

Ohio Mandatory Reporting Requirements Regarding Children

<i>Who Must Report?</i>	Any of the following, <i>if acting in a professional or official capacity</i> : attorney; physician (including a hospital intern or resident); dentist; podiatrist; practitioner of a limited branch of medicine; registered nurse; licensed practical nurse; visiting nurse; other health care professional; licensed psychologist; licensed school psychologist; independent marriage and family therapist or marriage and family therapist; speech pathologist or audiologist; coroner; administrator or employee of a child day-care center; administrator or employee of a residential camp or child day camp; administrator or employee of a certified child care agency or other public or private children services agency; school teacher; school employee; school authority; person engaged in social work or the practice of professional counseling; agent of a county humane society; person, other than a cleric, rendering spiritual treatment through prayer in accordance with the tenets of a well-recognized religion; employee of a county department of job and family services who is a professional and who works with children and families; superintendent, board member, or employee of a county board of developmental disabilities; investigative agent contracted with by a county board of developmental disabilities; employee of the department of developmental disabilities; employee of a facility or home that provides respite care; employee of a home health agency; employee of an entity that provides homemaker services; a person performing the duties of an assessor; and any third party employed by a public children services agency to assist in providing child or family related services.
<i>Standard of Knowledge</i>	Knowledge or reasonable cause to suspect, based on facts that would cause a reasonable person in a similar position to suspect, that a victim has suffered or faces a threat of suffering any physical or mental wound, injury, disability, or condition of a nature that reasonably indicates abuse or neglect.
<i>Definition of Applicable Victim</i>	A child under the age of 18 or a mentally retarded, developmentally disabled or physically impaired child under 21 years of age.
<i>Reports Made To</i>	<ul style="list-style-type: none"> • The county public children services agency, a list of which is attached to this summary and are accessible at http://www.pcsao.org/AboutPCSAO/07PCSAODirectory.pdf, or a municipal or county peace officer in the county in which the child resides or in which the abuse or neglect is occurring or has occurred. • State highway patrol, if the child is an inmate in a state

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	correctional institution.
<i>Contents of Report</i>	<p>Written report must include:</p> <ul style="list-style-type: none"> • The names and addresses of the child and the child's parents or the person or persons having custody of the child (if known); • The child's age and the nature and extent of the child's injuries, abuse, or neglect that is known or reasonably suspected or believed to have occurred or of the threat of injury, abuse, or neglect that is known or reasonably suspected or believed to exist, including any evidence of previous injuries, abuse, or neglect; and • Any other information that might be helpful in establishing the cause of the injury, abuse, or neglect that is known or reasonably suspected or believed to have occurred or of the threat of injury, abuse, or neglect that is known or reasonably suspected or believed to exist.
<i>Timing/Other Procedures</i>	Report must be made immediately by telephone or in person and must be followed by a written report if requested by the receiving agency or officer.
<i>Other</i>	<ul style="list-style-type: none"> • An attorney or a physician is not required to make a report concerning any communication the attorney or physician receives from a client or patient in an attorney-client or physician-patient relationship, if the attorney or physician could not testify with respect to that communication in a civil or criminal proceeding (some exceptions to this). • Special reporting requirements apply to clerics and persons (other than volunteers) designated by any church, religious society, or faith to act as a leader, official, or delegate on behalf of the church, religious society, or faith, where there is knowledge or reasonable cause to believe that another such individual caused or poses the threat of causing the wound, injury, disability or condition that reasonably indicates abuse or neglect of the child, subject to certain exceptions. • The law does not impose upon a professional counselor or licensed social worker the duty to report knowledge or suspicion of child abuse of an individual if, when the professional counselor or social worker learns of the child abuse, the individual no longer is a child under 18 or a mentally retarded, developmentally disabled, or physically

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	<p>impaired child under 21. (Ohio Atty. Gen. Op. No. 2001-35).</p> <ul style="list-style-type: none"> • A violation of this statute is a misdemeanor in the 4th degree, except in certain circumstances where a violation is a misdemeanor in the first degree (relating to abuse by religious leaders, or where the child is under the direct care or supervision of the reporter). • A person who violates the statute is liable for compensatory and exemplary damages to the child who would have been the subject of the report that was not made.
<i>Source/Applicable Statute(s)</i>	Ohio Rev. Code Ann. §§ 2151.421, 5120.173, 2151.99 (2009).

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