



Guide Dogs for the Blind

CHILD ABUSE REPORTING LAWS IN GDB PUPPY RAISING STATES

All information below is excerpted from "Mandatory Reporters of Child Abuse and Neglect" by the Child Welfare Information Gateway.

All States, the District of Columbia, American Samoa, Guam, the Northern Mariana Islands, Puerto Rico, and the U.S. Virgin Islands have statutes identifying persons who are required to report suspected child maltreatment to an appropriate agency, such as child protective services, a law enforcement agency, or a State's toll-free child abuse reporting hotline.

In approximately 18 States and Puerto Rico, any person who suspects child abuse or neglect is required to report. Of these 18 States, 16 States and Puerto Rico specify certain professionals who must report but also require all persons to report suspected abuse or neglect, regardless of profession. 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 abuse are often referred to as "permissive reporters."

Arizona

Professionals Required to Report 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 or domestic violence victim advocates
- Any other person who has responsibility for the care or treatment of minors

Reporting by Other Persons Rev. Stat. § 13-3620

- Any other person who reasonably believes that a minor is a victim of abuse or neglect 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

California

Professionals Required to Report 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 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.

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

Reports of mandated reporters shall include:

- 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.

Colorado

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

Persons required to report include:

- Physicians, surgeons, physicians in training, child health associates, medical examiners, coroners, dentists, osteopaths, optometrists, chiropractors, podiatrists, nurses, hospital personnel, dental hygienists, physical therapists, pharmacists, registered dietitians
- Public or private school officials or employees
- Social workers, Christian Science practitioners, mental health professionals, psychologists, professional counselors, 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

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

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

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

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

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

- The identity of the reporter shall be protected

Idaho

Professionals Required to Report Idaho 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 Idaho Code § 16-1605

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

Nevada

Professionals Required to Report Rev. Stat. § 432B.220

Mandatory reporters include:

- 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, 637A, 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
- Persons working in 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
 - Person 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

Reporting by Other Persons Rev. Stat. § 432B.220

- Any other person 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 Rev. Stat. § 432B.290

- Except as otherwise provided below, before releasing any information maintained by an agency that provides child welfare services, the 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 and to protect any other person if the agency reasonably believes that disclosure of the information would cause a specific and material harm to an investigation of the alleged abuse or neglect of a child or the life or safety of any person.
 - 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 Mexico

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

Professionals required to report include:

- Physicians, residents, or interns
- Law enforcement officers or judges
- Nurses
- Teachers or school officials
- Social workers

- Members of the clergy

Reporting by Other Persons 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

Ann. Stat. § 32A-4-5

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

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

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

Oregon

Professionals Required to Report Rev. Stat. §§ 419B.005; 419B.010

A public or private official is mandated to report. Public or private officials include:

- 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, Oregon Health Authority, Early Learning Division, Youth Development Council, Office of Child Care, the Oregon Youth Authority, a county 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, 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 of 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

Reporting by Other Persons Rev. Stat. § 419B.015

- Any person may voluntarily 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 Rev. Stat. § 419B.015

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

Texas

Professionals Required to Report Fam. Code § 261.101

Persons required to report include professionals, for purposes of the reporting laws, who are licensed or certified by the State or who are an 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:

- 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 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

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 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 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 that the disclosure is:
- 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:
 - 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

Utah

Professionals Required to Report Ann. Code § 62A-4a-403

- Any person licensed under the Medical Practice Act or the Nurse Practice Act is required to report

Reporting by Other Persons Ann. Code § 62A-4a-403

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

Washington

Professionals Required to Report 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 Early Learning

- 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
- 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 Rev. Code § 26.44.030

- Any person who has reasonable cause to believe that a child has suffered abuse or neglect may report

Inclusion of Reporter's Name in Report 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 Rev. Code § 26.44.030

- The department shall provide assurances of appropriate confidentiality of the identification of persons reporting under this section

Child Welfare Information Gateway. (2013). Mandatory Reporters of Child Abuse and Neglect. Washington, D.C.: U.S. Department of Health and Human Services.