

Hawaii Mandatory Reporting Requirements Regarding Children

<p><i>Who Must Report?</i></p>	<p>Any of the following persons who, <i>in their professional or official capacity</i>, have a reasonable belief of known or suspected child abuse or neglect:</p> <ul style="list-style-type: none"> • Any licensed or registered professional of the healing arts or any health-related occupation who examines, attends, treats, or provides other professional services, including but not limited to physicians, including physicians in training, psychologists, dentists, nurses, osteopathic physicians and surgeons, optometrists, chiropractors, podiatrists, pharmacists, and other health-related professionals; • Employees or officers of any public or private school; • Employees or officers of any public or private agency or institution, or other individuals, providing social, medical, hospital, or mental health services, including financial assistance; • Employees or officers of any law enforcement agency, including but not limited to the courts, police departments, department of public safety, correctional institutions, and parole or probation offices; • Individual providers of child care, or employees or officers of any licensed or registered child care facility, foster home, or similar institution; • Medical examiners and coroners; and • Employees of any public or private agency providing recreational or sports activities.
<p><i>Standard of Knowledge</i></p>	<p>Person needs to have a reasonable belief that child abuse or neglect has occurred or that there exists a substantial risk that child abuse or neglect may occur in the reasonably foreseeable future.</p>
<p><i>Definition of Applicable Victim</i></p>	<p>A child under the age of eighteen who has been physically or psychologically harmed or who has a substantial risk of being harmed in the reasonable foreseeable future.</p>
<p><i>Reports Made To</i></p>	<p>An initial oral report must be made the Department of Human Services (“DHS”) or the police department. A written report to DHS then follows.</p> <p>If the police department or the department of public safety initiates the report, then a written report is filed with DHS for cases that the police or DHS takes further action on, or for active cases in DHS.</p> <p>Whenever the reporting individual is a member of the staff of any public or private school, agency, or institution, that staff member shall immediately report the known or suspected child abuse or neglect directly to DHS or the police department and shall immediately notify the person in charge of a designated delegate of the report.</p>



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<i>Contents of Report</i>	<p>All written reports contain the following:</p> <ul style="list-style-type: none"> • Name and address of the child and the child’s parents or other persons responsible for child’s care; • Child age, if known; • The nature and extent of child’s injuries; and • Any other information that reporter believes might be helpful or relevant to the investigation of the abuse or neglect.
<i>Timing/Other Procedures</i>	<p>Oral report is to be made immediately. Written report should follow oral report as soon as possible.</p>
<i>Other</i>	<p>Upon demand by DHS or the police department, the persons required to report under the statute shall provide all information relating to the alleged incident of child abuse or neglect, including, but not limited to, medical records and reports, which were not originally included in the written report.</p> <p>Any person listed who is required to report, and who knowingly fails to report or who knowingly prevents another person from reporting, shall be guilty of a petty misdemeanor.</p>
<i>Source/Applicable Statute(s)</i>	<p>HRS § 350-1 (2007); HRS § 350-1.1 (2007); HRS § 350-1.15 (2007); HRS § 350-1.2 (2007)</p>

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