

HOUSE BILL REPORT

SB 5359

As Reported by House Committee On: Early Learning & Human Services

Title: An act relating to mandatory reporting of child abuse or neglect by supervised persons.

Brief Description: Concerning mandatory reporting of child abuse or neglect by supervised persons.

Sponsors: Senator Carrell.

Brief History:

Committee Activity:

Early Learning & Human Services: 3/26/13, 4/2/13 [DPA].

Brief Summary of Bill (As Amended by Committee)

- Defines specific terminology that is utilized throughout the mandatory reporting statute.

HOUSE COMMITTEE ON EARLY LEARNING & HUMAN SERVICES

Majority Report: Do pass as amended. Signed by 10 members: Representatives Kagi, Chair; Walsh, Ranking Minority Member; Scott, Assistant Ranking Minority Member; Farrell, Goodman, MacEwen, Overstreet, Roberts, Sawyer and Zeiger.

Staff: Lindsay Lanham (786-7120).

Background:

In Washington mandatory reporting laws require certain people to report suspected child abuse or child neglect to the Department of Social and Health Services (DSHS) or law enforcement. Practitioners, medical examiners, law enforcement officers, professional school personnel, registered or licensed nurses, social service counselors, psychologists, pharmacists, the Department of Early Learning employees, licensed or certified child care providers, juvenile probation officers, placement and liaison specialists, responsible living skills program staff, the DSHS employees, HOPE center staff, the Office of the Family and

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Children's Ombudsman (Ombudsman) employees, or any volunteers in the Ombudsman's office are all examples of mandated reporters.

Additionally, mandated reporting requirements are extended to the Department of Corrections personnel, guardian ad litem, court appointed special advocates, any person in an official supervisory capacity with a profit or nonprofit organization, administrative, academic or athletic departmental employees of institutions of higher learning, any adult who has reasonable cause to believe that a child who resides with them is a victim of abuse or neglect, or any other person who has reason to believe that child abuse or child neglect has occurred.

Upon suspecting child abuse or child neglect, the mandated reporter must make a report within 48 hours. Failing to report suspected child abuse or child neglect within 48 hours is a considered a gross misdemeanor.

Summary of Amended Bill:

Specific terms utilized throughout the mandatory reporting statute are defined.

"Organization" is defined as including a sole proprietor, partnership, corporation, limited liability company, trust, association, financial institution, governmental entity other than the federal government, and any other individual or group engaged in a trade, occupation, enterprise, governmental function, charitable function, or similar activity in this state whether or not the entity is operated as a nonprofit or for-profit entity.

"Reasonable cause" means a person witnesses or receives a credible written or oral report alleging abuse, including sexual contact, or neglect of a child.

"Sexual contact" has the same meaning as in RCW 9A.44.010; any touching of the sexual or other intimate parts of a person done for the purpose of gratifying sexual desire of either party or a third party.

Amended Bill Compared to Original Bill:

The term "reasonable cause" is defined to mean a person witnesses or receives a credible written or oral report alleging abuse, including sexual contact, or neglect of a child by another over whom the person regularly exercises supervisory authority and strikes the requirement that such abuse or neglect must be by one over whom the person regularly exercises authority.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date of Amended Bill: This bill takes effect 90 days after adjournment of the session in which the bill is passed, except for section 2 relating to mandatory reporting for alleged child abuse and neglect, which takes effect December 1, 2013.

Staff Summary of Public Testimony:

(In support) None.

(Opposed) None.

Persons Testifying: None.

Persons Signed In To Testify But Not Testifying: None.