
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1990 Session of
2011

INTRODUCED BY K. BOYLE, BISHOP, B. BOYLE, V. BROWN, DONATUCCI,
GEIST, GEORGE, READSHAW, SANTARSIERO, STABACK, MAHONEY,
CARROLL, KAVULICH, D. COSTA AND DEASY, NOVEMBER 15, 2011

REFERRED TO COMMITTEE ON JUDICIARY, NOVEMBER 15, 2011

AN ACT

1 Amending Title 23 (Domestic Relations) of the Pennsylvania
2 Consolidated Statutes, further providing for persons required
3 to report suspected child abuse and for penalties for failure
4 to report or to refer.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Sections 6311(b) and (c) and 6319 of Title 23 of
8 the Pennsylvania Consolidated Statutes are amended to read:

9 § 6311. Persons required to report suspected child abuse.

10 * * *

11 (b) Enumeration of persons required to report.--Persons
12 required to report under subsection (a) include, but are not
13 limited to, any licensed physician, osteopath, medical examiner,
14 coroner, funeral director, dentist, optometrist, chiropractor,
15 podiatrist, intern, registered nurse, licensed practical nurse,
16 hospital personnel engaged in the admission, examination, care
17 or treatment of persons, Christian Science practitioner, member
18 of the clergy, school administrator, school teacher, school

1 nurse, school staff member, school faculty, coach, social
2 services worker, day-care center worker or any other child-care
3 or foster-care worker, mental health professional, peace officer
4 or law enforcement official.

5 (c) Staff members of institutions, etc.--Whenever a person
6 is required to report under subsection (b) in the capacity as a
7 member of the staff of a medical or other public or private
8 institution, school, facility or agency, that person shall
9 immediately notify [the person in charge of the institution,
10 school, facility or agency or the designated agent of the person
11 in charge. Upon notification, the person in charge or the
12 designated agent, if any, shall assume the responsibility and
13 have the legal obligation to report or cause a report to be made
14 in accordance with section 6313. This chapter does not require
15 more than one report from any such institution, school, facility
16 or agency] a law enforcement official and an agent for child
17 protective services. For the purposes of this subsection, the
18 term "law enforcement official" shall have the same meaning as
19 "peace officer" as defined in 18 Pa.C.S. § 501 (relating to
20 definitions).

21 * * *

22 § 6319. Penalties for failure to report or to refer.

23 A person or official required by this chapter to report a
24 case of suspected child abuse or to make a referral to the
25 appropriate authorities who willfully fails to do so commits a
26 [misdemeanor] felony of the third degree for the first violation
27 and a [misdemeanor] felony of the second degree for a second or
28 subsequent violation.

29 Section 2. This act shall take effect in 60 days.