
Early Learning & Human Services Committee

HB 2509

Brief Description: Concerning mandatory reporting of child abuse and neglect.

Sponsors: Representatives Hayes, Smith and Johnson.

Brief Summary of Bill

- Expands the gross misdemeanor crime of mandatory reporters of child abuse or neglect to include individuals obstructing mandatory reporters from making reports of child abuse or neglect.
- Creates a civil infraction of \$250 dollars for mandatory reporters of child abuse or neglect who fail to make, or fail to cause to be made, such reports due to negligence.
- Requires a youth-serving organization to include a signed acknowledgement of the organization's compliance with the mandatory reporter posting law in state contracts.

Hearing Date: 1/23/18

Staff: Sydney Sullivan (786-7291).

Background:

Mandatory Reporting Laws and Offenses.

Mandatory reporting laws require certain people to report suspected child abuse or neglect to the Department of Social and Health Services (DSHS) or law enforcement, when a reporter has reasonable cause to believe that a child has suffered abuse or neglect.

People designated as mandatory reporters are:

- any practitioner;
- county coroner;
- medical examiner;
- law enforcement officer;

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- professional school personnel;
- registered or licensed nurse;
- social service counselor;
- psychologist;
- pharmacist;
- employee of the Department of Early Learning;
- licensed or certified child care providers or their employees;
- employee of the DSHS;
- juvenile probation officer;
- placement and liaison specialist;
- responsible living skills program staff;
- HOPE center staff;
- state family and children's ombuds or any volunteer in the ombuds's office;
- Department of Corrections personnel;
- guardian ad litem;
- court appointed special advocates;
- any person in an official supervisory capacity with a profit or nonprofit organization;
- administrative, academic, or athletic department employees of institutions of higher learning;
- and any adult who has reasonable cause to believe that a child who resides with the adult is a victim of abuse or neglect.

Additionally, any person who has reason to believe that child abuse or neglect has occurred may report that information.

Upon having reasonable cause to believe a child has suffered abuse or neglect a mandated reporter must make a report within 48 hours. When any person is required to make a report, or cause a report to be made, and knowingly fails to make, or fails to cause such a report to be made, that person is guilty of a gross misdemeanor. A gross misdemeanor must be proved beyond a reasonable doubt and is punishable by a fine of up to \$5,000 and/or imprisonment in a county jail of up to 364 days.

Mandatory Reporter Posting Law.

Any organization that includes employees or volunteers subject to mandatory reporting requirements must clearly display in a common area a poster that includes:

- who is required to report child abuse and neglect;
- the standard of knowledge to justify a report;
- the definition of reportable crimes;
- where to report suspected child abuse and neglect; and
- what should be included in a report and the appropriate timing.

Summary of Bill:

Mandatory Reporting Laws and Offenses.

Persons who obstruct the duty of a mandatory reporter to make such reports are guilty of a gross misdemeanor. Any person who is required to make, or cause to be made, a report pursuant to mandatory reporting laws, and fails to make, or cause to be made, such reports due to negligence are subject to a civil infraction of \$250 dollars. Civil infractions are noncriminal offenses that must be proved by a preponderance of the evidence.

Mandatory Reporter Posting Law.

Requires a youth-serving organization to include a signed acknowledgement of the organization's compliance with the mandatory reporter posting law in state contracts.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect on July 1, 2018.