

# SENATE BILL REPORT

## SHB 1467

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As Reported By Senate Committee On:  
Human Services & Corrections, March 31, 2005

**Title:** An act relating to mandatory reporting of abuse or neglect.

**Brief Description:** Requiring mandatory reporting of abuse or neglect of a child when discovered by a person connected with specified nonprofit entities.

**Sponsors:** House Committee on Children & Family Services (originally sponsored by Representatives Dickerson, Wallace, P. Sullivan, Kagi, Roberts, Simpson, Appleton, Moeller, Green, Ericks, Takko and Chase).

**Brief History:** Passed House: 3/08/05, 98-0.

**Committee Activity:** Human Services & Corrections: 3/24/05, 3/31/05 [DPA].

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### SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

**Majority Report:** Do pass as amended.

Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens, Ranking Minority Member; Brandland, Carrell, McAuliffe and Thibaudeau.

**Staff:** Edith Rice (786-7444)

**Background:** Current law requires a variety of individuals to report suspected child abuse or neglect to law enforcement or Department of Social and Health Services (DSHS) staff. These individuals are considered mandatory reporters and include personnel in: health care, law enforcement, schools, counseling, pharmacies, childcare, Department of Social and Health Services, juvenile probation, and Office of Family and Children's Ombudsman staff.

Abuse or neglect means, the injury, sexual abuse, sexual exploitation, negligent treatment, or maltreatment of a child by any person under circumstance which indicate that the child's health, welfare, and safety is harmed.

An adult who resides with a child, who the adult reasonably believes has suffered "severe abuse" is also required to report the abuse to the proper authorities. Severe abuse means any of the following: any single act of abuse that causes physical trauma of sufficient severity that, if left untreated, could cause death; any single act of sexual abuse that causes significant bleeding, deep bruising, or significant external or internal swelling; or more than one act of physical abuse, each of which causes bleeding, deep bruising, significant external or internal swelling, bone fracture or unconsciousness.

**Summary of Amended Bill:** A supervisor in a for profit or non-profit organization is added to the list of mandatory reporters. If the supervisor has reasonable cause to believe the child has suffered abuse or neglect caused by someone they supervise and that person coaches, trains, educates, counsels, or regularly has unsupervised access to children as part of their

employment, contract or voluntary service, then the supervisor must report the information to law enforcement.

Supervisors are not required to report child abuse if they receive the information solely as the result of a privileged communication as defined in RCW 5.60.060. The current list of mandatory reporters is not limited by the reference to supervisors.

Definitions for "official supervisory capacity" and "regularly exercises supervisory authority" are provided.

**Amended Bill Compared to Original Bill:** The entire original bill is replaced with the amended language above. The bill no longer applies solely to non-profit organizations, employees, or regular service volunteers. Although included, clergy are not specifically referenced and definitions for "volunteer", "occasional-service volunteer" and "regular service volunteer" are removed.

**Appropriation:** None.

**Fiscal Note:** Available.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** Reporting is a prevention strategy and we support more mandatory reporting. This bill would require more suspicious circumstances to be investigated. It will have a positive impact on reporting. Child abuse should be on the table with rape and other horrible crimes.

**Testimony Against:** We prefer the Senate version of this bill. We would like the definition of clergy to extend to Christian Science practitioners. We have concerns about the broad language in this bill.

**Who Testified:** PRO: Kristen Rogers, Washington Council for the Prevention of Child Abuse and Neglect; James Flynn, citizen.

CON: Tom Parker, Catholic Conference; Cliff Armstrong, Christian Science Churches; Amy Bell, YMCA.