

# Mandatory Reporting Requirements: Children Kentucky

*Last Updated: December 2017*

Question	Answer
Who is required to report?	<ul style="list-style-type: none"> <li>• Any person.</li> <li>• The following persons are required to submit written reports, if requested:               <ul style="list-style-type: none"> <li>• physician;</li> <li>• osteopathic physician;</li> <li>• nurse,</li> <li>• teacher;</li> <li>• school personnel;</li> <li>• social worker;</li> <li>• coroner;</li> <li>• medical examiner;</li> <li>• child-caring personnel;</li> <li>• resident;</li> <li>• intern;</li> <li>• chiropractor;</li> <li>• dentist;</li> <li>• optometrist;</li> <li>• emergency medical technician;</li> <li>• paramedic;</li> <li>• health professional;</li> <li>• mental health professional;</li> <li>• peace officer; and</li> <li>• any organization or agency for any of the above.</li> </ul> </li> </ul>
When is a report required and where does it go?	<p><b>When is a report required?</b></p> <ul style="list-style-type: none"> <li>• Knows or has reasonable cause to believe that a child is dependent, neglected, or abused, or that a child is a victim of human trafficking.</li> </ul> <p><b>Where does it go?</b></p> <ul style="list-style-type: none"> <li>• The report must be made to a local law enforcement agency, the Department of Kentucky State Police, the Cabinet for Health and Family Services or its designated representative, the child abuse hotline (1-877-597-2331), or the Commonwealth or county attorney.</li> <li>• Non-emergency reports may be made via the online reporting system at: <a href="https://prdweb.chfs.ky.gov/ReportAbuse/">https://prdweb.chfs.ky.gov/ReportAbuse/</a>. Reports made through the online reporting system</li> </ul>

Monday-Friday from 8:00 AM-4:30 PM Eastern Time.

What definitions are important to know?

- **“Abused or neglected child”** means any child whose health or welfare is harmed or is threatened with harm:
  - When his parent, guardian, person in a position of authority or special trust, or other person exercising custodial control or supervision of the child:
    - Inflicts or allows to be inflicted physical or emotional injury on the child or allows such injury to be inflicted by other than accidental means;
    - Creates or allows to be created a risk of physical or emotional injury by other than accidental means;
    - Engages in a pattern of conduct that makes the parent unable to care for the immediate and ongoing needs of the child (e.g., alcohol or drug abuser);
    - Continuously or repeatedly fails or refuses to provide essential parental care and protection for the child, considering the age of the child;
    - Commits or allows to be committed sexual abuse, sexual exploitation or prostitution upon the child;
    - Creates or allows to be created a risk of sexual abuse, sexual exploitation, or prostitution upon the child;
    - Abandons or exploits the child;
    - Does not provide the child with adequate care, supervision, food, clothing, shelter, and education or medical care necessary to the child’s well-being (exemption is made for parents who elect not to provide specified medical treatment for religious reasons); or
    - Fails to make sufficient progress on a court-approved case plan that would allow the child to be returned to the custody of the parent such that the child remains in foster care for 15 of the most recent 22 months; or
  - When a person 21 years old or over commits or allows to be committed an act of sexual abuse, sexual exploitation, or prostitution upon a child less than 16 years old.
- **“Child”** means any person who has not reached his or her 18th birthday.
- **“Dependent child”** means any child, other than an abused or neglected child, who is under improper care, custody, control or guardianship that is not due to an intentional act of the parent, guardian or person exercising custodial control or supervision of the child.

What timing and procedural requirements apply to reports?

- An oral or written report must be made immediately. If a written report is requested, it must be made within 48 hours of the original oral report.

What information must a report include?

- All written reports must contain the following:
  - The names and addresses of the child and the child’s parents or other persons exercising custodial control or supervision;
  - The child’s age;
  - The nature and extent of child’s alleged dependency, neglect, or abuse, including any previous charges of dependency, neglect or abuse to the child or his or her siblings;

	<ul style="list-style-type: none"> <li>• The name and address of person allegedly responsible for the abuse or neglect; and</li> <li>• Any other information that the reporter believes might be helpful or relevant.</li> </ul>
Anything else I should know?	<ul style="list-style-type: none"> <li>• Any supervisor who receives from an employee a report of suspected dependency, neglect, or abuse shall promptly make a report to the proper authorities.</li> <li>• Neither the husband-wife nor any professional-client/patient privilege, except the attorney-client and clergy-penitent privilege, shall be a ground for refusing to report suspected child dependency, neglect, or abuse.</li> <li>• Any person who intentionally fails to report suspected child dependency, neglect, or abuse is guilty of a Class B misdemeanor for the first offense, a Class A misdemeanor for the second offense, and a Class D felony for each subsequent offense.</li> <li>• Anyone acting upon reasonable cause in the making of a report or acting in good faith shall have immunity from any liability, civil or criminal, that might otherwise be incurred or imposed. Any such participant shall have the same immunity with respect to participation in any judicial proceeding resulting from such report or action. However, any person who knowingly makes a false report and does so with malice shall be guilty of a Class A misdemeanor.</li> <li>• Any employee or designated agent of a children's advocacy center shall be immune from any civil liability arising from performance within the scope of the person's duties as provided in the statute. Any such person shall have the same immunity with respect to participation in any judicial proceeding. Nothing in this subsection shall limit liability for negligence. Upon the request of an employee or designated agent of a children's advocacy center, the Attorney General shall provide for the defense of any civil action brought against the employee or designated agent.</li> <li>• Any health-care or mental health professional shall successfully complete a 3 hour training course that meets the requirements of the statute. Health care or mental health professionals who are granted licensure or certification after July 15, 1996, shall successfully complete the training within 3 years of the date of initial licensure or certification.</li> </ul>
Statutory citation(s):	K.R.S. §§ 600.020, 620.030, 620.050 194A.540.