
Maureen C. Kenny, Roberto L. Abreu, Claire Helpingstine, Angel Lopez, and Ben Mathews

Although counselors in 44 states are mandatory reporters of child maltreatment, they may lack an understanding of their legally designated role. This article presents the results of a systematic review of child maltreatment reporting laws in all 50 states and the District of Columbia. The authors apply relevant legislation to real-life contexts for counselors.

Keywords: mandated reporters, counselors, child maltreatment, federal and state laws

In 2016, approximately 4.1 million reports involving 7.4 million children were referred to U.S. child protective service agencies (Children’s Bureau, 2018). Most of these referrals (65%) were by professionals who, by way of their work, came into contact with the alleged child victim. A small percentage of the reports (5.9%) were made by mental health personnel, including counselors. Understanding the laws related to child abuse reporting is a critical area of inquiry for counselors who are mandated to report abuse. While most are aware of the need to break confidentiality in the case of harm to the client, child abuse cases raise anxiety among new and experienced counselors who may not feel confident in the procedures to make a report (Lambie, 2005). Hermann (2002) found that determining whether to report child maltreatment was the most commonly cited legal issue among school counselors.

Identification of potential victims allows for early intervention and treatment, which are critical to recovery and intervention. The potential sequelae of abuse are numerous and profound, often resulting in long-term effects. Research has documented chronic physical and mental health consequences for victims, including depression (Amado, Arce, & Herraiz, 2015; Lamoureux, Palmieri, Jackson, & Hobfoll, 2012; Lock, Difede, Patt, Giosan, & Szkodny, 2006; Musliner & Singer, 2014) and anxiety (Amado et al., 2015; Meston, Rellini, & Homan, 2006; van Vugt, Lancôt, Paquette, Collin-Vézina, & Lemieux, 2014). In some cases, abuse results in fatalities: In 2016, 1,750 child deaths as a result of victimization were reported (Children’s Bureau, 2018). The prevalence of child maltreatment and the relationship between abuse and psychological difficulties make it highly likely that counselors will come into contact with victims and their families as part of their routine work (Champion, Shipman, Bonner, Hensley, & Howe, 2003). Given the enormous number of children in the United States who are referred annually for alleged abuse, as well as the potentially lethal outcome for some, it is critical that counselors be well advised of their legal duty to report and the consequences of failure to report.

The passage of the Child Abuse Prevention and Treatment Act (CAPTA; Pub. L. No. 93–247) in 1974 brought child abuse into the national spotlight. As discussed in Mathews (2015), when first enacted, CAPTA enabled allocation of funds to states for child welfare if the states enacted legislation of a certain scope, which was initially limited to requiring medical practitioners to report physical abuse but later extended to other groups of professionals and other forms of child maltreatment. CAPTA was periodically amended after 1974. In 1988, the Child Abuse Prevention, Adoption and Family Services Act (Pub. L. No. 100–294) broadened the law’s definition of child sexual abuse to include not only the concept of sexual abuse, but also the concept of sexual exploitation.

By 1986, most states had mandated teachers, nurses, social workers, and mental health professionals as reporters (Fraser, 1986). CAPTA provided funds for each state to create and manage a child abuse reporting depository and allowed for these data to be compiled into a national report. Although a federal law, CAPTA allows states to implement their own laws regarding abuse. Mandate laws typically define child abuse and

Maureen C. Kenny, Leadership and Professional Studies, and Claire Helpingstine, Department of Psychology, Florida International University; Roberto L. Abreu, Department of Educational, School, and Counseling Psychology, University of Kentucky; Angel Lopez, The Village South, Miami, Florida; Ben Mathews, School of Law, Queensland University of Technology, Brisbane, Australia. Correspondence concerning this article should be addressed to Maureen C. Kenny, Leadership and Professional Studies, Florida International University, 11200 SW 8th Street, ZEB 245A, Miami, FL 33199 (email: kennym@fiu.edu).

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372 Journal of Counseling & Development n October 2018 n Volume 96
the extent of abuse or harm that activates the reporting duty, describe the mental state required to report (e.g., suspicion of abuse), define who is a mandated reporter, delineate reporting procedures, and provide immunity and confidentiality to reporters (Mathews & Kenny, 2008). While each state has laws related to mandatory reporting, these laws vary with respect to acts that constitute abuse and neglect, types of reportable abuse, which professionals are labeled as mandatory reporters, and the penalties and liabilities for failure to report. These varying laws often leave professionals confused as to what their specific state requires from them as mandated reporters.

Counselors often face barriers to reporting abuse. These include limited training and competency in understanding both the process of initiating a report with child protection (Pietrantonio et al., 2013) and their duties and reporting procedures (Kenny, 2004; Orelow, Hollahan, & Myles, 2000). Training limitations about the reporting process can have grave consequences for the child victim. Some research has found that counselors lack knowledge or fail to report suspected abuse (Bryant, 2009; Bryant & Milsom, 2005; Kenny & McEachern, 2002). Kenny and McEachern (2002) examined abuse reporting among school counselors and found that on average counselors made one report of abuse per year and that they often failed to report suspicions of abuse. Bryant (2009) found that school counselors reported 77% of their cases of suspected abuse, with 68% of those cases receiving an investigation by child protective services (CPS). Research has found that school counselors are influenced by several factors when deciding to report abuse: (a) following the law, (b) strong evidence that abuse occurred, and (c) concern for youth safety (Bryant & Milsom, 2005; Kenny & McEachern, 2002). Decisions to refrain from reporting were influenced by a lack of evidence or a concern that CPS would not investigate (Bryant & Milsom, 2005). Potential legal repercussions ranked slightly lower on factors influencing the decision of whether to report abuse (Bryant, 2009). Brown and Strozier (2004) found that, given a choice, professional counselors believed reporting of abuse to be the most important issue when treating a case that involved suspected abuse. Bryant and Baldwin (2010) found that school counselors reported that training on child maltreatment reporting was very helpful, yet they desired more training on child abuse. Training efforts are critical as research has found that a mandated reporter’s knowledge of the reporting law is positively associated with the likelihood that a professional will report suspected abuse (Renninger, Veach, & Bagdade, 2002). We assert that if counselors know the threshold for reporting in their state (e.g., suspicion, cause to believe), they may be less likely to be influenced by their belief that they did not have evidence. Furthermore, since studies have found knowledge of law to be critical in decision making, education on legal requirements is key to competence in reporting.

Prior to our study, there was no comprehensive review of state laws regarding child abuse reporting related to counselors and their role as mandatory reporters. Our goal was to provide a comprehensive and up-to-date review and synthesis of relevant state law in order to help counselors understand and maintain compliance with their role as mandatory reporters and, more importantly, to make sure they intervene when necessary in cases of suspected child maltreatment. Similar to the laws governing the licensure and practice of counselors, statutes related to child maltreatment vary in each state, requiring counselors to be knowledgeable in any state in which they practice. Due to the variance in state laws, our review is intended to provide guidance to counselors who are faced with the difficult task of navigating the laws and rules surrounding child abuse reporting in their respective states, help delineate any gray areas in mandatory reporting procedures, and familiarize counselors with common statutory language.

Our review was guided by several research questions intended to identify the most common issues encountered by counselors in understanding child maltreatment laws. The research questions included the following:

**Research Question 1:** In what states are counselors recognized as mandatory reporters of child abuse and neglect and in what time frame are they expected to report?

**Research Question 2:** How are the types of child abuse and neglect defined in most states?

**Research Question 3:** What are the fines and penalties for failure to report abuse?

**Research Question 4:** Are mandated reporters provided immunity when making a report?

**Research Question 5:** Is the confidentiality of the counselor protected when making a report?

These five questions were identified because they have been widely ascertained in previous research (Kalichman, 1999; Mathews & Kenny, 2008) as the most important aspects of child abuse reporting law that apply to practitioners and therefore must be understood and implemented in professional practice. Empirical research has shown that counselors and other professionals sometimes neither know nor comply with their legal reporting duties and that they sometimes make reports when they should not (Donohue, Alvarez, & Schubert, 2015; Feng, Chen, Petzer, Feng, & Lin, 2012; Kesner & Dever, 2015). This literature has also identified reasons why these undesirable reporting practices sometimes occur, such as fear of being sued, difficulty interpreting statutory wording, and uncertainty about whether or not the counselors or other professionals have to make a report (Feng et al., 2012; Levi & Crowell, 2011; Pietrantonio et al., 2013; Wackerle, 2013). Therefore, selection of these features of the laws for identification,
analysis, and discussion is warranted and required to make findings about the nature and application of the legal reporting duty for counselors in the United States.

Method

We used a doctrinal legal research methodology to conduct a systematic review of legislation in each state about counselors’ duties to report maltreatment. Such a review involves identifying, interpreting, and analyzing legislation using orthodox methodologies in legal analysis (Mathews & Kenny, 2008). Specifically, the researchers (a) identified the relevant legislation in each state using authorized electronic databases; (b) used conventional legal analytical methods to identify the relevant provisions within each piece of legislation; and (c) used legal analysis and statutory interpretation methods to interpret the legal provisions to identify their exact meaning and resolve any ambiguity and uncertainty, and to draw conclusions about how the legal provisions apply to real-life contexts. The current article represents a current and systematic review of all 50 states’ legislation related to child abuse.

The research team, which included the first author as the primary researcher and supervisor of additional researchers, reviewed laws and statutes in all 50 states and the District of Columbia. Each researcher was assigned a specific number of states to review. To ensure a current, accurate review, we accessed child protection legislation via online legislative databases maintained by each state legislature. We also cross checked information with summary data produced by the U.S. Department of Health and Human Services Children’s Bureau concerning mandated reporting professions and definitions of abuse and neglect (see Child Welfare Information Gateway at www.childwelfare.gov). We conducted legal analysis of the legislation, which informed the extraction of relevant information. This method built on the approach adopted previously by two of the authors (Mathews & Kenny, 2008; a complete list of all the statutes and regulations used in this analysis is available upon request from the first author).

The research team located the relevant statutes from each state’s official legislative website. Informed by the approach adopted in a previous systematic review (Mathews & Kenny, 2008), for each state searched, the researchers limited searches to titles of state statutes and administrative regulations that were related to dependency, neglect, and abuse; health and welfare; child and family services; Child Protection Act; protection of children from abuse or neglect; juveniles; protection and care of children; proceedings against them; remedies; and child maltreatment. For example, relevant titles included (a) parent and child relationship; (b) dependency and neglect; (c) juvenile law: reporting and investigation of child abuse and neglect; and (d) special actions and proceedings. The search terms were developed from prior research by the first author as well as from test searches conducted in three states. The researchers were overinclusive to ensure laws related to child abuse and mandatory reporting would not be overlooked because of how they were classified in state law.

To cross check the information obtained from the states’ statutes, the review continued with researchers using the Child Welfare Information Gateway website (see www.childwelfare.gov/topics/systemwide/laws-policies/state/). When using that website, we searched each state with the following options selected under the database topic Child Abuse and Neglect: (a) definitions of child abuse and neglect, (b) immunity for reporters of child abuse and neglect, (c) making and screening reports of child abuse and neglect, (d) mandatory reporters of child abuse and neglect, and (e) penalties for failure to report and false reporting of child abuse and neglect.

Each researcher obtained all relevant statutes for a set of approximately 13 states, then independently examined a particular component of the relevant legislation (e.g., mandated reporter groups, definitions of abuse, penalties) for a different set of states. The two researchers (i.e., the researcher who performed the original search for all relevant statutes and the researcher who completed the second search for a particular component) then compared their findings. If there was a discrepancy, a third researcher reviewed any differences found. Discrepancies were discussed by all three researchers until a consensus could be reached (see Figure 1). To ensure accuracy, after all reviews and discrepancies were handled, researchers conducted spot checks of relevant laws in states originally assigned to other researchers. This spot check involved a comparison of the final agreed-upon information from each state with the information found on that particular state’s website. If the spot check revealed an inconsistency, it was discussed until consensus was reached. On occasion, the first author was involved to ensure that all researchers were conducting an appropriate search and interpretation of each state’s statutes. An example of an inaccuracy might be the time period for reporting abuse.

Results

The state statutes were analyzed according to the five research questions. The content areas corresponding to the research questions were (a) mandated reporters and reporting procedures (e.g., mandatory reporters, reporting process, reporting time frame, type of report), (b) definitions of types of abuse (e.g., neglect, physical, sexual, emotional), (c) penalties, (d) immunity, and (e) confidentiality. In each of the following sections, we provide some examples that illustrate the approaches used and concepts applied in many states.

Mandated Reporters and Reporting Procedures

Mandatory reporters. In 44 states, counselors are designated as mandatory reporters of child maltreatment. Table 1 describes how counselors are identified as mandatory reporters in each state. For some states, counselors are not mentioned because no professionals are identified (ID, IN, NJ), while
Counselors' Mandated Responsibility to Report Child Maltreatment

other states are specific in the type of counselor who must report abuse (e.g., a counselor employed in a substance abuse, domestic violence, or healing center). In addition, other states rely on a more general term of mental health professional or licensed professional counselor, which could include counselors, psychologists, social workers, and marriage and family therapists. Our review shows that most states include school personnel or employees as mandated reporters, including but not limited to school counselors, while others make direct mention of school/guidance counselors. Some states are limited to identifying school employees with no mention of mental health professionals (PA, NE, NV, NH, NM, WA). Missouri refers to "or other person with responsibility for the care of children" (Mo. Rev. Stat. §210.115), which implies school personnel, although not clearly. New Hampshire uses the term therapists, which could include medically oriented professionals such as physical and occupational therapists, in addition to counselors (N.H. Rev. Stat. §169-C:29).

Mental state of mind required to activate the reporting duty. The mental threshold for reporting involves a suspicion or belief that abuse has occurred, rather than knowledge or proof. The terms reasonable suspicion, reasonably suspected, or reasonable cause to suspect are used in 30 states. Some variation of the term reasonably believes is the threshold for reporting in 22 states. A few states (ID, NE, NV) also mention observation of a child being abused as requiring a report.

Time frame for reporting. The time frame for making a report of suspected abuse varies among states. The majority of states (36 states) use the term immediately, while others specify certain periods of time in which the report must be made. Several time periods are used, including no later than 48 hours (MA, ND, NH, WV), 24 hours (GA, IA, ID, RI, VT), or 12 hours (CT). Some states provide no time frame for reporting (KS, ME, MT, NC, NJ, OK, SC), while Oklahoma uses the term promptly.

Means of making a report. States require reports of child abuse to be made in a number of different ways, including by telephone, fax, text message, written report, and online (website) submission. Most commonly, reporting must be done by telephone (AL, AR, AZ, CA, CO, CT, DC, DE, FL, GA, HI, IA, IL, IN, KS, KY, IA, MA, MD, ME, MI, MN, MO, MS, NC, ND, NE, NH, NJ, NY, OK, OR, PA, RI, SC, TN, VA, WA, WI), but in some cases, a written submission may be required within a specified time period after the oral report (AL, CT, DC, DE, IA, KS, IA, MA, MD, ME, MI, MS, NC, ND, NE, NH, NJ, NY, RI, WA). California requires first an oral report and then an electronic report within 36 hours. States requiring reports by telephone usually have hotlines that are available 24 hours a day, 365 days a year, but some use a toll-free number or require the report to be made to the local CPS office or county social services office during regular business hours. Some accept reports in other languages as well. For example, the Florida abuse hotline is operated in English, Spanish, and Creole.

Written reports are required by fewer states (CA, GA, KY, NC, ND, OK), and electronic reports are also an acceptable way to make reports in some states (AZ, FL, GA, IA, LA, ME, NY). Faxes a report is acceptable in only a few states (CA, FL, GA, ME). Travel is the only state that does not specify in the statute how a report can be made, but a review of the
<table>
<thead>
<tr>
<th>State or Locality</th>
<th>Type of Mandated Reporter</th>
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</thead>
<tbody>
<tr>
<td>Alabama</td>
<td>Mental health professional</td>
</tr>
<tr>
<td>Alaska</td>
<td>Alcohol and/or drug counselor, substance abuse counselor, addictions; domestic violence counselor; healing arts; school counselor or guidance counselor, school personnel/employee</td>
</tr>
<tr>
<td>Arizona</td>
<td>Counselor; school counselor or guidance counselor, school personnel/employee</td>
</tr>
<tr>
<td>Arkansas</td>
<td>Domestic violence counselor; mental health professional; school counselor or guidance counselor, school personnel/employee</td>
</tr>
<tr>
<td>California</td>
<td>Alcohol and/or drug counselor, substance abuse counselor, addictions; family counselor, marriage and family counselor; licensed professional counselor; school counselor or guidance counselor, school personnel/employee</td>
</tr>
<tr>
<td>Colorado</td>
<td>Licensed professional counselor; mental health professional; school counselor or guidance counselor, school personnel/employee</td>
</tr>
<tr>
<td>Connecticut</td>
<td>Alcohol and/or drug counselor, substance abuse counselor, addictions; family counselor, marriage and family counselor; mental health professional; sexual assault, trauma; school counselor or guidance counselor, school personnel/employee</td>
</tr>
<tr>
<td>Delaware</td>
<td>Healing arts; school counselor or guidance counselor, school personnel/employee</td>
</tr>
<tr>
<td>District of Columbia</td>
<td>Domestic violence counselor; healing arts; mental health professional</td>
</tr>
<tr>
<td>Florida</td>
<td>Mental health professional; school counselor or guidance counselor, school personnel/employee</td>
</tr>
<tr>
<td>Georgia</td>
<td>Family counselor, marriage and family counselor; licensed professional counselor; school counselor or guidance counselor, school personnel/employee</td>
</tr>
<tr>
<td>Hawaii</td>
<td>Healing arts; school counselor or guidance counselor, school personnel/employee</td>
</tr>
<tr>
<td>Idaho</td>
<td>No professionals identified</td>
</tr>
<tr>
<td>Illinois</td>
<td>Alcohol and/or drug counselor, substance abuse counselor, addictions; domestic violence counselor; school counselor or guidance counselor, school personnel/employee</td>
</tr>
<tr>
<td>Indiana</td>
<td>No professionals identified</td>
</tr>
<tr>
<td>Iowa</td>
<td>Alcohol and/or drug counselor, substance abuse counselor, addictions; counselor; mental health professional; school counselor or guidance counselor, school personnel/employee</td>
</tr>
<tr>
<td>Kansas</td>
<td>Alcohol and/or drug counselor, substance abuse counselor, addictions; family counselor, marriage and family counselor; licensed professional counselor</td>
</tr>
<tr>
<td>Kentucky</td>
<td>Mental health professional; school counselor or guidance counselor, school personnel/employee</td>
</tr>
<tr>
<td>Louisiana</td>
<td>Family counselor, marriage and family counselor; mental health professional; school counselor or guidance counselor, school personnel/employee</td>
</tr>
<tr>
<td>Maine</td>
<td>Family counselor, marriage and family counselor; mental health professional; domestic violence counselor; sexual assault, trauma; school counselor or guidance counselor, school personnel/employee</td>
</tr>
<tr>
<td>Maryland</td>
<td>Counselor</td>
</tr>
<tr>
<td>Massachusetts</td>
<td>Alcohol and/or drug counselor, substance abuse counselor, addictions; counselor; family counselor, marriage and family counselor; mental health professional; school counselor or guidance counselor, school personnel/employee</td>
</tr>
<tr>
<td>Michigan</td>
<td>Family counselor, marriage and family counselor; licensed professional counselor; school counselor or guidance counselor, school personnel/employee</td>
</tr>
<tr>
<td>Minnesota</td>
<td>Family counselor, marriage and family counselor; licensed professional counselor; school counselor or guidance counselor, school personnel/employee</td>
</tr>
<tr>
<td>Mississippi</td>
<td>School counselor or guidance counselor, school personnel/employee</td>
</tr>
<tr>
<td>Missouri</td>
<td>Mental health professional</td>
</tr>
<tr>
<td>Montana</td>
<td>Mental health professional; school counselor or guidance counselor, school personnel/employee</td>
</tr>
<tr>
<td>Nebraska</td>
<td>School counselor or guidance counselor, school personnel/employee</td>
</tr>
<tr>
<td>Nevada</td>
<td>Counselor; school counselor or guidance counselor, school personnel/employee</td>
</tr>
<tr>
<td>New Hampshire</td>
<td>School counselor or guidance counselor, school personnel/employee</td>
</tr>
<tr>
<td>New Jersey</td>
<td>No professionals identified</td>
</tr>
<tr>
<td>New Mexico</td>
<td>School counselor or guidance counselor, school personnel/employee</td>
</tr>
<tr>
<td>New York</td>
<td>Alcohol and/or drug counselor, substance abuse counselor, addictions; family counselor, marriage and family counselor; mental health professional; school counselor or guidance counselor, school personnel/employee</td>
</tr>
<tr>
<td>North Carolina</td>
<td>No professionals identified</td>
</tr>
<tr>
<td>North Dakota</td>
<td>Alcohol and/or drug counselor, substance abuse counselor, addictions; healing arts; mental health professional; school counselor or guidance counselor, school personnel/employee</td>
</tr>
<tr>
<td>Ohio</td>
<td>Family counselor, marriage and family counselor; licensed professional counselor; school counselor or guidance counselor, school personnel/employee</td>
</tr>
<tr>
<td>Oklahoma</td>
<td>No professionals identified</td>
</tr>
<tr>
<td>Oregon</td>
<td>Alcohol and/or drug counselor, substance abuse counselor, addictions; family counselor, marriage and family counselor; licensed professional counselor; mental health professional; school counselor or guidance counselor, school personnel/employee</td>
</tr>
<tr>
<td>Pennsylvania</td>
<td>School counselor or guidance counselor, school personnel/employee</td>
</tr>
<tr>
<td>Rhode Island</td>
<td>No professionals identified</td>
</tr>
<tr>
<td>South Carolina</td>
<td>Alcohol and/or drug counselor, substance abuse counselor, addictions; mental health professional; school counselor or guidance counselor, school personnel/employee</td>
</tr>
<tr>
<td>South Dakota</td>
<td>Counselor; mental health professional; school counselor or guidance counselor, school personnel/employee</td>
</tr>
<tr>
<td>Tennessee</td>
<td>Mental health professional; school counselor or guidance counselor, school personnel/employee</td>
</tr>
<tr>
<td>Texas</td>
<td>Mental health professional</td>
</tr>
</tbody>
</table>

(Continued)
Counselors’ Mandated Responsibility to Report Child Maltreatment

TABLE 1 (Continued)
Designation of Counselor as Mandatory Reporter in 50 States and District of Columbia

<table>
<thead>
<tr>
<th>State or Locality</th>
<th>Type of Mandated Reporter</th>
</tr>
</thead>
<tbody>
<tr>
<td>Utah, Vermont</td>
<td>Mental health professional; school counselor or guidance counselor, school personnel/employee</td>
</tr>
<tr>
<td>Virginia</td>
<td>Health arts; mental health professional; school counselor or guidance counselor, school personnel/employee</td>
</tr>
<tr>
<td>Washington</td>
<td>Counseling; licensed professional counselor; school counselor or guidance counselor, school personnel/employee</td>
</tr>
<tr>
<td>West Virginia</td>
<td>Mental health professional; school counselor or guidance counselor, school personnel/employee</td>
</tr>
<tr>
<td>Wisconsin</td>
<td>Alcohol and/or drug counselor, substance abuse counselor, addictions; family counselor, marriage and family counselor; licensed professional counselor; mental health professional; school counselor or guidance counselor, school personnel/employee</td>
</tr>
<tr>
<td>Wyoming</td>
<td>No professionals identified</td>
</tr>
</tbody>
</table>

state’s child protection website informs that either oral or online reporting is accepted. Some states that use online or web-based reporting require the reporter to create a user name and account or sign in as a guest in order to make a report (FL, TX). A counselor who is in the position of making reports regularly would be advised to create an account and log-in name. Many states have statutory language to the effect that the reporter should make the report to the nearest department of health and human services or child welfare (AK, CO, HI, IA, ID, IL, KS, MN, MT, NE, NM, NV, OK, OR, RI, UT, VA, WI, WV, WY).

Definitions of Types of Abuse

Neglect. The definitions of neglect vary by state but typically center on harm or threatened harm to the child by the parents or caregiver or the failure to provide adequate food, clothing, medical treatment, supervision, or shelter. Some states, such as Colorado, are very specific about the types of actions that constitute neglect, including if “a parent . . . fails or refuses to provide the child with proper or necessary subsistence, education, medical care, or any other care necessary for his or her health, guidance or well-being” (Colo. Rev. Stat. §19-3-102). Common to all statutes is an implicit understanding that neglect must reach a certain level of seriousness to activate the duty to report.

Homelessness or poverty alone does not constitute neglect or abuse. Several states have express provisions about this. For example, a Washington provision helps us understand this difference: “Poverty, homelessness . . . does not, in and of itself, constitute negligent treatment or maltreatment” (Wash. Admin. Code §388-15-009).

Physical abuse. Physical abuse definitions typically focus on nonaccidental injury to a child by a parent or caregiver. Common elements include inappropriate or excessively harsh disciplinary action, serious bodily injury, death, permanent disfigurement, strangulation, throwing, kicking, or burning and striking a child with a closed fist.

It is important to note that statutes do not require reports of any and all physical contact. Rather, they usually stipulate that such actions must result in some kind of physical injury to the child. Various concepts, including harm or threatened harm, serious injury, and substantial impairment, may apply. Most definitions of physical abuse include not only infliction of abuse, but allowing to be inflicted upon the child. For example, the Rhode Island statute applies to situations where a parent or caregiver “inflicts, or allows to be inflicted upon the child, physical or mental injury, including excessive corporal punishment” (R.I. Gen. Laws § 40-11-2). Within the home, reasonable corporal punishment remains lawful in all states (Mathews, McCarthy, Affi, & Durrant, 2018). Some states expressly distinguish between lawful corporal punishment and unlawful physical abuse. For example, Florida law states: “Corporal discipline may be considered excessive or abusive when it results in . . . sprains, dislocations . . . bone or skull fractures . . . burns or scalding . . . significant bruises or welts” (Fla. Stat. §39.01).

Sexual abuse. Similar to physical abuse, definitions of sexual abuse are among the most well defined. In most instances, specific acts are recognized as abusive, including but not limited to molestation, rape, incest, sexual assault, genital mutilation, prostitution, and other forms of sexual exploitation. Definitions have been expanded to include child pornography, which includes obscene or pornographic photographing, filming, or depicting of children for commercial purposes. Acts such as forcing or encouraging a child to view pornographic film or literature have also been included in some states’ definition of sexual abuse. Some states are very precise in their definition of sexual abuse and the description of various acts that constitute abuse. For example, part of the very extensive definition in California law includes:

(1) Penetration, however slight, of the vagina or anal opening of one person by the penis of another person, whether or not there is the emission of semen. (2) Sexual contact between the genitals or anal opening of one person and the mouth or tongue of another person. (3) Intrusion by one person into the genitals or anal opening of another person, including the use of an object for this purpose, except that, it does not include acts performed for a valid medical purpose. (Cal. Penal Code §11165.1)
However, definitions in other states are vague. For instance, Maine states that “Abuse or neglect means a threat to a child’s health or welfare by . . . sexual abuse or exploitation . . . by a person responsible for the child” (Me. Rev. Stat., tit. 22, §4002).

**Emotional/psychological abuse.** Psychological abuse is sometimes termed emotional abuse or mental abuse. Many states define emotional abuse as a reportable form of child maltreatment, albeit with different definitions. Some states provide precise examples of emotional abuse. New Jersey refers to those “who [have] been willfully isolated from ordinary social contact under circumstances which indicate emotional or social deprivation” (N.J. Stat. Ann. §9:6-8.21). Similarly, exhaustively, Oregon describes, “Any mental injury to a child, which shall include only observable and substantial impairment of the child’s mental or psychological ability to function caused by cruelty to the child, with due regard to the culture of the child” (Or. Rev. Stat. §418B.005). Washington defines mental injury and further indicates that the impairment must be substantial enough to be supported by the opinion of a mental health professional.

Some states do not specifically define emotional abuse but mention it in the context of other forms of abuse. For example, Michigan states that the term child abuse includes mental injury, and West Virginia refers to situations in which mental health is harmed. These states do not mention the acts that constitute emotional abuse as much as the subsequent effects of mental harm on the child. However, even where included as a reportable form of abuse, emotional abuse is often not clearly defined and will require the counselor to consider the matters expressed in the statute, which may be more conceptually than concrete. Some states (GA, IL, IN, UT) do specifically mention emotional or psychological abuse as a form of child maltreatment that must be reported by mandated reporters. Idaho requires reports of mental injury only if it occurs as a result of sexual abuse (Idaho Stat. §16-1602).

The kinds of cases of suspected abuse and neglect that are the target of the reporting duty are those where the child has suffered or is suffering harm of a certain level of seriousness, or is judged at risk of doing so in the future. The reporting laws are not targeted at trivial or slightly isolated instances of less than ideal parenting. The ability to distinguish between situations that should and should not be reported, either to CPS or to other relevant agencies, is an important part of reporter training, which we discuss later in this article.

**Exposure to domestic violence.** Few statutes explicitly address this issue and require mandatory reports of exposure to domestic violence. Missouri and West Virginia include exposure to domestic violence under the conditions of child abuse and neglect. To address such cases, the District of Columbia includes in the definition of a “neglected child” any whose parent, guardian, custodian, or custodian has failed to make reasonable efforts including filing a petition for court protection from intrafamily violence to prevent the infliction of abuse upon the child” (D.C. Code §16-2301). Alternatively, Washington does not specify that mere exposure to domestic violence does not constitute abuse in and of itself (Mathews & Kenny, 2008). With regard to parental substance abuse, there are two categories that specifically identifies the states’ statutes. The first concerns infants/children exposed to substance abuse in a report by a parent or caregiver. Washington and Oregon are common examples of states that make specific provisions for reporting abuse. Many states have specific procedures for reporting abuse. For example, Michigan states that a mandated reporter who knows, or from the child’s symptoms has reasonable cause to suspect, that a newborn baby has any amount of alcohol, a controlled substance, or a metabolite of a controlled substance in his or her body shall report to the department in the same manner as other reports (Mich. Comp. Laws §722.623a).

The second category concerns children who are exposed to environments where drugs are used or produced. In many states, the definition of abuse has been expanded to include children’s exposure to activities involving illegal drugs, including manufacturing of drugs. Many states’ statutes address children’s exposure to illegal drug activity (AK, AL, AR, AZ, CA, CO, DE, GA, HI, ID, IA, IL, IN, KS, KY, LA, MN, MO, MS, MT, NC, ND, NE, NH, NM, OH, OR, PA, SC, UT, VA, WA, WV, WY). Instances addressed in the statutes include the following: manufacturing illegal substances in the presence of or near proximity of a child (CO, IA, IN, MO, OH, OK, OR, PA, SD, TN, VA, WA), allowing a child to be present on premises where chemicals or manufacturing tools for illegal substances are kept (AR, AZ, WA), selling or distributing drugs to a child (AR, FL, HI, IL, MN, OH, TX), and drug use that impairs a caregiver’s ability to adequately care for a child (CA, DE, KY, MN, NY, OK, RI, TX). For example, Tennessee law applies to “knowingly allowing a child to be present within a structure where the act of creating methamphetamine . . . is occurring” (Tenn. Code Ann. §37-1-102), while Arizona law states that “the terms endangered and abuse include but are not limited to circumstances in which a child or vulnerable adult is permitted to enter or remain in any structure or vehicle in which volatile, toxic or flammable chemicals are found or equipment is possessed by any person for the purpose of manufacturing a dangerous drug” (Ariz. Rev. Stat. §13-3623). Most states, however, do not address
Confidentiality

Counselors and other mandated reporters are often concerned that their identity may be disclosed to the victim named in their report, or to the victim's family. The majority of states maintain toll-free telephone numbers for the purpose of reporting cases of abuse and neglect, and most of these hotlines accept anonymous reports. However, at least 19 states require mandatory reporters to identify themselves (AZ, CA, CO, FL, IA, IL, IN, LA, MA, ME, MN, MO, MS, NC, NE, NM, NY, PA, VT). All statutes include provisions to protect the identity of the person making the report, and 41 states (all but AK, DE, ID, MA, MD, NH, RI, WV, WY) specifically protect the reporter's identity from being disclosed to the alleged perpetrator. Disclosure of the reporter’s identity may be allowed to certain professionals under some circumstances. For instance, Louisiana allows the reporter's identity to be released if it is later found that he or she knowingly made a false report, and in Florida, a reporter's name will be entered into the record of the report, but shall be held confidential (Child Welfare Information Gateway, 2016).

Discussion

Our review was intended to delineate counselors’ role as mandated reporters of child maltreatment. As we have demonstrated, most states refer to counselors (in some capacity) as mandatory reporters. Given that counselors occupy a role in which they are likely to encounter maltreated children, to observe indicators of such maltreatment in those children, and even to receive frank disclosures of a child's abuse, it is important professionally, clinically, ethically, and legally for counselors to be aware of their obligations under state law. We began this review with a concern that some counselors may be faced with child maltreatment without full knowledge of their obligations under the mandated reporting laws. The results can educate counselors on their role as mandated reporters (i.e., mandated reporters and reporting procedures) and what constitutes different forms of maltreatment (i.e., definitions of child maltreatment), and may help clarify the crucial role counselors play as mandated reporters and in identifying and potentially reducing child maltreatment. These results also highlight the importance of knowing legal protections (i.e., immunity and confidentiality) and consequences (i.e., penalties) for reporting or failing to report child maltreatment.

Although we found that definitions of various types of abuse varied across states, we also found common elements that seemed to be central to most definitions. These included the notion of acts either being committed by caregivers or occurring when caregivers allowed them to be committed by others. Thus, counselors are encouraged to use their judgment and training in report cases they believe or suspect to constitute their state's statutory definitions of abuse. Our results refute the belief of many mandated reporters that it is
their job to determine whether maltreatment occurred (gathering evidence) rather than reporting reasonable suspicion (Bryant, 2009; Kenny, 2004). As Slauhter (2006) reminded us, many reporting laws "do not define 'reasonable suspicion' of the other terms used and have purposely kept the interpretation vague to encourage and facilitate reporting" (p. 341). Our review also demonstrated that counselors need to be aware of changes to reporting laws, including those that broaden the scope to include children who witness domestic violence or are subject to substance abuse, use, sale, or manufacture in their homes. All states have legislative websites that can provide counselors with the necessary access to statutes. For example, Congress.gov (see www.congress.gov/state-legislature-websites) allows users to click on any state and be routed directly to that state's legislative website. When searching a state's legislative website, counselors can use keywords such as child abuse reporting. This will typically generate a list of related statutes for the counselor to review. Although wording may be obscure at times, most information is presented in a comprehensible manner. In addition, the Child Welfare Information Gateway website (see www.childwelfare.gov/) provides information about statutes and child welfare services. This website contains a link which has a state statutes search. The user can select the topic of interest pertaining to child maltreatment and child welfare. The National Council on Child Abuse and Family Violence (see www.nccafv.org/child-abuse-reporting-numbers) provides each state’s phone numbers for reporting child maltreatment and information about reporting. Counselors are also encouraged to access their state’s CPS department for reporting procedures and hotline numbers. (The Appendix provides links to these resources as well as directions for navigating them.)

In addition, although the time frames for reporting may differ among states, the most common and generally recommended timeframe for reporting is immediately or as soon as possible. Counselors are advised to adhere to their state’s time frames but also exercise clinical judgment in making a report as soon as possible so that no further harm can come to the child. Investigations can begin promptly, and there can be cessation of potential abuse. Although some counselors may be working in agencies that establish policies requiring them to report to their direct supervisor, who will then make the report, research has found counselors are often discouraged from reporting directly on fear of resistance from colleagues and superiors (Baxton & Baxton, 2010; Henderson, 2013). This is one reason as to why it may be very difficult or impossible to make a report accurately or efficiently (Kenny, 2004). Wheeler & Bednar, 2013). Although counselors may be employees of an agency that requires reporting to a supervisor, they must remember that the basis for reporting ultimately falls on them as they are the individuals with knowledge of the suspected abuse as well as the potential negative consequences for failure to report.

Mandated reporters might be concerned about potential legal repercussions of reporting suspected child maltreatment. Research shows this to be a concern for many health care professionals (Theodore & Runyon, 2006). However, as our review demonstrated, all 50 states provide immunity to professionals who report abuse or suspected abuse. The intention behind immunity is to encourage reporters to follow their mandate without fear of legal reprisal from a child's family member. For immunity to apply, however, the report must be made in good faith. According to the Child Welfare Information Gateway (2016), "the term 'good faith' refers to the assumption that the reporter, to the best of his or her knowledge, had reason to believe that the child in question was being subjected to abuse or neglect" (p. 2), and therefore, even if the allegations made in the report cannot be fully substantiated, the reporter is still provided with immunity. All states also provide for the confidentiality of the person making the report.

Failure to report abuse entails both legal and financial consequences for mandated reporters. The legal consequences for mandated reporters’ failure to report may in some states include misdemeanor charges, fines of up to $10,000, and felony charges. Our review has outlined the monetary and legal penalties for professionals who fail to report suspected abuse, which may be an important consideration for some. However, we emphasize the overarching ethical duty of counselors to report appropriate cases of child abuse and neglect based on the short- and long-term effects of prolonged abuse (e.g., depression and anxiety; Amado et al., 2015; Laron et al., 2012; van Vugt et al., 2014) that can occur if professionals fail to report. We recommend professionals pay at the forefront of their decision making the desire to help and advocate for children. Failure to report abuse leaves children vulnerable and at continued risk for injury and even death.

Training

Counselors’ exposure to the law needs to be accompanied by sufficient training, as reporters need to know the scope of their duty, the indicators of child abuse and neglect, what they should and should not report, how to make a useful report, and to whom to report (Mathews, 2014). Training and education for counselors is essential, and this should include the dissemination of information regarding reporting laws. Training should begin in counselor education programs where faculty incorporate child abuse reporting in several classes, including ethics and counseling children and adolescents. Subsequent to university-based training, counselors are advised to keep abreast of their state’s statutes, which are subject to change. Seeking continuing education by attending workshops or training is recommended to help counselors remain aware of
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Changes to reporting requirements and maintain competence in child maltreatment (Kenny & Abreu, 2016).

Counselors are reminded that consultation is an important professional role. In the case of suspected child maltreatment, most states have a CPS reporting holding a counselor can call to seek consultation prior to initiating a report. The trained staff will ask questions of the caller, inquire about the situation, and determine if a report meets their criteria for acceptance. This level of consultation with CPS may be helpful to counselors who are struggling with making a report. Wheeler and Bertram (2015) advised taking this action because it also helps to establish a good-faith report which is typically required in order to receive immunity from being sued as a result of the report.

Limitations and Future Research

A limitation of our findings is that we conducted the legislative search from February 2015 to August 2016. The law presented here is therefore current to that date. Because legislation can be changed at any time during a legislative session, it is critical that counselors maintain an up-to-date awareness of the legislation in their state and any recent changes (Piccinato et al., 2013).

Future empirical research would be extremely valuable to determine the level of knowledge counselors have regarding reporting laws in their state, and other attributes and dispositions toward child maltreatment reporting. Research often relies on self-reported knowledge level, which has been found often to be overestimated (Kenny, 2004; Renniger et al., 2002). Thus, empirical studies of counselors’ knowledge would be helpful. In addition, future research into the elements and mechanisms of optimal training in the child maltreatment mandate and in what would lead to expert recognition and reporting is sorely needed (Lusk, Zibulsky, & Viezel, 2015). Similar to the recommendation that Walsh and Jones (2016) made for nonprofessionals, further research is needed to better understand the extent to which child abuse reporting laws are understood by counselors, how often and under what circumstances they are implemented, and their impact.

Conclusion

The role of a counselor is often difficult, and identifying and reporting child maltreatment may be one of counselors’ most important responsibilities. Being aware of the signs and symptoms of abuse and the mandatory obligation to report are key steps to reducing the impact of childhood maltreatment. As Henderson (2013) stated, “mandated reporting of child abuse is a fundamental responsibility of mental health counselors” (p. 307). Knowing that the prospect of having to report suspected abuse is often distressing for the counselor, the goal of this article was to eliminate any gray areas regarding mandatory reporting for counselors and provide clarity about the legal protections put in place for counselors who report in good faith. Although making a report can be challenging, counselors must keep in mind that fulfilling their legal, ethical, and what we believe to be moral obligation of reporting is also in the best interest of the child (Bean, Soffass-Nall, & Mahoney, 2011).

References

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APPENDIX

Internet Resources for Child Abuse and Neglect Laws and Reporting Information

National Council on Child Abuse and Family Violence
www.ncacf.org/child-abuse-reporting-numbers
The National Council on Child Abuse and Family Violence website provides a list of each state's phone number for reporting child abuse and neglect.

Child Welfare Information Gateway
www.childwelfare.gov
The Child Welfare Information Gateway is a service of the Children's Bureau, Administration for Children and Families, U.S. Department of Health and Human Services. The website contains information, resources, and tools covering topics on child welfare, child abuse and neglect, out-of-home care, and adoption.

On the top banner, click on State Resources and then click State Statutes. Select the state you want from the drop-down list and then select the information you want under the Child Abuse and Neglect section. Then click Go to begin the search.
The site will provide the relevant state laws with proper citation of the state law.

State Legislature Websites for U.S. States and Territories
www.congress.gov/state-legislature-website
The U.S. Congress provides a map of the United States. You can click on the state you want and you will be directed to the state's legislative website. There you can search for the statute listed below for the relevant area of law.
Alternatively, for each state, go to the state legislative website list that follows and click on the relevant section of law. Most states have legislative websites that are easy to navigate with key links to each section.

Alabama
http://alisonrb.legislature.state.al.us/alison/codeofalabama/1975/codiabct.htm
Citations:
Definitions of abuse: Sections 28-14-1; 28-16-2; 28-16-3.2
Immunity: Section 28-14-9
Penalties: Section 28-16-13
Mandatory reporters: Section 28-14-3
Time frame for making a report: Section 28-14-3
Threshold for reporting (e.g., suspicion): Section 28-14-3

Alaska
http://www.leg.state.ak.us/house/ hostile/loco.asp
Citations:
Definitions of abuse: Sections 47.17.200; 47.17.024
Immunity: Section 47.17.005
Penalties: Section 47.17.066
Mandatory reporters: Sections 47.17.028; 47.17.022
Time frame for making a report: Section 47.17.230
Threshold for reporting (e.g., suspicion): Section 47.17.290

Arizona
http://www.azleg.gov/arible
Citations:
Definitions of abuse: Sections 13-3653.2-201
Immunity: Section 13-3653.2-201
Penalties: Sections 13-3653.2-201
Mandatory reporters: Section 13-3653.2
Time frame for making a report: Section 13-3653.2
Threshold for reporting (e.g., suspicion): Section 13-3653.2

Arkansas
Citations:
Definitions of abuse: Section 12-18-102
Immunity: Section 12-18-107
Penalties: Sections 12-18-201; 12-18-205
Mandatory reporters: Section 12-18-404
Time frame for making a report: Section 12-18-403
Threshold for reporting (e.g., suspicion): Section 12-18-401

California
http://leginfo.legislature.ca.gov/faces/codes.xhtml
Citations:
Definitions of abuse: PEN Title 2 Chapter 2 Article 2.5; Section 11654; 11651.1; 11652.5; WIC § 300
Immunity: Section 11672
Penalties: Section 11618
Mandatory reporters: Section 11615.7
Time frame for making a report: Section 11618
Threshold for reporting (e.g., suspicion): Section 11618

Colorado
https://law.justia.com/codes/colorado/2016/
Citations:
Definitions of abuse: Sections 19-3-102; 19-1-165, 18-3-465
Immunity: Section 19-3-309
Penalties: Section 19-3-304
Mandatory reporters: Section 19-3-304
Time frame for making a report: Section 19-3-304
Threshold for reporting (e.g., suspicion): Section 19-3-304

Connecticut
Citations:
Definitions of abuse: Section 46b-120 (formerly 51-301)
Immunity: Title 16 § 908; Title 16 § 904
Penalties: Title 16 § 914
Mandatory reporters: Title 16 § 913
Time frame for making a report: Title 16 § 904
Threshold for reporting (e.g., suspicion): Title 16 § 903

District of Columbia
http://dc.CODES.state.us/code
Citations:
Definitions of abuse: § 16-2301
Immunity: § 4-1321.04
Penalties: § 4-1321.07
Mandatory reporters: § 4-1321.02
Time frame for making a report: § 4-1321.03
Threshold for reporting (e.g., suspicion): § 4-1321.02

Florida
http://www.leg.state.fl.us/statutes/
Citations:
Definitions of abuse: Title V Chapter 39 Section 39.01
Immunity: Title V Chapter 39 Section 39.201
Penalties: Title V Chapter 39 Sections 39.205; 775.083; 775.08
Mandatory reporters: Title V Chapter 39 Section 39.201
Time frame for making a report: Title V Chapter 39
Threshold for reporting (e.g., suspicion): Title 5 Chapter 39

Georgia
Citations:
Definitions of abuse: O.C.G.A. § 19-15-1; § 19-7-5(h)
Immunity: O.C.G.A. § 19-7-5
Penalties: O.C.G.A. § 19-7-5
Mandatory reporters: O.C.G.A. § 19-7-5
Time frame for making a report: O.C.G.A. § 19-7-5
Threshold for reporting (e.g., suspicion): O.C.G.A. § 19-7-5

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APPENDIX (Continued)

Internet Resources for Child Abuse and Neglect Laws and Reporting Information

Hawaii
http://www.capitol.hawaii.gov/docs/HRS.htm
Citations:
- Definitions of abuse: Rev. Stat. § 350-1
- Penalties: Rev. Stat. § 350-3
- Mandatory reporters: Rev. Stat. § 350-1, 2
- Time frame for making a report: Rev. Stat. § 350-1, 2
- Threshold for reporting (e.g., suspicion): Rev. Stat. § 350-1, 2

Idaho
https://legislature.idaho.gov/statutesrules/idertial/1816/16ch16/sec16-1602/1
Citations:
- Definitions of abuse: Section 16-1602
- Immunity: Section 16-1602
- Penalties: Section 16-1602
- Mandatory reporters: Section 16-1602
- Time frame for making a report: Section 16-1602
- Threshold for reporting (e.g., suspicion): Section 16-1605

Illinois
Citations:
- Definitions of abuse: Comp. Stat. Ch. 325, § 5/3
- Immunity: Comp. Stat. Ch. 325, § 5/9
- Penalties: Comp. Stat. Ch. 325, §§ 5/4-62; 5/4
- Mandatory reporters: Comp. Stat. Ch. 325, §§ 5/4; Ch. 720, §§ 5/11-20.2
- Time frame for making a report: Cons. Stat. Ch. 325, § 5/7 (from Ch. 23, par. 2057)
- Threshold for reporting (e.g., suspicion): Comp. Stat. Ch. 325, §§ 5/4 (from Ch. 23, par. 2059)

Indiana
http://www.law.state.in.us/Laws/2017/citis/031B31-34
Citations:
- Definitions of abuse: Sections 31-34-1-1; 31-34-1-2; 31-34-1-3; 31-34-1-4; 31-34-1-5; 31-34-1-6; 31-34-1-7; 31-34-1-8; 31-34-1-9; 31-34-1-10; 31-34-1-11; 31-34-1-12; 31-34-1-13; 31-34-1-14; 31-34-1-15
- Immunity: Section 31-33-6
- Penalties: Sections 31-33-2; 31-33-2.1; 31-33-2.2; 31-33-2.3
- Mandatory reporters: Sections 31-33-5; 31-33-5.1; 31-33-5.2; 31-33-5.3; 31-33-5.4
- Time frame for making a report: Section 31-33-5.4
- Threshold for reporting (e.g., suspicion): Section 31-33-1.1

Iowa
Citations:
- Immunity: Not addressed
- Time frame for making a report: Iowa Code Ann. § 232.69
- Threshold for reporting (e.g., suspicion): Iowa Code Ann. Stat. § 232.23

Kansas
Citations:
- Immunity: Ann. Stat. § 38-2223(f)
- Penalties: Ann. Stat. § 38-2223(d)
- Threshold for reporting (e.g., suspicion): Ann. Stat. § 38-2223

Kentucky
http://www.lrc.ky.gov/statutes/
Citations:
- Definitions of abuse: Rev. Stat. § 600.020
- Immunity: Rev. Stat. § 620.050(1)-(2)
- Penalties: Rev. Stat. § 620.050(6)
- Mandatory reporters: Rev. Stat. § 620.030
- Time frame for making a report: Rev. Stat. § 620.030
- Threshold for reporting (e.g., suspicion): Rev. Stat. § 620.030

Louisiana
https://legislature.la.gov/LegisLaw.aspx?Id=37195
Citations:
- Definitions of abuse: Ch. Code art. 603; Ch. Code art. 619(G)
- Immunity: Children's Code art. 611
- Mandatory reporters: Children's Code art. 603(17)
- Time frame for making a report: Ch. Code art. 601; 610
- Threshold for reporting (e.g., suspicion): Ch. Code art. 609

Maine
http://legislature.maine.gov/laws/
Citations:
- Definitions of abuse: Ann. Stat. Title 22, §§ 4009; 4011-B; 4001-9
- Immunity: Rev. Stat. Title 22, § 4014
- Penalties: Rev. Stat. Title 22, §§ 4009; 4014(1)
- Mandatory reporters: Rev. Stat. Title 22, § 4011-A
- Time frame for making a report: Rev. Stat. Title 22, § 4012
- Threshold for reporting (e.g., suspicion): Ann. Stat. Title 22, § 4011-A; 4012

Maryland
Citations:
- Definitions of abuse: Fam. Law § 5-701
- Immunity: Fam. Law § 5-703
- Penalties: Fam. Law § 5-705.2
- Mandatory reporters: Fam. Law §§ 5-704; 5-705
- Time frame for making a report: Fam. Law § 5-704
- Threshold for reporting (e.g., suspicion): Fam. Law § 5-704

Massachusetts
https://malegislature.gov/Laws/GeneralLaws
Citations:
- Definitions of abuse: Code of Mass. Regs. Title 110, § 2.00; Ann. Laws Ch. 119, §§ 39, 51A
- Immunity: Gen. Laws Ch. 119, § 51A(9)
- Penalties: Gen. Laws Ch. 119, § 51A
- Mandatory reporters: Gen. Laws Ch. 119, § 21
- Time frame for making a report: Ann. Laws Ch. 119, § 51A
- Threshold for reporting (e.g., suspicion): Ann. Laws Ch. 119, § 51A

Michigan
http://www.legislature.mi.gov/S?S=4&V=ccccf24bfcc89f4e0f3a3194a69e8230/Or.aspx?page=chapindex
Citations:
- Definitions of abuse: Comp. Laws §§ 722.622; 722.622(3)(c); 722.623; 722.623a
- Immunity: Comp. Laws § 722.625
- Penalties: Comp. Laws §§ 722.631(1), 2, 3
- Mandatory reporters: Comp. Laws §§ 722.623
- Time frame for making a report: Comp. Laws § 722.623(1)
- Threshold for reporting (e.g., suspicion): Comp. Laws § 722.623(1); Comp. Laws § 722.623a

(Continued)
APPENDIX (Continued)

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Minnesota
https://www.revisor.mn.gov/statutes/
Citations:
Definitions of abuse: Ann. Stat. §§ 260C.007, Subd. 15; 626.556, Subd. 2; 626.5561; 626.5562
Immunity: Ann. Stat. § 626.556, Subd. 4
Penalties: Ann. Stat. § 626.556, Subd. 4a; § 6
Mandatory reporters: Ann. Stat. § 626.556, Subd. 3
Threshold for reporting (e.g., suspicion): Ann. Stat. § 626.556, Subd. 3

Mississippi
https://law.justia.com/codes/mississippi/2016/
Citations:
Definitions of abuse: Ann. Code § 43-21-105
Mandatory reporters: Ann. Code § 43-21-353
Threshold for reporting (e.g., suspicion): Ann. Code § 43-21-353

Missouri
http://www.moga.mo.gov/mostatutes/statutesAnn.html
Citations:
Threshold for reporting (e.g., suspicion): Ann. Stat. § 210.115

Montana
Citations:
Definitions of abuse: Ann. Code §§ 41-3-102; 41-3-201(8)
Immunity: Ann. Code § 41-3-203(1)
Penalties: Ann. Code §§ 41-3-207; 41-3-209(1)
Mandatory reporters: Ann. Code §§ 41-3-201, 15-6-201(2)(b)
Time frame for making a report: Not addressed
Threshold for reporting (e.g., suspicion): Ann. Code § 41-3-201

Nebraska
http://nebraskalegislature.gov/laws/browse-statutes.php
Citations:
Definitions of abuse: Rev. Stat. § 28-710
Immunity: Rev. Stat. § 28-710
Mandatory reporters: Rev. Stat. § 28-711
Time frame for making a report: Not addressed
Threshold for reporting (e.g., suspicion): Rev. Stat. § 28-711

New Hampshire
http://www.nh.gov/nh legis/scdhocs/legisweb.nsf/2/4B546192
Citations:
Definitions of abuse: Rev. Stat. §§ 432-B:200; 432-B:600; 432-B:520; 432-B:190; 432-B:100; 432-B:070; Rev. Stat. § 432-B:203(D)
Immunity: Rev. Stat. § 432-B:190
Penalties: Rev. Stat. § 432-B:220
Mandatory reporters: Rev. Stat. § 432-B:220
Time frame for making a report: Rev. Stat. §§ 432-B:220 (1)-(2), (4), (7)
Threshold for reporting (e.g., suspicion): Rev. Stat. § 432-B:220

New Jersey
http://www.njleg.state.nj.us
Citations:
Definitions of abuse: Ann. Stat. § 9:5-8.21
Mandatory reporters: Not addressed
Time frame for making a report: Not addressed
Threshold for reporting (e.g., suspicion): Ann. Stat. § 9:5-8.13

New Mexico
http://www.nmlegis.gov/
Citations:
Immunity: Ann. Stat. § 32A-4-5(B)
Penalties: Ann. Stat. § 32A-4-3(F)
Mandatory reporters: Ann. Stat. § 32A-4-3
Time frame for making a report: Ann. Stat. § 32A-4-3
Threshold for reporting (e.g., suspicion): Ann. Stat. § 32A-4-3

New York
https://www.nycourts.gov/publiclibraries/nycodестatutes.shtml
Citations:
Definitions of abuse: Soc. Serv. Law § 371; Family Court Act § 1012
Immunity: Soc. Serv. Law § 419
Penalties: Soc. Serv. Law § 420; Penal Law § 240.5(4)
Mandatory reporters: Soc. Serv. Law § 413
Time frame for making a report: Soc. Serv. Law §§ 413(1); 415
Threshold for reporting (e.g., suspicion): Soc. Serv. Law § 413

North Carolina
http://www.nclag.net/gascripts/Statutes/StatutesTOC.pl
Citations:
Definitions of abuse: Gen. Stat. § 7B-101
Immunity: Gen. Stat. § 7B-509
Penalties: Gen. Stat. § 7B-301
Mandatory reporters: Gen. Stat. § 7B-301
Time frame for making a report: Not addressed
Threshold for reporting (e.g., suspicion): Gen. Stat. § 7B-301

North Dakota
http://www.ndleg.nd.gov/general-information/north-dakota-century-code
Citations:
Definitions of abuse: Cent. Code §§ 50-25-1.02; 14-09-22; 27-20-02; 50-25.1-16
Immunity: Cent. Code § 50-25.1-09
Penalties: Cent. Code §§ 50-25.1-13; 50-25.1-09.1
Mandatory reporters: Cent. Code § 50-25.1-03
Time frame for making a report: Cent. Code § 50-25.1-64
Threshold for reporting (e.g., suspicion): Cent. Code § 50-25.1-04

Ohio
http://codes.ohio.gov/ar/c
Citations:
Definitions of abuse: Rev. Stat. §§ 2151.011; 2151.031; 2151.03(A); 2907.01; 2907.04; 2919.22
Immunity: Rev. Stat. § 2151.421
Penalties: Rev. Code §§ 2151.39; 2921.14; 2151.421
Mandatory reporters: Rev. Stat. § 2151.421
Time frame for making a report: Rev. Stat. § 2151.421
Threshold for reporting (e.g., suspicion): Rev. Stat. § 2151.421

Oklahoma
http://www.oklegislature.gov/oustatetextfiles.html
Citations:
Definitions of abuse: T10A 1-1-105
Immunity: T10A 1-2-104
Penalties: T10A 1-2-101
Mandatory reporters: T10A 1-2-101, T21 1021.4
Time frame for making a report: Not addressed
Threshold for reporting (e.g., suspicion): 10A 1-2-101

(Continued)
APPENDIX (Continued)

Internet Resources for Child Abuse and Neglect Laws and Reporting Information

Oregon
http://www.oregonlegislature.gov/Bills_laws/Page/ORSP.aspx
Citations:
Definitions of abuse: Rev. Stat. § 419B.005
Immunity: Rev. Stat. § 419B.005
Mandatory reporters: Rev. Stat. § 419B.016
Time frame for making a report: Rev. Stat. § 419B.016
Threshold for reporting (e.g., suspicion): Rev. Stat. § 419B.016

Pennsylvania
https://www.statutes.legis.state.pa.us/PaStatuteTitleBrowser.do?Title=18&Section=18.102
Citations:
Definitions of abuse: 72 PA. Cons. Stat. § 6303
Immunity: 72 PA. Cons. Stat. § 6303
Penalties: 72 PA. Cons. Stat. § 6303
Mandatory reporters: 72 PA. Cons. Stat. § 6303
Time frame for making a report: 72 PA. Cons. Stat. § 6311
Threshold for reporting (e.g., suspicion): 72 PA. Cons. Stat. § 6311

Rhode Island
http://webobserver.till.in.ri.us/statutes/
Citations:
Definitions of abuse: 40-11-2
Immunity: 40-11-1
Penalties: 40-11-1
Mandatory reporters: 40-11-1
Time frame for making a report: 40-11-1
Threshold for reporting (e.g., suspicion): 40-11-1

South Carolina
http://www.scstatehouse.gov/code/statmast.php
Citations:
Definitions of abuse: 63-7-20
Immunity: 63-7-360
Penalties: 63-7-400
Mandatory reporters: 63-7-360
Time frame for making a report: Not addressed
Threshold for reporting (e.g., suspicion): 63-7-360

South Dakota
Citations:
Definitions of abuse: SDCL § 26-8A-2
Immunity: SDCL § 26-8A-3
Penalties: SDCL § 26-8A-7
Mandatory reporters: SDCL § 26-8A-7
Time frame for making a report: SDCL § 26-8A-7
Threshold for reporting (e.g., suspicion): SDCL § 26-8A-7

Tennessee
Citations:
Definitions of abuse: § 37-1-122, 37-1-126
Immunity: § 37-1-140
Penalties: § 37-1-140
Mandatory reporters: § 37-1-405
Time frame for making a report: § 37-1-405
Threshold for reporting (e.g., suspicion): § 7-1-405

Texas
http://www.statutes.legis.state.tx.us/statutes_2017.cfm
Citations:
Definitions of abuse: Sec. 262.001
Immunity: Sec. 261.008
Penalties: Sec. 251.103
Mandatory reporters: Sec. 261.008
Time frame for making a report: Sec. 261.101
Threshold for reporting (e.g., suspicion): Sec. 261.101

Utah
http://le.utah.gov/xcode/code.html
Citations:
Definitions of abuse: 78A-6-105
Immunity: 62A-4-410
Penalties: 62A-4-411
Mandatory reporters: 62A-4-405
Time frame for making a report: 62A-4-405
Threshold for reporting (e.g., suspicion): 62A-4-403

Vermont
http://legislature.vermont.gov/statutes/
Citations:
Definitions of abuse: Title 33, § 4912
Immunity: Title 33, § 4913 (0)(1)
Penalties: Title 33, § 4913
Mandatory reporters: Title 33, § 4913
Time frame for making a report: Title 33, § 4913
Threshold for reporting (e.g., suspicion): Title 33, § 4913 (c)

Virginia
http://law.legis.justice.va.gov/vacode
Citations:
Definitions of abuse: 63-2-100
Immunity: 63-2-1509 C
Penalties: 63-2-1509 D
Mandatory reporters: 63-2-1509
Time frame for making a report: 63-2-1509
Threshold for reporting (e.g., suspicion): 63-2-1509 A

Washington
http://apps.leg.wa.gov/cw/
Citations:
Definitions of abuse: RCW 26.44.020, 26.44.030, 9A.16.100
Immunity: RCW 26.44.060
Penalties: RCW 26.44.080
Mandatory reporters: RCW 26.44.030
Time frame for making a report: RCW 26.44.040
Threshold for reporting (e.g., suspicion): RCW 26.44.030

West Virginia
http://www.legis.state.wv.us/WVCODE/Home.html
Citations:
Definitions of abuse: §§ 49-1-201; 49-1-3
Immunity: §§ 49-6A-0
Penalties: §§ 49-2-812
Mandatory reporters: §§ 49-2-803
Time frame for making a report: §§ 49-2-803
Threshold for reporting (e.g., suspicion): §§ 49-2-803; 49-6A-2

Wisconsin
https://docs.legis.wisconsin.gov/statutes/index/index
Citations:
Threshold for reporting (e.g., suspicion): Stat. Ann. § 48.981(3)

Wyoming
http://legisweb.state.wy.us/LSSWeb/StatutesDownload.aspx
Citations:
Definitions of abuse: § 14-3-202
Immunity: § 14-3-209
Penalties: § 14-3-205
Mandatory reporters: § 14-3-205
Time frame for making a report: § 14-3-205
Threshold for reporting (e.g., suspicion): § 14-3-205