

Child Protection Committee

Mandated Reporters

Summary: Health care and social workers, educators, law enforcement officers, and other categories of individuals are required to report child abuse and neglect to DCF. There is no such reporting requirement imposed on the general public.

Current Law: 33 V.S.A. § 4913 lists mandated reporters and requires that any such mandated reporter who has “reasonable cause to believe that any child has been abused or neglected” shall report within 24 hours to DCF. The law lists mandated reporters:

- Physicians and medical workers, including osteopaths, chiropractors, physician assistants, nurses, EMS personnel, dentists, and mental health professionals.
- Child care workers and social workers, including DCF workers.
- Educators, including teachers, principals, and administrators.
- Law enforcement officers.
- Camp owners, administrators, and counselors.
- Clergy.

A person who violates § 4913(a) shall be fined not more than \$500, and a person who violates “with the intent to conceal abuse or neglect” shall be imprisoned not more than six months and/or fined not more than \$1,000. § 4913(f). Any other person who is not a mandated reporter, but has reasonable cause to believe that any child has been abused or neglected, “may report.” § 4913(c).

Issues and Potential Committee Options: The Committee heard testimony that the “reasonable cause” standard in § 4913 is unclear. The Committee could:

- Modify the “reasonable cause” standard.
- Provide a “safe harbor” for mandated reporters who receive information but reasonably believe it is false.
- Require mandated reporters to report all accusations.
- Expand or narrow the class of mandated reporters.