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## What is my mandated reporter category

A mandated reporter is a person who is legally obliged to report any suspicion of child abuse or neglect to the relevant authorities as a result of his or her profession. These laws are in place to prevent children from being abused and to end any possible abuse or neglect at the earliest possible stage. Read on to learn more about mandated reporting, including what it entails and what is considered a mandated reporter. Who is considered a mandated reporter? The official designation of which occupations are considered mandated reporters varies somewhat from state to state. In most cases, however, the definition worries anyone who works closely with a vulnerable population, such as children or the elderly. These usually include social workers, teachers, health care workers, child care providers, law enforcement, mental health professionals and other educators and medical professionals, although certain states hold that all citizens have mandated reporters. Under what circumstances should mandated reporters contact authorities? These standards vary from state to state, but the spirit of the laws is the same; mandated reporters should notify the proper authorities in any case in which they have reason to believe that a child is abused or neglected or that conditions exist in the home that can lead to abuse or neglect. In most states, reports are anonymous, and there are no consequences for making a report (immunity to good faith reporting), so there's no reason not to err on the side of caution and report any suspicion in which a child's welfare could be at risk. At least a report should include all known information about the abuse or neglect suspected, along with information about any actions taken to assist the child and contact information of the reporter. If a child discloses abuse, you absolutely have to report it to the right authorities, after assuring the child that you believe them and will take steps to help. What are the responsibilities of mandated reporters? While people in this category are required to report suspected abuse or neglect, they are not required to, and in fact should in no circumstances, serve as investigators. This means that there is no need to ask the child questions or try to get to the bottom of the suspected abuse; the correct course of action is to conduct a report so that the trained authorities can investigate. However, mandated reporters can gather information in support of their report, such as photos or X-rays of any injuries. It is typically not necessary to inform the child's family that you have made a report; However, those who work for a hospital or educational facility may be required to make such a notice depending on their jurisdiction. Keep in mind that even if you are not in your state, you are still encouraged to report suspected child abuse and/or neglect. For more extensive information on mandated reporters, consult this publication of federal federal Welfare Information Gateway. July 1, 2015 California law assigns USC employees with certain positions as mandated reporters (defined below and in Annexure A). Mandated reporters have an individual duty to report known or suspected abuse or neglect in relation to children, elders or dependent adults. Any employees whose positions are designated by the state as mandated reporters must understand what they need to report, when it needs to be reported, and to whom. Summary information about the three categories of mandated reports is provided below. Some schools and departments may offer additional assistance related to abuse reporting. Those procedures are in addition to, but not replaced, the procedures described in this policy. Employees must refer to their department or facility for those additional abuse reporting procedures. In accordance with USC policy, all USC employees, regardless of mandated reporter status, are required to report any known or suspected abuse or neglect in relation to children. See USC's Protection of Minors policy for more information. In terms of USC policy, two reports must be made in cases involving minors: First, an immediate report must be made to USC's Department of Public Safety (DPS) (213) 740-4321 (emergency) or (213) 740-6000. (For healthcare practitioners and licensed counselors, see page 2.) The second report must be made to the Department of Children and Family Services Child Protection Hotline at (800) 540-4000. In addition, mandated reporters must submit a third report in writing within 36 hours, see Section 3 under Child Abuse/Neglect. General Definitions 1. Child. Person under the age of 18. (Penal code § 11165.1, 11165.6, 11166(a)) 2. Elder. Person age 65 or older. (Welfare & Inst. Code § 15610.26) 3. Dependent adult. Person between ages 18 and 64 with a physical or mental limitation that limits his or her ability to perform normal activities or protect his or her rights. Includes all people aged 18 to 64 who were admitted to a 24 hour healthcare facility as an inpatient. (Welfare & Inst. Code § 15610.23) 4. Mandate reporter. Employee required by law to report a particular category or type of abuse to the appropriate law enforcement or social service agency. Child abuse/Neglect 1. Who should report (Penal Code § 11165.7(a)) The following general categories of employees, described in more detail in Appendix A, are mandated reporters for misuse and neglect of a child: Teachers who instruct students under the age of 18 Any USC employee or administrator, including faculty, whose work duties routinely require contact with persons under the age of 18 (USC employees or administrators whose work duties require contact with children, should only report in relation to child abuse or neglect occurring on USC's premises or at a USC activity or program) Any USC employee or administrator, including faculty, oversees those whose work duties require contact on a regular basis the age of 18 (USC employees or administrators who oversee those whose work duties require regular contact with children are required to report only in relation to child abuse or neglect that occurs on USC's premises or at a USC activity or program). This paragraph and paragraph (b) does not change the attorney-client privilege. Penalty § 11165.7(a)(41). Any USC athletics coach, including assistant coaches and graduate assistants involved in coaching Commercial computer technicians Child Care and children's activity providers Social workers and mental health practitioners Health care providers Clergy 2. To be reported (Penal Code §§ 11165.1, 11165.6, 11166(a)) The following general categories of abuse and neglect of a child must be reported when a mandated reporter knows, or reasonably suspect such abuse or neglect occurred: Death Physical injury Sexual abuse Neglect Sincere harm or injury Endangerment of health Unlawful corporal punishment or injury Mutual battles between children, or injuries caused by reasonable and necessary force used by a peace officer acting within the expiration of his or her duties, need not be reported. 3. Reporting process (Penal Code § 11166) A mandated reporter who knows or reasonably suspects of abuse or neglect must comply with the reporting process described below. Note that in addition to the process below, a health care provider who treats a child who may have been sexually assaulted should also attempt to contact the child's parent or guardian unless the provider reasonably believes that the child's parent or guardian has committed the sexual assault. Immediately—Notify the Department of Public Safety of all places by call (213) 740-4321 (emergency) or (213) 740-6000, that a report will be made to the Department of Children and Family Services. While USC policy requires you to report to DPS, you don't need to disclose your identity to DPS. However, in line with patient privilege obligations and Clergy law exemptions, healthcare practitioners and licensed counsellors (or those working under their supervision) are not required to notify the Department of Public Safety. As soon as possible—Make a phone report to the LAPD or Department of Children and Family Services Child Protection Hotline at (800) 540-4000 (available 24 hours, 7 days a week). Within 36 hours—Submit a written report on Form SS8572 (Suspected Child Abuse Report) to the Department of Children and Family Services; address to be provided when phone report is made to them (or will be provided by LAPD, if the LAPD was initially notified by phone). Form available at: Dependent Adult/Parent Abuse Who report (Welfare & Inst. Code § 15630) The following categories of employees mandate reporters for elder or dependent adult abuse: Any employee (including support staff and maintenance staff) working in any facility that provides any elder or dependent care services Any employee employee direct healthcare or social services to an elder or dependent adult Healthcare Practitioners Clergy What should be reported (Welfare & Inst. Code § 15630(b)) The following common categories of incidents of abuse of an elder or dependent adult must be reported when a mandated reporter has observed, has knowledge of or reasonably suspected the abuse, or is told by the elder or dependent adult that such abuse has occurred: Physical abuse Abandonment Isolation Financial abuse Warning procedures (Welfare & Inst. Code § 15630(c)) The appropriate reporting agency for elder and dependent adult abuse depends on the place in which the abuse occurred, not the place in which it was discovered, not the place in which it was discovered. After a report is made using the procedures below, follow-up and status updates can be obtained via the Adult Protective Services Mandate Reporter Hotline at (888) 202-4248. Long-term care or adult day health care center Immediate-Phone report to the Long-Term Care Ombudsman Program at (800) 334-9473. Within two working days—Written report on Form SOC341 Report of Suspected Dependent Adult/Parent Abuse to Long-Term Care Ombudsman; address to be provided when telephone report is made. Form available at All other settings Immediately—Telephone report to Adult Protective Services at (213) 351-5401 or (877) 477-3647. Within two working days—Written report on Form SOC341 Report of Suspected Dependent Adult/Parent Abuse faxed to (213) 738-6485. Form available at: Injury by Firearm or Assault/Abuse Who must report (Penal Code § 11160(a)) Any health practitioner who provides services in a health facility, clinic or doctor's office who knows or reasonably suspects that a patient to whom the practitioner provides services is the victim of assaulting or abusive behaviour or a firearms injury. To be reported (Penal code § or 11160(a)(1), (d)) All physical injury known or reasonably thought to have resulted from the following general categories of behavior must be reported: Firearms – whether inflicted by the patient or another murder, manslaughter, mayhem, aggravated mayhem, torture, battery assault—including with intent to commit another crime, with a stun gun or taser, or with a deadly weapon Administration of a controlled substance or anesthesia to help with the commission of a felony sexual battery, incest, rape, spousal rape, obtaining a woman to have sex with another man, sodomy, oral copulation, sexual penetration Throwing chemical substances for the purpose of child abuse or Borrowed or promiscuous acts with a child abuse of spouse or cohabitant parent abuse Attempt to commit any crime listed in bullet points above Reporting Process (Penal Code § or 11160(b)) Immediately Telephone Report to local law enforcement in the jurisdiction in which the injury occurred. Within two business days—Written report on HARVEST 920 Suspicious injury report; address to be provided when telephone report is made. Form available from the state of California. Additional procedures USC hospitals and the Herman Ostrow School of Dentistry have additional procedures related to the same categories of mandated reporting. For example, health care providers may also need to make an accounting of disclosures under this policy as required by the HIPAA Privacy Rule. See the hospital internet for links to hospital-based mandated reporter information, and USC's HIPAA policy at . Enforcement For those mandating reporters under California law, failure to report is a misdemeanor punishable by up to six months in prison or a fine of up to \$1000, or both (Penal code §§ 11162, 11166(c); Welfare & Inst. Code § 15630(h)). In some cases, failure to report elder or dependent adult abuse can result in up to one year in prison or a fine of up to \$5000, or both (Welfare & Inst. Code § 15630(h)). Failure to report is also serious neglect of duty that may lead to discipline, in accordance with the Faculty's Textbook (for faculty) or staff policies (for staff). All employees who have mandated reporters must sign the relevant recognition forms (see Forms, below). Resources Questions regarding categories of misuse to be reported or the reporting process in general can be directed to the following offices: Compliance (213) 740-2500 DPS (213) 740-4321 (emergency), (213) 740-6000 (non-emergency) Equity, Equal Opportunity, and Title IX (213) 740-5086 Forms USC Employee Recognition on Child Abuse USC Employee Recognition on Older Abused Related Policy Protective Minors Reporting Incorrect Cooperation with Compliance Investigations Policy Responsible Office of Compliance ooc.usc.edu complian@usc.edu (213) 740-2500 Issued by Michael, Quick Provocation and Senior Vice President Academic Affairs Todd Dickey, Senior Vice President, Administration University of Southern California