

## **MANDATORY REPORTERS OF CHILD ABUSE AND NEGLECT IN COLORADO**

The circumstances under which a mandatory reporter must make a report vary from State to State. Typically, a report must be made when the reporter, in his or her official capacity, ***suspects or has reasons to believe*** that a child has been abused or neglected. When the reporter has knowledge of, or observes a child being subjected to, conditions that would reasonably result in harm to the child, the reporter is mandated to report to the local authorities.

### **Professionals Required to Report**

#### **Rev. Stat. § 19-3-304**

Persons required to report include:

- ✓ Physicians, surgeons, physicians in training, child health associates, medical examiners, coroners, dentists, osteopaths, optometrists, chiropractors, podiatrists, nurses, hospital personnel, dental hygienists, physical therapists, pharmacists, registered dieticians'
- ✓ Public or private school officials or employees
- ✓ Social workers, Christian Science practitioners, mental health professionals, psychologists, professional counselors, marriage and family therapists
- ✓ Veterinarians, peace officers, firefighters, or victim's advocates
- ✓ Commercial film and photographic print processors
- ✓ Counselors, marriage and family therapists, or psychotherapists
- ✓ Clergy members, including priests, rabbis, duly ordained, commissioned, or licensed ministers of a church, members of religious orders, or recognized leaders of any religious bodies
- ✓ Workers in the State Department of Human Services
- ✓ Juvenile parole and probation officers
- ✓ Child and family investigators
- ✓ Officers and agents of the State Bureau of Animal Protection and animal control officers

### **Reporting by Other Persons**

#### **Gen. Stat. § 17a-103**

Any mandated reporter acting outside his or her professional capacity, or any other person having reasonable cause to suspect that a child is being abused or neglected, may report.

#### **Standards for Making a Report**

##### **Gen. Stat. § 17a-101a**

A report is required when, in the ordinary course of his or her employment or profession, a reporter has reasonable cause to suspect or believe that a child has been abused or neglected.

Child Welfare Information Gateway. Available online at

[www.childwelfare.gov/systemwide/laws\\_policies/statutes/manda.cfm](http://www.childwelfare.gov/systemwide/laws_policies/statutes/manda.cfm)

## New requirements enacted

March 29<sup>th</sup>, 2013

### Colorado House Bill 13- 1104:

Specifies that persons registered as a psychologist candidate, marriage and family therapist candidate, or licensed professional counselor candidate are required to report suspected child abuse or neglect.

March 22<sup>nd</sup>, 2013

### Colorado Senate Bill 13-012:

The bill adds directors, coaches, assistant coaches and athletic program personnel for private sports programs or organizations to the list of persons required to report suspected child abuse or neglect to the county or district department of social services or local law enforcement agency.

May 14<sup>th</sup>, 2013

### Colorado Senate Bill 13-220:

Adding emergency medical service providers to the list of persons who must report possible instances of child abuse.

### **Privileged Communications**

This issue is not addressed in the statutes reviewed.

### **Inclusion of Reporter's Name in Report**

#### **Gen. Stat. §§ 17a-28(13)(i), (m)**

The name of an individual reporting child abuse or neglect shall not be disclosed to anyone without his or her written consent except to:

- ☑ An employee of the department responsible for child protective services or the abuse registry
- ☑ A law enforcement officer
- ☑ An appropriate State's attorney
- ☑ An appropriate assistant attorney general
- ☑ A judge of the Superior Court and all necessary parties in a court proceeding pursuant to § 46b-129 or a criminal prosecution involving child abuse or neglect
- ☑ A State child care licensing agency; an executive director of any institution, school, or facility; or a superintendent of schools

Information identifying an individual who reported abuse or neglect of a person, including any tape recording of an oral report, shall not be released to the subject of the report unless, upon application to the Superior Court by such person and served on the Commissioner of Children and Families, a judge determines, after in camera inspection of relevant records and a hearing, that there is reasonable cause to believe the reporter knowingly made a false report or that other interests of justice require such release.

**If you need to make a report or more information please contact the Sheriff's office at 303-621-2027 extension 6129.**