

GENERAL MEDICAL 8.0

Reporting of Child Abuse -- 8.8

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Signature:

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POLICY

All cases of known or reasonably suspected child abuse/neglect or child sexual abuse shall be reported immediately to proper authorities.

APPLICABILITY

This policy applies to all Local Health Department, Regional and Central Office personnel, including part-time, contractual, and volunteers, whose work brings them in contact with children under 18 years of age.

PURPOSE

To comply with Tennessee's mandatory child abuse reporting law and to assist and support the Department of Children's Services in the prevention, identification, treatment, and reporting of child abuse and neglect, including child sexual abuse.

PROCEDURE

Any employee who has knowledge of a child under 18 years of age who has a physical or mental condition which is, or could be reasonably suspected to be, the result of abuse, neglect, brutality, or sexual abuse is required to report immediately such condition to the (1) the Department of Children's Services (DCS), in a manner specified by DCS, either, by utilizing the DCS Central intake toll free numbers at 1-800-237-0004 or 1-800-877-54ABUSE, or using the DCS websites <http://reportabuse.state.tn.us> or www.state.tn.us/youth, or (2) to the judge having juvenile jurisdiction in the county, or (3) to the office of the sheriff or (4) to the chief law enforcement officer of the municipality where the child resides or (5) to contact 911 if the situation indicates an immediate life-threatening emergency. Employees shall report all cases of suspected

child abuse/neglect, regardless of whether the employee knows or believes that the child has sustained any apparent injury as a result of the abuse. Any employee who makes a report of suspected abuse is presumed to have acted in good faith and is thereby immune from any liability.

The DCS Central Intake Child Abuse Hotline-(1-800-2237-0004 or 1-877-54ABUSE) is called when the child appears to face an immediate risk of abuse or neglect that could result in death or serious harm.

The DCS Hotline may be called for these additional situations:

- The caller prefers to remain anonymous;
- The caller has insufficient data to complete the required information on the report;
- The suspected abuse/neglect to report occurred outside the State of Tennessee and the caller does not know how to contact the state where it occurred;
- The caller is unsure if the report indicates imminent risk of harm;
- The caller does not want e-mail confirmation of the report.

The DCS website <http://reportabuse.state.tn.us/> or www.state.tn.us/youth may be used for reporting instances of abuse or neglect which do not require an immediate emergency response and do not fall under the list above.

Any employee who diagnoses or treats a child 13 years of age or younger for a sexually transmitted disease must report the case to the Communicable and Environmental Disease Services Section of the Bureau of Health Services using the **Notifiable Disease Case Report, PH-1600**. If the case is laboratory confirmed, and if child sexual abuse is suspected, the suspected abuse must be immediately reported to the Department of Children's Services.

For purposes of reporting, investigation, and treatment, child sexual abuse also includes a child 13 years of age through 17 years of age if such an act is committed against the child by a parent, guardian, relative, person residing in the child's home, or other person responsible for the care and custody of the child.

The Abuse and/or Neglect Report, PH-2947 shall be used for documenting suspected abuse. The original copy of the PH-2947 shall be maintained in a confidential file separate from the patient's health record in the local health department. A copy of the PH- 2947 Form is sent, marked CONFIDENTIAL to the Regional Nursing Director. Permission is not needed in order to report the suspected abuse: however, the employee's supervisor shall be notified prior to making a report of as soon as possible following a report.

If requested, DCS Central Intake will send the employee reporting a follow-up acknowledgement after the referral has been entered into the DCS System. If the follow-up acknowledgement of the report is requested and received, the employee will

attach the acknowledgement to the PH 2947 Form which is filed in the local health department.

TCA 37-1-403 and TCA 37-1-605 law requires all persons to make a report when they suspect abuse, neglect or exploitation of children.

Refer to Bureau Policy 3.13 for information on responding to subpoenas and Bureau Policy 5.1.c for information on release of medical records.

NECESSARY FORMS

1. Abuse and/or Neglect Report, PH-2947
2. Notifiable Disease Case Report, PH-1600
3. Release of Medical Record Information, PH-1778

REFERENCE DOCUMENTS

1. T.C.A. 37-1-401 et seq.
2. T.C.A. 37-1-601 et seq.
3. TCA 37-1-403
4. TCA 37-1-605

OFFICE OF PRIMARY RESPONSIBILITY

Office of the Medical Director, Bureau of Health Services, (615)741-7305