

FINAL BILL REPORT

SHB 3083

C 37 L 04

Synopsis as Enacted

Brief Description: Providing immunity for any person who cooperates with an investigation of child abuse or neglect.

Sponsors: By House Committee on Judiciary (originally sponsored by Representatives Kagi, Boldt, Dickerson, Orcutt, Pettigrew and Darneille).

House Committee on Judiciary

Senate Committee on Children & Family Services & Corrections

Background:

Any person who in good faith reports suspected child abuse or neglect or testifies in a judicial proceeding as to alleged child abuse or neglect is immune from any liability arising out of the reporting or testifying. Two Washington appellate court decisions provided fairly broad interpretations of the immunity for mandated reporters. These decisions included doctors who did not report the abuse, but who participated in child abuse investigations under the mandatory reporting statute.

There is no provision in statute, however, that specifically provides immunity to persons who assist in child abuse investigations. Therefore, members of a multi-disciplinary investigation team may still be liable. In addition, neighbors, relatives, or others who provide information to investigators may also be held liable.

Summary:

A person is immune from civil liability for cooperating in an investigation of child abuse or neglect if the person acted in good faith and without gross negligence. The immunity does not apply to a person cooperating in an investigation if the person caused or allowed the child abuse or neglect to occur.

Votes on Final Passage:

House 95 0
Senate 49 0 (Senate amended)
House 95 0 (House concurred)

Effective: June 10, 2004