

MANDATED REPORTERS

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- Persons who, in the course of their employment, occupation or practice of their profession, come into contact with children shall report or cause a report to be made when they have *reasonable cause to suspect* on the basis of their medical, professional or other training and experience, that a child under the care, supervision, guidance, or training of that person or of an agency, institution, organization, or other entity with which that person is affiliated is a victim of child abuse, including abuse by an individual who is not a perpetrator (under the CPSL).
- Except with respect to confidential communications made to an ordained member of the clergy and an attorney, which are protected by law, the privileged communication between any professional person required to report and the patient or client of that person shall not apply to situations involving child abuse and shall not constitute grounds for failure to report as required by the Child Protective Services Law.
- Mandated Reporters are obligated to report suspected child abuse to ChildLine without regard for the relationship between the alleged abuser and the child.

CONFIDENTIALITY:

- The release of data that would identify the person who made a report of suspected child abuse or person who cooperated in a subsequent investigation is prohibited unless the secretary of the Department of Public Welfare finds that the release will not be detrimental to safety of that person.
- Cases involving homicide, sexual abuse or exploitation, serious bodily injury, or child abuse perpetrated by persons who are not family or household members must be reported to Law Enforcement; Law Enforcement are mandated to treat all reporting sources as confidential informants.

IMMUNITY FROM LIABILITY:

- A person, hospital, institution, school, facility, agency or agency employee that participates in good faith in the making of a report, cooperating with an investigation, testifying in a proceeding arising out of an instance of suspected child abuse, the taking of photographs or the removal or keeping of a child (by a physician or hospital) pursuant to the Child Protective Services Law, and any official or employee of a county agency who refers a report of suspected abuse to law enforcement authorities or provides services under the Child Protective Services Law, shall have immunity from civil and criminal liability that might otherwise result by reason of those actions.

PENALTIES FOR FAILURE TO REPORT:

- A person or official required to report a case of suspected child abuse who willfully fails to do so commits a misdemeanor of the third degree for the first violation and a misdemeanor of the second degree for a second or subsequent violation.
- Endangering the Welfare of Children: " A parent, guardian, or other person supervising the welfare of a child under 18 years of age, or a **person that employs or supervises** such a person commits an offense if he knowingly endangers the welfare of the child by violating a duty of care, protection or support". The offense also includes circumstances where a person in an official capacity, **prevents or interferes** with the making of a report of suspected child abuse. Persons supervising the welfare of a child are defined as a person other than a parent or guardian that provides care, education, training or control of a child.