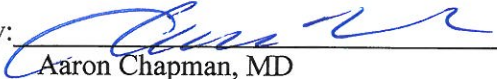
	Date Approved: <u>7/25/13</u> By:  Aaron Chapman, MD Interim Mental Health Director
POLICY: Child Abuse Reporting Policy	Date Revised: <u>7/15/13</u> Policy No.: _____

**POLICY: Child Abuse Reporting Policy**

It is the Policy of Alameda County Behavioral Health Care Services (ACBHCS) that all mandated reporters will comply with the legal and ethical requirements as set forth in Penal Code Sections 11164-11174.3 (Child Abuse), and each profession's Ethical Conduct Guidelines.

**Definitions:**

Mandated Reporters: Health care personnel who are mandated reports: All Licensed and unlicensed LPHA's and trainees are mandated reporters. For an exhaustive list of mandated reporters reference the above referenced regulations.

Child: Person under the age of 18 years.

Reasonable Suspicion:

- Based upon facts that could cause a reasonable person in a like position, to objectively draw, on his or her training and experience, to suspect:
  - Child abuse or neglect (sexual or physical)
- The pregnancy of a minor does not, in and of itself, constitute a basis for a reasonable suspicion of sexual abuse.

**Knowledge of Legal Requirements:**

- All Clinical staff are expected to know, understand, and follow State and Federal laws regarding all mandatory reporting requirements and the related ethical standards that pertain to their profession.
- Any staff member who is not a legally mandated reporter and who becomes aware of any form of child abuse or neglect or suspected form of child abuse or neglect, will so inform a legally mandated reporter on staff.

**Child Abuse:**

1. A report is required when there is known or a reasonable suspicion of:
  - a) Child sexual abuse,
  - b) Neglect;
  - c) Willful cruelty or unjustifiable punishment;
  - d) Unlawful corporal punishment or injury; and
  - e) Abuse or neglect in out-of-home care.
2. The report of abuse of an adult (over the age of 18) is not required, unless the clinician suspects that the abuser may be victimizing other children;
3. How to Report
  - a. A telephone report must be made *immediately*, or as soon as is practically possible, to the police or Child Protective Services;
    - i. The report must include:

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- The reporters name;
  - Business address and phone number;
  - Name and address of child;
  - Present location of child,
  - Names of parents, and
  - Information regarding the reasonable suspicion and source(s) of that information.
- b. A written report must be sent within 36 hours
- i. The required form, "Suspected Child Abuse Report" must be attached.
4. Other Agency Investigations:
- a. Information relevant to the incident of child abuse or neglect may also be given to an investigator from an agency that is investigating a known or suspected case of abuse;
  - b. Only information that is relevant to the incident of abuse or neglect may be disclosed.
5. Immunity:
- a. No mandated reporter shall incur any civil or criminal liability as a result of making a report required or authorized by statutes (Penal Code Section 11172).
6. Failure to Report:
- a. Any mandated reporter who fails to report an incident of known or reasonably suspected child abuse or neglect may be found guilty of a misdemeanor punishable by up to six months in a county jail or by a fine of one thousand dollars or both.

For additional information, refer to the above citations and/or consult your applicable professional organization.