



241-KIDS: It's the Law

You have a responsibility to recognize and report child abuse and neglect under the State of Ohio Abused and Neglected Child Reporting Law.

What would you do if you knew or suspected that:

- A 6-year-old girl was being sexually abused by a 14 year-old cousin who baby-sat her.
- Mother's boyfriend hit her 6-month-old infant who had been crying.
- Father made his 14-year-old son take off his clothes and then
- whipped him severely with a belt, causing numerous lacerations and bruises to the child's back and legs. The son had just been suspended for fighting at school.
- A parent was not seeking medical attention for the 2-year-old who had severely burned her hand on the iron.
- A 2- and a 3-year-old were left alone in an apartment while father went out looking for mother in neighborhood bars.
- An infant lay in a urine-soaked diaper, the 6-year-old had poor school attendance, and mother was either asleep on the couch or out on the streets drinking and drugging.

These incidents were taken from actual reported cases of child abuse and neglect in Ohio. Child abuse and neglect involving beatings, bone fractures, burns, sexual abuse, malnutrition, lack of supervision and abandonment continue to occur.

Most victims of abuse and neglect are infants who cannot talk or children too young to get help or who don't know where to get help. You must be alert to protect them.

Why Should You Report?

First and foremost to protect the child. The intent of the reporting law is not to hurt or to punish; it is to get help to children and families in need. All of us have a stake in the protection of children.

Infants and young children cannot speak for themselves. Often older children are afraid to use the protection of the law and need others to act for them. Parents who maltreat their children do not voluntarily request services.

Who Should Report?

Anyone who has reason to believe a child is being abused or neglected! All of us have a responsibility to report a child we suspect may be in danger. Ohio law encourages everyone to act on behalf of children in need of protection and to report suspicions to the appropriate authorities.

Certain professionals, identified in Section 2151.421 of the Ohio Revised Code, are mandated to report any child they suspect may be, or is at risk of being, abused or neglected. Those required to report suspected child abuse and neglect include:

- attorneys
- audiologists
- child care workers
- Children's Services workers
- clergy
- coroners
- day care personnel
- dentists
- nurses
- physicians, including hospital interns and residents
- podiatrists
- psychologists
- school authorities
- school employees
- school psychologists
- school teachers
- social workers
- speech pathologists
- practitioner of a limited branch of medicine or surgery as defined in R.C. 4731.15 (R.C. 4731.15 describes limited branches of medicine or surgery as massage and cosmetic therapy)
- other health care professionals
- employees of a certified child care agency
- licensed professional counselors

REPORTING

How to Report

A report can be made by telephone, in person or in writing to the children's services agency in the county in which the child lives or was abused or to a law enforcement agency.

In Hamilton County, the Children's Services Division of Hamilton County Department of Job and Family Services, 222 East Central Parkway, Cincinnati, Ohio 45202-1225, receives reports.

CALL 241-KIDS (241-5437) 24-hour reporting number

What should you report?

You should report any child under 18 years of age, or any physically or mentally handicapped child under 21, who you have reason to believe has suffered any wound, injury, disability or condition of such a nature as to indicate abuse or neglect. It is important to note that you need only suspect—have reason to believe—that abuse or neglect is occurring. Physical proof or other forms of validation are not required. It is the responsibility of the children's services agency, through its investigation, to determine if abuse or neglect is in fact occurring.

What Information Should You Give?

- Name and address of the child you suspect is being abused or neglected.
- Age of the child.
- Name and address of the parent or caretaker of the child.

- Name of the person you suspect is abusing or neglecting the child.
- Reason you suspect the child is being abused or neglected.
- Nature and extent of injury, abuse or neglect.
- Any other information which may be helpful to the investigation.
- Your name, if you want to give it. You may report anonymously if you choose, but you are encouraged to give your name.
- If you are a mandated reporter, you may be required to follow up your verbal report in writing. This request generally is made if report is based on specific diagnostic information.

It is helpful if you provide as much of this information as you can. You should not hesitate to report if you do not have all the information. We must at least have a description and location of the child. Any uncertainty regarding whether to report should be resolved in favor of the child's protection.

Mandated reporters can request the following information if they leave their name, address and telephone number:

- Whether Hamilton County Department of Job and Family Services (HCJFS) has initiated an investigation of the report.
- Whether HCJFS is continuing to investigate the report.
- Whether HCJFS is otherwise involved with the child who is the subject of the report.
- The general status of the health and safety of the child who is the subject of the report.
- Whether the report has resulted in filing a complaint in Juvenile Court or of criminal charges in another court by law enforcement officials.

Confidentiality

A report of suspected child abuse and neglect is confidential. Your identity will not be released or affirmed to anyone without your written consent, except through court process. Be aware that the reporter's identity may be guessed by the parent; again, we never affirm. You are also protected from civil or criminal liability. By law, anyone participating in good faith in making a report is immune from any civil or criminal liability.

What happens to your report?

Children's Services begins a child welfare investigation within 24 hours of receipt of the report. The investigation is to determine the circumstances surrounding the injury, abuse or neglect; the cause thereof; and person or persons responsible. Investigations are made in cooperation with law enforcement officers who conduct the criminal investigation. The child welfare investigation is a social service function and can result in the provision of emergency and protective services. Ohio's child abuse and neglect laws are not intended to punish but, instead, to help the family. Primary emphasis is placed upon preserving the family unit whenever possible through provision of supportive services. Children will be removed from the home when sufficient protection cannot be provided to guarantee their continued safety within the home environment.

When deciding whether to report suspected abuse/neglect, you should consider that, regardless of the circumstances, the abuse/neglect will not stop without professional intervention. Not to report is to allow the maltreatment to continue.

Highlights: Ohio Abuse and Neglect Law

Ohio Revised Code Section 2151.421

2151.421 Persons required to report injury or neglect; procedures on receipt of report
(Effective 7-31-92)

(A)(1) No attorney, physician, including a hospital intern or resident, dentist, podiatrist, practitioner of a limited branch of medicine or surgery as defined in section 4731.15 of the Revised Code, registered nurses, licensed school psychologist, speech pathologist or audiologist, coroner, administrator or employee of a child day care center, administrator or employee of a certified child care agency or other public or private children services agency, school teacher, school employee, school authority, social worker, licensed professional counselor, or person rendering spiritual treatment through prayer in accordance with the tenets of a well-recognized religion, who is acting in his official or professional capacity and knows or suspects that a child under 18 years of age or a physically or mentally handicapped child under 21 years of age has suffered or faces a threat of suffering any physical or mental wound, injury, disability, or condition of nature that reasonably indicates abuse or neglect of the child, shall fail to immediately report that knowledge or suspicion to the children services board, the county department of job and family services exercising the children services function, 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.

(2) An attorney is not required to make a report pursuant to division (A) (1) of this section concerning any communication made to him by one of his clients in the attorney-client relationship, if, in accordance with division (A) of section 2317.02 of the Revised Code, the attorney could not testify with respect to that communication in a civil or criminal proceeding, except that the client is deemed to have waived any testimonial privilege under division (A) (1) of this section with respect to that communication, if all of the following apply:

(a) The client, at the time of the communication, is either a child under eighteen years of age or a physically or mentally handicapped person under twenty-one years of age.

(b) The attorney knows or suspects, as a result of the communication or any observations made during that communication, that the client 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 of the client.

(c) The attorney-client relationship does not arise out of the client's attempt to have an abortion without the notification of her parents, guardian, or custodian in accordance with section 2151.85 of the Revised Code.

(3) A physician is not required to make a report pursuant to division (A) (1) of this section concerning any communication made to him by one of his patients in the physician-patient relationship, if, in accordance with division (B) of section 2317.02 of the Revised Code, the physician could not testify with respect to that communication in a civil or criminal

proceeding, except that the patient is deemed to have waived any testimonial privilege under division (B) of section 2317.02 of the Revised Code with respect to that communication and the

physician shall make a report pursuant to division (A) (1) of this section with respect to that communication, if all of the following apply:

(a) The patient, at the time of the communication, is either a child under 18 years of age or a physically or mentally handicapped child under 21 years of age.

(b) The physician knows or suspects, as a result of the communication or any observations made during that communication, that the patient has suffered or faces a threat of suffering any physical or mental wound, injury, disability, or condition of a

(c) The physician-patient relationship does not arise out of the patient's attempt to have an abortion without the notification of her parents, guardian, or custodian in accordance with section 2151.85 of the Revised Code

(B) Anyone, who knows or suspects that a child under 18 years of age or a physically or mentally handicapped child under 21 years of age has suffered or faces a threat of suffering any physical or mental wound, injury, disability, or other condition of a nature that reasonably indicates abuse or neglect of the child, may report or cause reports to be made of that knowledge or suspicion to the children services board, the county department of job and family services exercising the children services function, or to a municipal or county peace officer.

(C) Any report made pursuant to division (A) or (B) of this section shall be made forthwith by telephone or in person forthwith; and shall be followed by a written report, if requested by the receiving agency or officer. The written report shall contain:

(1) The names and addresses of the child and his parents or the person or persons having custody of the child, if known;

(2) The child's age and the nature and extent of the child's known or suspected injuries, abuse, or neglect or of the known or suspected threat of injury, abuse, or neglect, including any evidence of previous injuries, abuse, or neglect;

(3) Any other information that might be helpful in establishing the cause of the known or suspected injury, abuse, or neglect or of the known or suspected threat of injury, abuse or neglect.

Any person, who is required by division (A) of this section to report known or suspected child abuse or child neglect, may take or cause to be taken color photographs of areas of trauma visible on a child and, if medically indicated, cause to be performed radiological examinations of the child.

(D) Upon the receipt of a report concerning the possible abuse or neglect of a child or the possible threat of abuse or neglect of a child, the municipal or county peace officer who receives the report shall refer the report to the appropriate county department of job and family services or children services board.