tit. 10A, § 1-2-101**

The reporting obligations under this section are individual, and no employer, supervisor, administrator, governing body, or entity shall interfere with the reporting obligations of any employee or other person or in any manner discriminate or retaliate against the employee or other person who in good faith reports suspected child abuse or neglect or who provides testimony in any proceeding involving child abuse or neglect. Any employer, supervisor, administrator, governing body, or entity that discharges, discriminates, or retaliates against the employee or other person shall be liable for damages, costs, and attorney fees. If a child who is the subject of the report or other child is harmed by the discharge, discrimination, or retaliation described in this paragraph, the party harmed may file an action to recover damages, costs, and attorney fees.

**Standards for Making a Report****Citation: Ann. Stat. Tit. 10A, § 1-2-101; Tit. 21, § 1021.4**

A report is required when any of the following apply:

- Any person has reason to believe that a child under age 18 is a victim of abuse or neglect.
- A physician, surgeon, other health-care professional (including doctors of medicine, licensed osteopathic physicians, residents, and interns), or midwife is involved in the prenatal care of expectant mothers or the delivery or care of infants and an infant tests positive for alcohol or a controlled dangerous substance or is diagnosed with neonatal abstinence syndrome or fetal alcohol spectrum disorder.
- A commercial film and photographic print processor or computer technician has knowledge of or observes any film, photograph, videotape, negative, or slide depicting a child engaged in an act of sexual conduct.

**Privileged Communications****Citation: Ann. Stat. Tit. 10A, § 1-2-101**

No privilege shall relieve any person from the requirement to report.

**Inclusion of Reporter's Name in Report**

This issue is not addressed in the statutes reviewed.

**Disclosure of Reporter Identity****Citation: Ann. Stat. Tit. 10A, § 1-2-101**

The Department of Human Services shall electronically record each referral received by the statewide centralized child abuse reporting hotline and establish a secure means of retaining the recordings for 12 months. The recordings shall be confidential and subject to disclosure only if a court orders the disclosure of the referral. The department shall redact any information identifying the reporting party unless otherwise ordered by the court.

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**Oregon***Current Through April 2019***Professionals Required to Report****Citation: Rev. Stat. §§ 419B.005; 419B.010**

The following public or private officials are mandated to report:

- Physicians, physician assistants, naturopathic physicians, interns, residents, optometrists, chiropractors, dentists, nurses, nurse practitioners, pharmacists, nurse's aides, home health aides, or employees of in-home health services
- School employees, including employees of higher education institutions (such as community colleges and public and private universities)
- Employees of the Department of Human Services, the Oregon Health Authority, the Early Learning Division, the Youth Development Council, the Office of Child Care, the Oregon Youth Authority, a local health department, a community mental health program, a community developmental disabilities program, a county juvenile department, a licensed child-caring agency, or an alcohol and drug treatment program
- Peace officers
- Members of the clergy

- Psychologists, social workers, professional counselors, or marriage and family therapists
- Certified foster care or child care providers
- Attorneys or court-appointed special advocates
- Firefighters or emergency medical technicians
- Members of the Legislative Assembly
- Physical, speech, or occupational therapists
- Audiologists or speech-language pathologists
- Employees of the Teacher Standards and Practices Commission directly involved in investigations or discipline by the commission
- Operators of preschool or school-age recorded programs
- Employees or a private agency or organization facilitating the provision of respite services for parents pursuant to a properly executed power of attorney
- Employees of organizations providing child-related services or activities, including youth groups or centers, scout groups or camps, or summer or day camps
- Coaches, assistant coaches, or trainers of athletes, if compensated and if the athlete is a child
- Personal support and home care workers

**Reporting by Other Persons****Citation: Rev. Stat. § 419B.015**

Any person may voluntarily make a report.

**Institutional Responsibility to Report****Citation: Rev. Stat. § 419B.010**

The duty to report under this section is personal to the public or private official alone, regardless of whether the official is employed by, a volunteer of, or a representative or agent for any type of entity or organization that employs persons or uses persons as volunteers who are public or private officials in its operations.

The duty to report under this section exists regardless of whether the entity or organization that employs the public or private official or uses the official as a volunteer has its own procedures or policies for reporting abuse internally within the entity or organization.

**Standards for Making a Report****Citation: Rev. Stat. § 419B.010**

A report is required when any public or private official has reasonable cause to believe that any child with whom the official comes in contact has suffered abuse.

**Privileged Communications****Citation: Rev. Stat. § 419B.010**

A psychiatrist, psychologist, member of the clergy, or attorney shall not be required to report if such communication is privileged under law. An attorney is not required to make a report of information communicated to the attorney in the course of representing a client if disclosure of the information would be detrimental to the client.

**Inclusion of Reporter's Name in Report**

The reporter is not specifically required by statute to provide his or her name in the report.

**Disclosure of Reporter Identity****Citation: Rev. Stat. § 419B.015**

The name, address, and other identifying information about the person who made the report may not be disclosed.

## Pennsylvania

*Current Through April 2019*

### Professionals Required to Report

**Citation: Cons. Stat. Tit. 23, § 6311**

The following adults are required to report:

- Persons licensed or certified to practice in any health-related field
- Medical examiners, coroners, or funeral directors
- Employees of licensed health-care facilities who are engaged in the admission, examination, care, or treatment of individuals
- School employees
- Employees of a child care service or public library
- A clergyman, priest, rabbi, minister, Christian Science practitioner, religious healer, or spiritual leader of any regularly established church or other religious organization
- Any person, paid or unpaid, who, on the basis of the person's role in a program, activity, or service, is a person responsible for the child's welfare or has direct contact with children
- Employees of a social services agency
- A peace officer or law enforcement official
- An emergency medical services provider
- An individual supervised or managed by a person listed above who has direct contact with children
- An independent contractor
- An attorney affiliated with an agency, institution, or other entity, including a school or established religious organization that is responsible for the care, supervision, guidance, or control of children
- A foster parent
- An adult family member who is a person responsible for the child's welfare and provides services to a child in a family living home, community home for individuals with an intellectual disability, or licensed host home for children

A 'school employee' is an individual who is employed by a school or who provides an activity or service sponsored by a school. The term does not apply to administrative personnel unless that person has direct contact with children. A school is a facility providing elementary, secondary, or postsecondary educational services, including public and nonpublic schools, vocational-technical schools, and institutions of higher education.

### Reporting by Other Persons

**Citation: Cons. Stat. Tit. 23, § 6312**

Any person may make an oral or written report of suspected child abuse, which may be submitted electronically, if that person has reasonable cause to suspect that a child is a victim of child abuse.

### Institutional Responsibility to Report

**Citation: Cons. Stat. Tit. 23, § 6311**

Whenever a person is required to report in the capacity as a member of the staff of a medical or other public or private institution, school, facility, or agency, that person shall report immediately in accordance with § 6313 and shall immediately thereafter notify the person in charge of the institution, school, facility, or agency, or the designated agent of the person in charge. Upon notification, the person in charge or the designated agent, if any, shall facilitate the cooperation of the institution, school, facility, or agency with the investigation of the report. Any intimidation, retaliation, or obstruction in the investigation of the report is subject to the provisions of title 18, § 4958 (relating to intimidation, retaliation, or obstruction in child abuse cases). This chapter does not require more than one report from any such institution, school, facility, or agency.

### **Standards for Making a Report**

#### **Citation: Cons. Stat. Tit. 23, § 6311**

A mandated reporter shall make a report of suspected child abuse if he or she has reasonable cause to suspect that a child is a victim of child abuse under any of the following circumstances:

- The mandated reporter comes into contact with the child in the course of employment, occupation, and practice of a profession or through a regularly scheduled program, activity, or service.
- The mandated reporter is directly responsible for the care, supervision, guidance, or training of the child or is affiliated with an agency, institution, organization, school, regularly established church or religious organization, or other entity that is directly responsible for the care, supervision, guidance, or training of the child.
- A person makes a specific disclosure to the mandated reporter that an identifiable child is the victim of child abuse.
- An individual age 14 or older makes a specific disclosure to the mandated reporter that the individual has committed child abuse.

Nothing in this section shall require a child to come before the mandated reporter in order for the mandated reporter to make a report of suspected child abuse. Nothing in this section shall require the mandated reporter to identify the person responsible for the child abuse to make a report of suspected child abuse.

### **Privileged Communications**

#### **Citation: Cons. Stat. Tit. 23, § 6311.1**

The privileged communications between a mandated reporter and a patient or client of the mandated reporter shall not apply to a situation involving child abuse nor relieve the mandated reporter of the duty to make a report of suspected child abuse.

The following protections shall apply:

- Confidential communications made to a member of the clergy are protected under title 42, § 5943 (relating to confidential communications to clergymen).
- Confidential communications made to an attorney are protected so long as they are within the scope of title 42, § 5916 (relating to confidential communications to an attorney) and § 5928 (relating to confidential communications to an attorney), the attorney work product doctrine, or the rules of professional conduct for attorneys.

### **Inclusion of Reporter's Name in Report**

#### **Citation: Cons. Stat. Tit. 23, § 6313**

A written report of suspected child abuse, which may be submitted electronically, shall include the name, telephone number, and email address of the person making the report.

### **Disclosure of Reporter Identity**

#### **Citation: Cons. Stat. Tit. 23, § 6340**

Upon a written request, a subject of a report may receive a copy of all information, except for the identity of the person who made the report.

Except for reports released to law enforcement officials and the district attorney's office, and in response to a law enforcement official investigating allegations of false reports under title 18, § 4906.1 (relating to false reports of child abuse), the release of data that would identify the person who made a report of suspected child abuse or who cooperated in a subsequent investigation is prohibited. Law enforcement officials shall treat all reporting sources as confidential informants.

## **Puerto Rico**

*Current Through April 2019*

### **Professionals Required to Report**

**Citation: Ann. Laws Tit. 8, § 446**

The following individuals and entities are required to report:

- Professionals or public officials
- Public, private, or privatized entities
- Professionals in the fields of health, justice, education, social work, or public order
- Persons who administer or work in caregiving institutions or centers, rehabilitation institutions, centers for minors, or foster homes
- Processors of film or photographs

### **Reporting by Other Persons**

**Citation: Ann. Laws Tit. 8, § 446**

Any person who has knowledge of or suspects that a minor is a victim of abuse or neglect must report.

### **Institutional Responsibility to Report**

This issue is not addressed in the statutes reviewed.

### **Standards for Making a Report**

**Citation: Ann. Laws Tit. 8, § 446**

A report is required when either of the following apply:

- A person, in his or her professional capacity and in the performance of his or her functions, learns or comes to suspect that a minor is, has been, or is at risk of becoming a victim of abuse.
- A film processor has knowledge of or observes any motion picture, photograph, videotape, negative, or slide that depicts a minor involved in a sexual activity.

### **Privileged Communications**

This issue is not addressed in the statutes reviewed.

### **Inclusion of Reporter's Name in Report**

The reporter is not specifically required by statute to provide his or her name in the report.

### **Disclosure of Reporter Identity**

**Citation: Ann. Laws Tit. 8, § 446**

The identity of the person who made the report shall be kept in strict confidence.

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## **Rhode Island**

*Current Through April 2019*

### **Professionals Required to Report**

**Citation: Gen. Laws § 40-11-6**

Any physician, duly certified registered nurse practitioner, or other health-care provider is required to report.

### **Reporting by Other Persons**

**Citation: Gen. Laws § 40-11-3(a)**

Any person who has reasonable cause to know or suspect that a child has been abused or neglected must report.

### **Institutional Responsibility to Report**

This issue is not addressed in the statutes reviewed.

**Standards for Making a Report****Citation: Gen. Laws §§ 40-11-3(a); 40-11-6**

A report is required when the following apply:

- A person has reasonable cause to know or suspect that a child has been abused or neglected.
- The following apply to a physician, nurse practitioner, or other health-care provider:
  - » He or she is involved in the delivery or care of infants born with, or identified as being affected by, substance abuse or withdrawal symptoms resulting from prenatal drug exposure or a fetal alcohol spectrum disorder.
  - » He or she has cause to suspect that a child brought to them for treatment is an abused or neglected child.
  - » He or she determines that a child younger than age 12 is suffering from any sexually transmitted disease.

**Privileged Communications****Citation: Gen. Laws § 40-11-11**

The privileged quality of communication between husband and wife and any professional person and his or her patient or client, except that between attorney and client, shall not constitute grounds for failure to report.

**Inclusion of Reporter's Name in Report**

The reporter is not specifically required by statute to provide his or her name in the report.

**Disclosure of Reporter Identity**

This issue is not addressed in the statutes reviewed.

**South Carolina**

*Current Through April 2019*

**Professionals Required to Report****Citation: Ann. Code § 63-7-310**

The following professionals are required to report:

- Physicians, nurses, dentists, optometrists, medical examiners, or coroners
- Employees of county medical examiner's or coroner's offices
- Any other medical, emergency medical services, mental health, or allied health professionals
- Members of the clergy, including Christian Science practitioners or religious healers
- Clerical or nonclerical religious counselors who charge for services
- School teachers, counselors, principals, assistant principals, or school attendance officers
- Social or public assistance workers, substance abuse treatment staff, or child care workers in a child care center or foster care facility
- Foster parents
- Police or law enforcement officers or juvenile justice workers
- Undertakers, funeral home directors, or employees of a funeral home
- Persons responsible for processing films or computer technicians
- Judges
- Volunteer nonattorney guardians ad litem serving on behalf of the South Carolina Guardian Ad Litem Program or the Richland County Court-Appointed Special Advocates program

**Reporting by Other Persons****Citation: Ann. Code § 63-7-310**

A person who has reason to believe that a child's physical or mental health or welfare has been or may be adversely affected by abuse and neglect may report, and is encouraged to report, in accordance with this section.

**Institutional Responsibility to Report****Citation: Ann. Code §§ 63-7-310; 63-7-315**

A person who reports child abuse or neglect to a supervisor or person in charge of an institution, school, facility, or agency is not relieved of his or her individual duty to report in accordance with this section. The duty to report is not superseded by an internal investigation within the institution, school, facility, or agency.

An employer must not dismiss, demote, suspend, or otherwise discipline or discriminate against an employee who is required or permitted to report child abuse or neglect pursuant to § 63-7-310 based on the fact that the employee has made a report of child abuse or neglect.

An employee who is adversely affected by conduct that is in violation of this section may bring a civil action for reinstatement and back pay. An action brought pursuant to this section may be commenced against an employer, including the State; a political subdivision of the State; and an office, department, independent agency, authority, institution, association, or other body in State government.

**Standards for Making a Report****Citation: Ann. Code § 63-7-310**

A report is required when a reporter, in his or her professional capacity, receives information that gives him or her reason to believe that a child has been or may be abused or neglected.

**Privileged Communications****Citation: Ann. Code § 63-7-420**

The privileged quality of communication between husband and wife and any professional person and his or her patient or client, except that between attorney and client or clergy member, including a Christian Science practitioner or religious healer, and penitent, does not constitute grounds for failure to report. However, a clergy member, including a Christian Science practitioner or religious healer, must report in accordance with this subarticle except when information is received from the alleged perpetrator of the abuse and neglect during a communication that is protected by the clergy and penitent privilege as provided for in § 19-11-90.

**Inclusion of Reporter's Name in Report**

The reporter is not specifically required by statute to provide his or her name in the report.

**Disclosure of Reporter Identity****Citation: Ann. Code § 63-7-330**

The identity of the person making a report pursuant to this section must be kept confidential by the agency or department receiving the report and must not be disclosed, except as specifically provided for in statute.

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**South Dakota***Current Through April 2019***Professionals Required to Report****Citation: Ann. Laws § 26-8A-3**

Mandatory reporters include the following:

- Physicians, dentists, osteopaths, chiropractors, optometrists, emergency medical technicians, paramedics, religious healing practitioners, podiatrists, hospital interns or residents, nurses, or coroners
- Teachers, school counselors, or officials
- Licensed or registered child welfare providers
- Mental health professionals or counselors, psychologists, social workers, chemical dependency counselors, employees or volunteers of domestic abuse shelters, or religious healing practitioners
- Employees or volunteers of child advocacy organizations or child welfare service providers
- Parole or court services officers or law enforcement officers
- Any safety-sensitive position (as defined in § 23-3-64), including any law enforcement officer authorized to carry firearms and any custody staff employed by any agency responsible for the rehabilitation or treatment of any adjudicated adult or juvenile

**Reporting by Other Persons****Citation: Ann. Laws § 26-8A-3**

Any person who knows or has reasonable cause to suspect that a child younger than age 18 has been abused or neglected may report.

**Institutional Responsibility to Report****Citation: Ann. Laws §§ 26-8A-6; 26-8A-7**

Any person who has contact with a child through the performance of services as a member of a staff of a hospital or similar institution shall immediately notify the person in charge of the institution or his designee of suspected abuse or neglect. The person in charge shall report the information in accordance with the provisions of § 26-8A-8.

Any person who has contact with a child through the performance of services in any public or private school—whether accredited or unaccredited, as a teacher, school nurse, school counselor, school official, or administrator—or any person providing services pursuant to § 13-27-3 shall notify the school principal or school superintendent or designee of suspected abuse or neglect. The school principal or superintendent shall report the information in accordance with the provisions of § 26-8A-8. Each school district shall have a written policy on reporting of child abuse and neglect.

**Standards for Making a Report****Citation: Ann. Laws § 26-8A-3**

A report is required when a reporter has reasonable cause to suspect that a child has been abused or neglected.

**Privileged Communications****Citation: Ann. Laws § 26-8A-15**

The following privileges may not be claimed as a reason for not reporting:

- Physician-patient
- Husband-wife
- School counselor-student
- Social worker-client

**Inclusion of Reporter's Name in Report**

The reporter is not specifically required by statute to provide his or her name in the report.

**Disclosure of Reporter Identity****Citation: Ann. Laws § 26-8A-11.1**

The name of the reporter is not disclosed unless all of the following apply:

- The report is determined to be unsubstantiated.
- Within 30 days, the subject of the report requests disclosure of the reporter's identity.
- A hearing is held to determine whether the report was made with malice and without reasonable foundation and that release of the name will not endanger the life or safety of the reporter.

**Tennessee**

*Current Through April 2019*

**Professionals Required to Report****Citation: Ann. Code §§ 37-1-403; 37-1-605**

Persons required to report include the following:

- Physicians, osteopaths, medical examiners, chiropractors, nurses, hospital personnel, or other health or mental health professionals
- Teachers, other school officials or personnel, or daycare center workers
- Other professional child care, foster care, residential, or institutional workers
- Social workers

- Practitioners who rely solely on spiritual means for healing
- Judges or law enforcement officers
- Neighbors, relatives, or friends
- Authority figures at community facilities, including any facility used for recreation or social assemblies or for educational, religious, social, health, or welfare purposes, including, but not limited to, facilities operated by schools, the Boy or Girl Scouts, the YMCA or YWCA, the Boys and Girls Club, or church or religious organizations
- Other persons

**Reporting by Other Persons****Citation: Ann. Code §§ 37-1-403; 37-1-605**

Any person who has knowledge that a child has been harmed by abuse or neglect must report.

**Institutional Responsibility to Report****Citation: Ann. Code § 37-1-403**

Nothing in this section shall be construed to prohibit any hospital, clinic, school, or other organization responsible for the care of children from developing a specific procedure for internally tracking, reporting, or otherwise monitoring a report made by a member of the organization's staff, including requiring a member of the organization's staff who makes a report to provide a copy of or notice concerning the report to the organization, so long as the procedure does not inhibit, interfere with, or otherwise affect the duty of a person to make a report as required by law.

Nothing in this section shall prevent staff of a hospital or clinic from gathering sufficient information, as determined by the hospital or clinic, in order to make an appropriate medical diagnosis or to provide and document care that is medically indicated and is needed to determine whether to report an incident as defined in this part. Those activities shall not interfere with nor serve as a substitute for any investigation by law enforcement officials or the department. However, if any hospital, clinic, school, or other organization responsible for the care of children develops a procedure for internally tracking, reporting, or otherwise monitoring a report, the identity of the person who made a report of harm shall be kept confidential.

**Standards for Making a Report****Citation: Ann. Code §§ 37-1-403; 37-1-605**

A report is required when any of the following apply:

- A person has knowledge that a child has been harmed by abuse or neglect.
- A person is called upon to render aid to any child who is suffering from an injury that reasonably appears to have been caused by abuse.
- A person knows or has reasonable cause to suspect that a child has been sexually abused.
- A physician diagnoses or treats any sexually transmitted disease in a child age 13 or younger or diagnoses pregnancy in an unemancipated minor.

Any school official, personnel, employee, or member of the board of education who is aware of a report or investigation of employee misconduct on the part of any employee of the school system that in any way involves known or alleged child abuse, including, but not limited to, child physical or sexual abuse or neglect, shall immediately upon knowledge of such information notify the Department of Children's Services or law enforcement official of the abuse or alleged abuse.

**Privileged Communications****Citation: Ann. Code § 37-1-411**

The following privileges may not be claimed:

- Husband-wife
- Psychiatrist-patient or psychologist-patient

**Inclusion of Reporter's Name in Report**

The reporter is not specifically required by statute to provide his or her name in the report.

**Disclosure of Reporter Identity****Citation: Ann. Code § 37-1-409**

Except as may be ordered by the juvenile court, the name of any person reporting child abuse or neglect shall not be released to any person, other than employees of the department or other child protection team members responsible for child protective services, the abuse registry, or the appropriate district attorney general upon subpoena of the Tennessee Bureau of Investigation, without the written consent of the person reporting.

The reporter's identity shall be irrelevant to any civil proceeding and shall, therefore, not be subject to disclosure by order of any court. This shall not prohibit the issuance of a subpoena to a person reporting child abuse when deemed necessary by the district attorney general or the department to protect a child who is the subject of a report, provided that the fact that the person made the report is not disclosed.

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**Texas**

*Current Through April 2019*

**Professionals Required to Report****Citation: Fam. Code § 261.101**

For purposes of the reporting laws, persons required to report include professionals who are licensed or certified by the State or who are employees of facilities licensed, certified, or operated by the State and who, in the normal course of official duties or duties for which licensure or certification is required, have direct contact with children. Professionals include the following:

- Teachers or daycare employees
- Nurses, doctors, or employees of a clinic or health-care facility that provides reproductive services
- Juvenile probation officers or juvenile detention or correctional officers

**Reporting by Other Persons****Citation: Fam. Code § 261.101**

A person who has cause to believe that a child has been adversely affected by abuse or neglect shall immediately make a report.

**Institutional Responsibility to Report****Citation: Fam. Code §§ 261.101; 261.110**

A professional may not delegate to or rely on another person to make the report.

An employer may not suspend or terminate the employment of, or otherwise discriminate against, a person who is a professional and who in good faith does any of the following:

- Reports child abuse or neglect to the person's supervisor, an administrator of the facility where the person is employed, a State regulatory agency, or a law enforcement agency
- Initiates or cooperates with an investigation or proceeding by a governmental entity relating to an allegation of child abuse or neglect

A person whose employment is suspended or terminated or who is otherwise discriminated against in violation of this section may sue for injunctive relief, damages, or both.

**Standards for Making a Report****Citation: Fam. Code § 261.101**

A report is required when a person has cause to believe that a child has been adversely affected by abuse or neglect.

In addition, a person or professional shall make a report if the person or professional has cause to believe that an adult was a victim of abuse or neglect as a child and the person or professional determines in good faith that disclosure of the information is necessary to protect the health and safety of another child, an elderly person, or person with a disability.

### **Privileged Communications**

**Citation: Fam. Code §§ 261.101; 261.202**

The requirement to report applies without exception to an individual whose personal communications may otherwise be privileged, including an attorney, a member of the clergy, a medical practitioner, a social worker, a mental health professional, an employee or member of a board that licenses or certifies a professional, and an employee of a clinic or health-care facility that provides reproductive services.

In a proceeding regarding the abuse or neglect of a child, evidence may not be excluded on the ground of privileged communication except in the case of communication between an attorney and client.

### **Inclusion of Reporter's Name in Report**

The reporter is not specifically required by statute to provide his or her name in the report.

### **Disclosure of Reporter Identity**

**Citation: Fam. Code §§ 261.101; 261.201**

Unless waived in writing by the person making the report, the identity of an individual making a report is confidential and may be disclosed only as follows:

- As provided by § 261.201
- To a law enforcement officer for the purposes of conducting a criminal investigation of the report

A report of alleged or suspected abuse or neglect and the identity of the person making the report are confidential. A court may order the disclosure of such confidential information if, after a hearing and an in camera review of the requested information, the court determines the disclosure is the following:

- Essential to the administration of justice
- Not likely to endanger the life or safety of a child who is the subject of the report, a person who made the report, or any other person who participates in an investigation of reported abuse or neglect or who provides care for the child

The Texas Youth Commission shall release a report of alleged or suspected abuse if the report relates to abuse or neglect involving a child committed to the commission. The commission shall edit any report disclosed under this section to protect the identity of the following:

- A child who is the subject of the report
- The person who made the report
- Any other person whose life or safety may be endangered by the disclosure

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## **Utah**

*Current Through April 2019*

### **Professionals Required to Report**

**Citation: Ann. Code § 62A-4a-403**

Any person, including any person licensed under the Medical Practice Act or the Nurse Practice Act, is required to report.

### **Reporting by Other Persons**

**Citation: Ann. Code § 62A-4a-403**

Any person who has reason to believe that a child has been subjected to abuse or neglect must report.

### **Institutional Responsibility to Report**

This issue is not addressed in the statutes reviewed.

### **Standards for Making a Report**

**Citation: Ann. Code § 62A-4a-403**

A report is required when a person has reason to believe that a child has been subjected to abuse or neglect or observes a child being subjected to conditions or circumstances that would reasonably result in abuse or neglect.

**Privileged Communications****Ann. Code §§ 62A-4a-403; 62A-4a-412(5)**

The requirement to report does not apply to a member of the clergy, with regard to any confession made to the member of the clergy while functioning in the ministerial capacity of the member of the clergy and without the consent of the individual making the confession, if both of the following apply:

- The perpetrator made the confession directly to the member of the clergy.
- The member of the clergy is, under canon law or church doctrine or practice, bound to maintain the confidentiality of that confession.

The physician-patient privilege is not a ground for excluding evidence regarding a child's injuries or the cause of those injuries in any proceeding resulting from a report made in good faith pursuant to this part.

**Inclusion of Reporter's Name in Report**

The reporter is not specifically required by statute to provide his or her name in the report.

**Disclosure of Reporter Identity****Citation: Ann. Code § 62A-4a-412(3)(b)**

The name and contact information of the reporter shall be deleted prior to any release of records to the subject of the report.

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**Vermont**

*Current Through April 2019*

**Professionals Required to Report****Citation: Ann. Stat. Tit. 33, § 4913**

Mandatory reporters include the following:

- Health-care providers, including physicians, surgeons, osteopaths, chiropractors, physician assistants, resident physicians, interns, hospital administrators, nurses, medical examiners, emergency medical personnel, dentists, psychologists, and pharmacists
- Individuals who are employed or contracted and paid by a school district or an approved or recognized independent school, including school superintendents, headmasters, teachers, student teachers, school librarians, school principals, and school guidance counselors
- Child care workers
- Mental health professionals and social workers
- Police officers and probation officers
- Employees, contractors, and grantees of the Agency of Human Services who have contact with clients
- Camp owners, camp administrators, and camp counselors
- Members of the clergy

**Reporting by Other Persons****Citation: Ann. Stat. Tit. 33, § 4913**

Any other concerned person who has reasonable cause to believe that a child has been abused or neglected may report.

**Institutional Responsibility to Report****Citation: Ann. Stat. Tit. 33, § 4913**

An employer or supervisor shall not discharge; demote; transfer; reduce pay, benefits, or work privileges; prepare a negative work performance evaluation; or take any other action detrimental to any employee because that employee filed a good-faith report in accordance with the provisions of this subchapter. Any person making a report under this subchapter shall have a civil cause of action for appropriate compensatory and punitive damages against any person who causes detrimental changes in the employment status of the reporting party by reason of his or her making a report.

**Standards for Making a Report****Citation: Ann. Stat. Tit. 33, § 4913**

A report is required when a mandated reporter reasonably suspects the abuse or neglect of a child.

**Privileged Communications****Citation: Ann. Stat. Tit. 33, § 4913**

A person may not refuse to make a report required by this section on the grounds that making the report would violate a privilege or disclose a confidential communication, except that a member of the clergy is not required to report if the knowledge comes from a communication that is required to be kept confidential by religious doctrine.

**Inclusion of Reporter's Name in Report****Citation: Ann. Stat. Tit. 33, § 4914**

Reports shall contain the name and address or other contact information of the reporter.

**Disclosure of Reporter Identity****Citation: Ann. Stat. Tit. 33, § 4913**

The name of and any identifying information about either the person making the report or any person mentioned in the report shall be confidential unless any of the following apply:

- The person making the report specifically allows disclosure.
- A Human Services Board proceeding or judicial proceeding results from the report.
- A court, after a hearing, finds probable cause to believe that the report was not made in good faith and orders the department to make the name of the reporter available.
- A review has been requested pursuant to § 4916a of this title, and the department has determined that identifying information can be provided without compromising the safety of the reporter or the persons mentioned in the report.

**Virgin Islands**

*Current Through April 2019*

**Professionals Required to Report****Citation: Ann. Code Tit. 5, § 2533**

The following professionals are required to report:

- Physicians, hospital personnel, nurses, dentists, or any other medical or behavioral health professionals
- Teachers or other school personnel, social service workers, daycare workers, or other child care or foster care workers
- Peace officers or law enforcement officials

**Reporting by Other Persons****Citation: Ann. Code Tit. 5, § 2533**

Any other person who has reasonable cause to suspect that a child has been abused or neglected may report.

**Institutional Responsibility to Report****Citation: Ann. Code Tit. 5, § 2533**

Whenever any person is required to report in his or her capacity as a member of the staff of a medical or other public or private institution, school, facility, or agency, he or she shall immediately notify the person in charge of such institution, school, facility, or agency, or his or her designated agent, who then also shall become responsible to report or cause reports to be made. Nothing in this subchapter is intended to require more than one report from any such institution, school, or agency, but neither is it intended to prevent individuals from reporting on their own behalf.

**Standards for Making a Report****Citation: Ann. Code Tit. 5, § 2533**

A report is required when any of the following apply:

- A reporter has reasonable cause to suspect that a child has been subjected to abuse, sexual abuse, or neglect.
- A reporter observes the child being subjected to conditions or circumstances that would reasonably result in abuse or neglect.

**Privileged Communications****Citation: Ann. Code Tit. 5, § 2538**

The privileged quality of communications between husband and wife and between any professional person and his or her patient or client, except that between attorney and client, shall not constitute grounds for failure to report.

**Inclusion of Reporter's Name in Report****Citation: Ann. Code Tit. 5, § 2534**

The report shall include the name, address, and occupation of the reporter.

**Disclosure of Reporter Identity**

This issue is not addressed in the statutes reviewed.

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**Virginia**

*Current Through April 2019*

**Professionals Required to Report****Citation: Ann. Code § 63.2-1509**

The following professionals are required to report:

- Persons licensed to practice medicine or any of the healing arts
- Hospital residents or interns and nurses
- Social workers, family-services specialists, or probation officers
- Teachers or other employees at public or private schools, kindergartens, or nursery schools
- Persons providing full-time or part-time child care for pay on a regular basis
- Mental health professionals
- Law enforcement officers, animal control officers, or mediators
- Professional staff employed by private or State-operated hospitals, institutions, or facilities to which children have been placed for care and treatment
- Persons age 18 or older associated with or employed by any public or private organization responsible for the care, custody, or control of children
- Court-appointed special advocates
- Persons age 18 or older who have received training approved by the Department of Social Services for the purposes of recognizing and reporting child abuse and neglect
- Persons employed by a local department who determine eligibility for public assistance
- Emergency medical services providers, unless such providers immediately report the matter directly to the attending physician at the hospital to which the child is transported
- Persons employed by public or private institutions of higher education, other than an attorney who is employed by a public or private institution of higher education as it relates to information gained in the course of providing legal representation to a client
- Athletic coaches, directors, or other persons age 18 or older employed by or volunteering with private sports organizations or teams
- Administrators or employees age 18 or older of public or private day camps, youth centers, and youth recreation programs
- Ministers, priests, rabbis, imams, or duly accredited practitioners of any religious organization or denomination usually referred to as a church

**Reporting by Other Persons****Citation: Ann. Code § 63.2-1510**

Any person who suspects that a child is abused or neglected may report.

**Institutional Responsibility to Report****Citation: Ann. Code § 63.2-1509**

If the information is received by a teacher, staff member, resident, intern, or nurse in the course of professional services in a hospital, school, or similar institution, such person may, in place of making a report, immediately notify the person in charge of the institution or department, or his or her designee, who shall make the report forthwith. If the initial report of suspected abuse or neglect is made to the person in charge of the institution or department or his or her designee, such person shall notify the teacher, staff member, resident, intern, or nurse who made the initial report when the report of suspected child abuse or neglect is made to the local department or to the toll-free child abuse and neglect hotline, and of the name of the individual receiving the report, and shall forward any communication resulting from the report, including any information about any actions taken regarding the report.

**Standards for Making a Report****Citation: Ann. Code § 63.2-1509**

A report is required when, in his or her professional or official capacity, a reporter has reason to suspect that a child is abused or neglected. For purposes of this section, 'reason to suspect that a child is abused or neglected' shall include the following:

- A finding made by a health-care provider within 6 weeks of the birth of a child that the child was born affected by substance abuse or experiencing withdrawal symptoms resulting from in utero drug exposure
- A diagnosis made by a health-care provider within 4 years following a child's birth that the child has an illness, disease, or condition that, to a reasonable degree of medical certainty, is attributable to maternal abuse of a controlled substance during pregnancy
- A diagnosis made by a health-care provider within 4 years following a child's birth that the child has a fetal alcohol spectrum disorder attributable to in utero exposure to alcohol

When 'reason to suspect' is based upon this subsection, that fact shall be included in the report along with the facts relied upon by the person making the report.

**Privileged Communications****Citation: Ann. Code §§ 63.2-1509; 63.2-1519**

A minister, priest, rabbi, imam, or duly accredited practitioner of any religious organization or denomination must report, unless the information supporting the suspicion of child abuse or neglect is required by the doctrine of the religious organization or denomination to be kept in a confidential manner.

The physician-patient or husband-wife privilege is not permitted.

**Inclusion of Reporter's Name in Report**

The reporter is not specifically required by statute to provide his or her name in the report.

**Disclosure of Reporter Identity****Citation: Ann. Code § 63.2-1514**

Any person who is the subject of an unfounded report who believes that the report was made in bad faith or with malicious intent may petition the court for the release of the records of the investigation or family assessment. If the court determines that there is a reasonable question of fact as to whether the report was made in bad faith or with malicious intent and that disclosure of the identity of the reporter would not be likely to endanger the life or safety of the reporter, it shall provide to the petitioner a copy of the records of the investigation or family assessment.

## Washington

*Current Through April 2019*

### Professionals Required to Report

**Citation: Rev. Code § 26.44.030**

The following persons are required to report:

- Practitioners, county coroners, or medical examiners
- Law enforcement officers
- Professional school personnel
- Registered or licensed nurses, social service counselors, psychologists, or pharmacists
- Employees of the Department of Children, Youth, and Families
- Licensed or certified child care providers or their employees
- Employees of the Department of Social and Health Services
- Juvenile probation officers
- Placement and liaison specialists, responsible living skills program staff, or HOPE center staff
- State family and children's ombudsman or any volunteer in the ombudsman's office
- Host home programs
- Persons who supervise employees or volunteers who train, educate, coach, or counsel children or have regular unsupervised access to children
- Department of Corrections personnel
- Any adult with whom a child resides
- Guardians ad litem and court-appointed special advocates

The reporting requirement also applies to administrative and academic or athletic department employees, including student employees, of public and private institutions of higher education.

### Reporting by Other Persons

**Citation: Rev. Code § 26.44.030**

Any person who has reasonable cause to believe that a child has suffered abuse or neglect may report.

### Institutional Responsibility to Report

This issue is not addressed in the statutes reviewed.

### Standards for Making a Report

**Citation: Rev. Code § 26.44.030**

A report is required when any of the following apply:

- A reporter has reasonable cause to believe that a child has suffered abuse or neglect.
- Any person, in his or her official supervisory capacity with a nonprofit or for-profit organization, has reasonable cause to believe that a child has suffered abuse or neglect caused by a person over whom he or she regularly exercises supervisory authority.
- Department of Corrections personnel observe offenders or the children with whom the offenders are in contact and, as a result of these observations, have reasonable cause to believe that a child has suffered abuse or neglect.
- Any adult has reasonable cause to believe that a child who resides with him or her has suffered severe abuse.

### Privileged Communications

**Citation: Rev. Code §§ 26.44.030; 26.44.060**

No one shall be required to report when he or she obtains the information solely as a result of a privileged communication as provided in § 5.6.060.

Information considered privileged by statute and not directly related to reports required by this section must not be divulged without a valid written waiver of the privilege.

Conduct conforming with reporting requirements shall not be deemed a violation of the confidential communication privilege of §§ 5.60.060 (3) and (4) (regarding clergy-penitent and physician-patient privilege), 18.53.200 (regarding optometrist-patient privilege), and 18.83.110 (regarding psychologist-client privilege).

**Inclusion of Reporter's Name in Report****Citation: Rev. Code § 26.44.030**

The department shall make reasonable efforts to learn the name, address, and telephone number of the reporter.

**Disclosure of Reporter Identity****Citation: Rev. Code § 26.44.030**

The department shall provide assurances of appropriate confidentiality of the identification of persons reporting under this section.

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**West Virginia***Current Through April 2019***Professionals Required to Report****Citation: Ann. Code § 49-2-803**

The following professionals are required to report:

- Medical, dental, or mental health professionals
- Christian Science practitioners or religious healers
- Teachers or other school personnel
- Social service, child care, or foster care workers
- Emergency medical services personnel
- Peace officers, law enforcement officials, or humane officers
- Members of the clergy
- Circuit court judges, family court judges, employees of the Division of Juvenile Services, or magistrates
- Youth camp administrators, counselors, employees, coaches, or volunteers of entities that provide organized activities for children
- Commercial film or photographic print processors

**Reporting by Other Persons****Citation: Ann. Code § 49-2-803**

Nothing in this article is intended to prevent individuals from reporting suspected abuse or neglect on their own behalf. In addition to those persons and officials specifically required to report situations involving suspected abuse or neglect of children, any other person may make a report if that person has reasonable cause to suspect that a child has been abused or neglected in a home or institution or observes the child being subjected to conditions or circumstances that would reasonably result in abuse or neglect.

**Institutional Responsibility to Report****Citation: Ann. Code § 49-2-803**

Any person required to report who is a member of the staff or volunteer of a public or private institution, school, entity that provides organized activities for children, facility, or agency also shall immediately notify the person in charge of the institution, school, entity that provides organized activities for children, facility, or agency, or a designated agent thereof, who may supplement the report or cause an additional report to be made. Notifying a person in charge, supervisor, or superior does not exempt a person from his or her mandate to report suspected abuse or neglect.

**Standards for Making a Report****Citation: Ann. Code § 49-2-803**

Any mandatory reporter who has reasonable cause to suspect that a child is neglected or abused or observes the child being subjected to conditions that are likely to result in abuse or neglect, including sexual abuse or sexual assault, shall report the circumstances to the Department of Health and Human Resources. In any case where the reporter believes that the child suffered serious physical abuse or sexual abuse or sexual assault, the reporter shall also immediately report, or cause a report to be made, to the State police and any law enforcement agency having jurisdiction to investigate the complaint.

**Privileged Communications****Citation: Ann. Code § 49-2-811**

The privileged quality of communications between husband and wife and between any professional person and his or her patient or client, except that between attorney and client, cannot be invoked in situations involving suspected or known child abuse or neglect.

**Inclusion of Reporter's Name in Report**

The reporter is not specifically required by statute to provide his or her name in the report.

**Disclosure of Reporter Identity****Citation: Ann. Code § 49-5-101**

Information related to child abuse or neglect proceedings, except information relating to the identity of the person reporting or making a complaint of child abuse or neglect, shall be made available, upon request, to the agencies and entities listed in the statute.

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**Wisconsin***Current Through April 2019***Professionals Required to Report****Citation: Ann. Stat. § 48.981**

The following professionals are required to report:

- Physicians, coroners, medical examiners, nurses, dentists, chiropractors, optometrists, acupuncturists, other medical or mental health professionals, physical therapists, physical therapist assistants, dietitians, occupational therapists, speech-language pathologists, audiologists, emergency medical technicians, or emergency medical services practitioners
- Schoolteachers, administrators, or counselors
- School employees not otherwise specified above
- Child care workers in child care centers, group homes, or residential care centers, or child care providers
- Alcohol or other drug abuse counselors, marriage and family therapists, professional counselors, or members of the treatment staff employed by or working under contract with a county department or a residential care center for children and youth
- Social workers, public assistance workers (including financial and employment planners), emergency medical responders, police or law enforcement officers, mediators, or court-appointed special advocates
- Members of the clergy or a religious order, including brothers, ministers, monks, nuns, priests, rabbis, or sisters

**Reporting by Other Persons****Citation: Ann. Stat. § 48.981**

Any person not specified above, including an attorney, who has reason to suspect that a child has been abused or neglected or who has reason to believe that a child has been threatened with abuse or neglect and that abuse or neglect of the child will occur may report.

**Institutional Responsibility to Report****Citation: Ann. Stat. § 48.981**

No person making a report in good faith may be discharged from employment, disciplined, or otherwise discriminated against in regard to employment or threatened with any such treatment for so doing.

**Standards for Making a Report****Citation: Ann. Stat. § 48.981**

A mandatory reporter is required to report when he or she has reasonable cause to suspect that a child seen by him or her in the course of professional duties has been abused or neglected or when he or she has reason to believe that a child seen by him or her in the course of professional duties has been threatened with abuse or neglect and that abuse or neglect of the child will occur.

A health-care provider shall report if he or she has reason to suspect any of the following regarding a child in the provider's care:

- That sexual intercourse or sexual contact occurred or is likely to occur with a caregiver
- That the child suffered or suffers from a mental illness or mental deficiency that rendered or renders the child temporarily or permanently incapable of understanding or evaluating the consequences of his or her actions
- That the child, because of his or her age or immaturity, was or is incapable of understanding the nature or consequences of sexual intercourse or sexual contact
- That the child was unconscious at the time of the act or for any other reason was physically unable to communicate unwillingness to engage in sexual intercourse or sexual contact
- That another participant in the sexual contact or sexual intercourse was or is exploiting the child
- That the provider has any reasonable doubt as to the voluntariness of the child's participation in the sexual contact or sexual intercourse

### **Privileged Communications**

**Citation: Ann. Stat. § 48.981**

A member of the clergy is not required to report child abuse information that he or she receives solely through confidential communications made to him or her privately or in a confessional setting if he or she is authorized to hear or is accustomed to hearing such communications and, under the disciplines, tenets, or traditions of his or her religion, has a duty or is expected to keep those communications secret. Those disciplines, tenets, or traditions need not be in writing.

A person delegated care and custody of a child under § 48.979 is not required to report any suspected or threatened abuse or neglect of the child. Such a person who has reason to suspect that the child has been abused or neglected or who has reason to believe that the child has been threatened with abuse or neglect and that the abuse or neglect of the child will occur may report.

### **Inclusion of Reporter's Name in Report**

The reporter is not specifically required by statute to provide his or her name in the report.

### **Disclosure of Reporter Identity**

**Citation: Ann. Stat. § 48.981**

The identity of the reporter shall not be disclosed to the subject of the report.

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## **Wyoming**

*Current Through April 2019*

### **Professionals Required to Report**

No professional groups are specified in statute; all persons are required to report.

### **Reporting by Other Persons**

**Citation: Ann. Stat. § 14-3-205**

All persons must report.

### **Institutional Responsibility to Report**

**Citation: Ann. Stat. § 14-3-205(b)**

If a person reporting child abuse or neglect is a member of the staff of a medical or other public or private institution, school, facility, or agency, he or she shall notify the person in charge or his or her designated agent, who is thereupon also responsible to make the report or cause the report to be made, as soon as possible. Nothing in this subsection is intended to relieve individuals of their obligation to report on their own behalf, unless a report has already been made or will be made.

Any employer, public or private, who discharges, suspends, disciplines, or penalizes an employee solely for making a report of neglect or abuse is guilty of a misdemeanor punishable by imprisonment for no more than 6 months or a fine of no more than \$750, or both.

### Standards for Making a Report

**Citation: Ann. Stat. §§ 14-3-205; 14-3-206**

A report is required when any of the following apply:

- A person knows or has reasonable cause to believe or suspect that a child has been abused or neglected.
- A person observes any child being subjected to conditions or circumstances that would reasonably result in abuse or neglect.

*Effective July 1, 2019:* Any physician, physician's assistant, or nurse practitioner who examines a child and finds reasonable cause to believe the child is a victim of child abuse or neglect and has reasonable cause to believe that other children residing in the same home also may be a victim of child abuse or neglect shall report to law enforcement the results of the examination and facts supporting reasonable cause with respect to the other child or children.

### Privileged Communications

**Citation: Ann. Stat. § 14-3-210**

Evidence regarding a child in any judicial proceeding resulting from a report made pursuant to the reporting laws shall not be excluded on the ground it constitutes a privileged communication, as follows:

- Between husband and wife
- Claimed under any provision of law other than § 1-12-101(a)(i) (regarding attorney-client or physician-patient privilege) and § 1-12-101(a)(ii) (regarding privilege of a clergy member or priest as it relates to a confession made to him or her in his or her professional character if enjoined by the church to which he or she belongs)
- Claimed pursuant to § 1-12-116 (regarding the confidential communication between a family violence and sexual assault advocate and victim)

### Inclusion of Reporter's Name in Report

**Citation: Ann. Stat. § 14-3-206**

The report must include any available photographs, videos, and x-rays with the identification of the person who created the evidence and the date the evidence was created.

### Disclosure of Reporter Identity

This issue is not addressed in the statutes reviewed.



U.S. Department of Health and Human Services  
Administration for Children and Families  
Administration on Children, Youth and Families  
Children's Bureau

