

Maine Mandatory Reporting Requirements Regarding Children

<p><i>Who Must Report?</i></p>	<ul style="list-style-type: none"> • Any of the following persons or entities, when <i>acting in a professional capacity</i> shall make a report or cause a report to be made: <ul style="list-style-type: none"> ○ Allopathic or osteopathic physician, resident or intern; ○ Emergency medical services person; ○ Medical examiner; ○ Physician’s assistant; ○ Dentist; ○ Dental hygienist; ○ Dental Assistant; ○ Chiropractor; ○ Podiatrist; ○ Registered or licensed practical nurse; ○ Teacher; ○ Guidance counselor; ○ School official; ○ Youth camp administrator or counselor; ○ Social worker; ○ Court appointed special advocate or guardian ad litem for the child; ○ Homemaker; ○ Home health aide; ○ Medical or social service worker; ○ Psychologist; ○ Child care personnel; ○ Mental health professional, including a psychiatrist, licensed psychologist, licensed clinical social worker or certified social worker; ○ Law enforcement official; ○ State or municipal fire inspector; ○ Municipal code enforcement official; ○ Commercial film and photographic print processor; ○ Member of the clergy acquiring the information as a result of clerical professional work (except for information learned through confidential communications); ○ Chair of professional licensing board that has jurisdiction over mandatory reporters; ○ Humane agent employed by the Department of Agriculture,
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	<p>Food and Rural Resources;</p> <ul style="list-style-type: none"> ○ Sexual assault counselors; ○ School bus driver or school bus attendant; and ○ Family or domestic violence victim advocates. <ul style="list-style-type: none"> • Any person who has assumed full, intermittent, or occasional responsibility for the care and custody of the child, regardless of whether that person is compensated; and • Any person affiliated with a church or religious institution who serves in an administrative capacity or has otherwise assumed a position of trust or responsibility to members of that church or religious institution, while acting in that capacity, regardless of whether that person is compensated. • An animal control officer, when that person knows or has reasonable cause to suspect that a child has been or is likely to be abused or neglected, is considered a permissible reporter.
<i>Standard of Knowledge</i>	Knowledge or reasonable cause to suspect that a child has been or is likely abused or neglected or that a suspicious child death has occurred.
<i>Definition of Applicable Victim</i>	Any person less than eighteen (18) years of age.
<i>Reports Made To</i>	<ul style="list-style-type: none"> • All reports shall be made by telephone to the Department of Health and Human Services (1-800-452-1999). • If reporter, acting in a professional capacity, knows or has reasonable cause to suspect that a child has been abused or neglected by a person not responsible for the child or that a suspicious child death has been caused by a person not responsible for the child, must immediately report or cause a report to be made to the district attorney's office. • Any person may make an optional report if that person knows or has reasonable cause to suspect that a child has been or is likely to be abused or neglected or that there has been a suspicious child death. • Whenever a person is required to report in a capacity as a member of the staff of a medical or public or private institution, agency or facility, that person immediately shall notify either the person in charge of the institution, agency or facility or a designated agent who then shall cause a report to be made. The staff also may make a report directly to the department.

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<i>Contents of Report</i>	<p>The reports shall contain the following information if within the knowledge of the person making the report:</p> <ul style="list-style-type: none"> • Name and address of the child and the persons responsible for the child's care or custody; • Child's age and sex; • Nature and extent of the abuse or neglect, including a description of injuries and any explanation given for them; • A description of sexual abuse or exploitation; • Family composition and evidence of prior abuse or neglect in child or any of his/her siblings; • Source of the report, the person making the report, his or her occupation and where he or she can be contacted; • Actions taken by the reporting source, including a description of photographs or x-rays taken; and • Any other information that the reporter believes might be helpful.
<i>Timing/Other Procedures</i>	<p>Must make oral report of suspected abuse or neglect immediately. If requested by the Department of Health and Human Services, must follow with a written report within 48 hours.</p>
<i>Other</i>	<p>Failure of a mandated reporter to report suspected child abuse is a civil violation subject to a forfeiture of not more than \$500.</p>
<i>Source/Applicable Statute(s)</i>	<p>22 M.R.S. §§ 4002, 4009, 4011-A, 4012 (2009).</p>

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