

Child Abuse Reporting

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... Therapists must know the nuances of the child abuse reporting laws in their respective states. Assuming that one is a mandated reporter, the liability here can be great. A failure to timely report child abuse can lead to disciplinary action by the licensing board and to civil liability - malpractice. Additionally, a failure to report may constitute a crime. Again, the nuances are critical. For example, how does your state's law treat the issue of an adult who was abused as a child? A twenty- year old patient tells her therapist that when she was twelve, her gym teacher fondled her. This would generally not be reportable in California. The therapist is finding out that an adult was abused when a child. The adult client could report it if she wanted to. And, in California, at least to date (there have been efforts to change this), the therapist has no duty to investigate. How does your state treat this situation?

... Another nuance to be aware of is in the area of domestic violence, where no physical injury is inflicted upon the child. What if spousal abuse or domestic violence occurs in front of a child? Is this reportable as child abuse (e.g., emotional abuse, child endangerment)? In California, it would generally be at least a permissive report (emotional abuse) and depending upon the circumstances, a mandatory report (child endangerment).

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