

## MANDATORY REPORTING CHILD ABUSE AND NEGLECT

### What is child abuse and neglect?

In Nevada, abuse or neglect of a child means physical or mental non-accidental injury; sexual abuse or sexual exploitation; or negligent treatment or maltreatment of a child under the age of 18 caused or allowed by a person responsible for his welfare.

- Physical Abuse includes non-accidental physical injuries to a child's such as a sprain or dislocation of an arm or leg; damage to cartilage tissues, such as a broken nose; fracture of a bone or the skull; injury to an internal organ; burns or scalding; cuts, lacerations, punctures or bites; permanent or temporary disfigurement; or a permanent or temporary loss or impairment of a part or organ of the body.
- Emotional abuse or "mental injury" means an injury to the intellectual or psychological capacity or the emotional condition of a child. This type of injury results in observable and substantial impairment of a child's behavior.
- Sexual abuse occurs when sex acts are performed with children.
- Sexual exploitation occurs when children are forced, allowed, or encouraged to engage in prostitution, pornography or to engage in any other type of sexual activity such as posing for live sex shows.
- Negligent treatment or maltreatment of a child occurs if a child has been abandoned, is without proper care, control and supervision or lacks the subsistence, education, shelter, medical care or other care necessary for the well-being of the child. This includes leaving young children unsupervised or alone, locked in or out of the house.

### Are there laws against child abuse?

Yes. There are Federally mandated requirements for each State to have laws about reporting and investigating child abuse and neglect. This mandate is called the Child Abuse Prevention and Treatment Act (CAPTA), 42 USC Sec. 5101, Title 42, Chapter 67, Reauthorized 2003.

The laws in Nevada that protect children incorporate Federal mandates. These laws are called the Nevada Revised Statutes (NRS) Chapter 432B. These laws or statutes define child abuse and neglect and authorize child protection and law enforcement agencies to investigate reports of alleged child abuse and neglect.

### Who must report?

Any person who has reasonable cause to believe child abuse may be occurring or has occurred may report to a Child Protective Services (CPS) or law enforcement agency. Under NRS 432B.121 (1), a person has "reasonable cause to believe" based on known facts or circumstances, events, or conditions that would cause a reasonable person to believe that child abuse has occurred or may be occurring. This **must** be reported by the person as soon as reasonably practicable to a CPS or law enforcement agency.

Required or mandated reporters are those persons, who in their professional or occupational capacities, know or have reason to believe that a child has been abused or neglected. Mandated reporters are required to make a report immediately to a CPS or law enforcement agency. This report must be made within 24 hours after there is reason to believe that a child has been abused or neglected. There are penalties for required reporters when a report not received within the time limit (NRS 432B.240).

Required reporters of child abuse include: physician, dentist, dental hygienist, chiropractor, optometrist, podiatric physician, medical examiner, professional or practical **nurse**, physician's assistant, psychiatrist, **psychologist**, marriage and family therapist, clinical social worker, alcohol or drug abuse counselor, other medical services licensed or certified in Nevada; personnel of a hospital or similar institution, coroner; clergyman; social worker; **administrator, teacher, librarian or counselor** of a school; child care provider of private or public facility; any person licensed to conduct a foster home; officer or employee of a law enforcement agency or an adult or juvenile probation officer; attorney under certain circumstances; volunteer for an agency which advises persons regarding child abuse or neglect (NRS 432B.220).

Immunity from civil or criminal liability extends to every person who in good faith makes a report pursuant to NRS 432B.220.

A person who knowingly and willfully makes or causes another person to make a false report of child abuse or neglect is guilty of a misdemeanor (NRS 432B.240).

**When should a report be made?**

A person must report or act "as soon as reasonably practicable" if, in light of all the surrounding facts and circumstances which are known or which reasonably should be known to the person at the time, a reasonable person would act within approximately the same period under those facts and circumstances (NRS 432B.121). A report of suspected child abuse or neglect is only a request for an investigation. The person making the report does not need to prove or provide proof that abuse has or may have occurred. Investigation is the responsibility of the child protective service agency and/or law enforcement.

If additional incidents of abuse occur after the initial report has been made, make another report.

**How is abuse reported?**

A report may be made by telephone or other means of oral communication, written or electronic communication to the nearest CPS or law enforcement agency. (See listing below).

**Washoe County Department  
of Social Services**

350 South Center Street  
Reno, NV 89502  
775-785-8600  
FAX: 775-785-5640

General Information: [socialsvs@washoecounty.us](mailto:socialsvs@washoecounty.us)

**Washoe County School District  
Police Department**

425 East Ninth Street  
Reno, Nevada 89520  
775-348-0285  
FAX: 775-348-0265

**Contents of the report:**

The report must contain the following information, if obtainable (NRS 432B.230):

- Name, address, age and sex of the child;
- Name and address of the child's parents or other person who is responsible for his care;
- The nature and extent of the abuse or neglect of the child; the effect of prenatal illegal substance abuse on the newborn infant or the nature of the withdrawal symptoms resulting from prenatal drug exposure of the newborn infant (Senate Bill 296 effective October 1, 2005);
- Any evidence of previously known or suspected abuse or neglect of the child or child's siblings;
- The name, address and relationship, if known, of the person who is alleged to have abused or neglected the child;
- Any other information known to the person making the report.

The above text is derived from and attributed to the *State of Nevada: Reporting Child Abuse and Neglect 10 Effective October 1, 2005 Rev. 08-07-06*. In order to view the entire report above and get more information visit the following websites:

[http://www.dcfs.state.nv.us/ChildProtServices/CPS\\_Required\\_Mandated\\_Reporting\\_Child\\_Abuse.pdf](http://www.dcfs.state.nv.us/ChildProtServices/CPS_Required_Mandated_Reporting_Child_Abuse.pdf)

[http://www.dcfs.state.nv.us/DCFS\\_ChildProtSer.htm](http://www.dcfs.state.nv.us/DCFS_ChildProtSer.htm)