



# HOUSE COMMITTEE ON APPROPRIATIONS

## FISCAL NOTE

SENATE BILL NO. 21

PRINTERS NO. 1917

PRIME SPONSOR: Ward

### COST / (SAVINGS)

FUND	FY 2013/14	FY 2014/15
General Fund	\$0	\$0

**SUMMARY:** Senate Bill 21, Printer's Number 1917, amends the Child Protective Services Law (Title 23, Chapter 63) to provide for persons required to report suspected child abuse, the basis to report and reporting procedures. The requirement for the Department of Public Welfare (DPW) to provide information on their internet website and to provide certain information with child care background clearance certifications is effective in 180 days and the remainder of this legislation is effective December 31, 2014.

**ANALYSIS:** This legislation expands the list of mandated reports and requires the following adults to report suspected child abuse: licensed or certified professionals in health-related fields; medical examiners, coroners and funeral directors; employees of health care facilities/providers licensed by the Department of Health who are engaged in patient admission, examination, care or treatment; school employees; employees of a child care service who have direct contact with children; clergy and other religious leaders; individuals (paid or unpaid) who accept responsibility for a child as part of a regularly scheduled program, activity or service; employees of social service agencies who have direct contact with children; peace officers or law enforcement officials; emergency medical services providers; employees of public libraries who have direct contact with children; persons supervised by any of prior listed mandated reporters who have direct contact with children; and independent contractors.

Mandated reporters must report when they have reasonable cause to suspect child abuse under any of the following circumstances: the mandated reporter comes into contact with the child through their work or volunteer service; the mandated reporter or organization they are affiliated with is directly responsible for the child; a person makes a specific disclosure about the abuse of an identifiable child; or an individual 14 years of age or older makes a specific disclosure to the mandated reporter that the individual has committed child abuse.

All mandated reporters must immediately report suspected child abuse to DPW either through a written report submitted electronically or orally through the toll-free Childline or to the appropriate county agency. Mandated reporters who are staff members of a medical or other

public or private institution, school facility or agency must report the suspected child abuse to the person in charge immediately after notifying DPW or the county agency. Oral reports must be followed up with a written report within 48 hours to DPW or the county agency assigned to the case. Photographs, medical tests and x-rays must also be provided within 48 hours.

DPW must post information related to the recognition and reporting of child abuse on its internet site. The materials must be relevant for mandated and non-mandated reporters including but not limited to: conduct constituting child abuse; persons classified as mandated reporters; reporting requirements and procedures; the basis for making a report; penalties for failure to report; background clearance requirements for individuals who work or volunteer with children; recognition of the signs and symptoms of child abuse; and alternative resources to assist with concerns not related to child abuse. Finally, every child care criminal background clearance certification provided by DPW must include information that certain individuals are required by law to report suspected child abuse, as well as internet, telephone and address contact information where the relevant resources can be obtained. This portion of the legislation is effective in 180 days.

**FISCAL IMPACT:** The Department of Public Welfare does not anticipate an increase in costs to provide information on their website or accommodate an increase in Childline calls that cannot be absorbed within current funding.

**PREPARED BY:** Ann Bertolino  
House Appropriations Committee (R)

**DATE:** April 7, 2014

*Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.*