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Introduced by Representatives Hubert of Milton, Branagan of Georgia,
Brennan of Colchester, Christie of Hartford, Cole of Burlington,
Cupoli of Rutland City, Dame of Essex, Donahue of Northfield,
Donovan of Burlington, Evans of Essex, French of Randolph,
Jerman of Essex, Johnson of South Hero, Juskiewicz of
Cambridge, Krebs of South Hero, Lewis of Berlin, Morrissey of
Bennington, Myers of Essex, Parent of St. Albans City, Savage
of Swanton, Sweaney of Windsor, Terenzini of Rutland Town,
Townsend of South Burlington, Turner of Milton, Van Wyck of
Ferrisburgh, and Wright of Burlington

Referred to Committee on

Date:

Subject: Human services; child welfare; reporting child abuse and neglect;
mandated reporters

Statement of purpose of bill as introduced: This bill proposes to require that
mandated reporters shall report all allegations of child sexual abuse to the
Department for Children and Families.

An act relating to requiring that mandated reporters report all allegations of
child sexual abuse to the Department for Children and Families

1 It is hereby enacted by the General Assembly of the State of Vermont:

2 Sec. 1. 33 V.S.A. § 4912 is amended to read:

3 § 4912. DEFINITIONS

4 As used in this subchapter:

5 * * *

6 (17) “Mandated reporter” means a physician, surgeon, osteopath,
7 chiropractor, or physician assistant licensed, certified, or registered under the
8 provisions of Title 26, any resident physician, intern, or any hospital
9 administrator in any hospital in this State, whether or not so registered, and any
10 registered nurse, licensed practical nurse, medical examiner, emergency
11 medical personnel as defined in 24 V.S.A. § 2651(6), dentist, psychologist,
12 pharmacist, any other health care provider, child care worker, school
13 superintendent, headmaster of an approved or recognized independent school
14 as defined in 16 V.S.A. § 11, school teacher, student teacher, school librarian,
15 school principal, school guidance counselor, or any other individual who is
16 employed by a school district or an approved or recognized independent
17 school, or who is contracted and paid by a school district or an approved or
18 recognized independent school to provide student services, mental health
19 professional, social worker, probation officer, any employee, contractor, or
20 grantee of the Agency of Human Services who has contact with clients, police
21 officer, camp owner, camp administrator, camp counselor, or member of the

1 clergy. As used in this subdivision, "camp" includes any residential or
2 nonresidential recreational program.

3 Sec. 2. 33 V.S.A. § 4913 is amended to read:

4 § 4913. REPORTING CHILD ABUSE AND NEGLECT; REMEDIAL
5 ACTION

6 (a) ~~Any physician, surgeon, osteopath, chiropractor, or physician assistant~~
7 ~~licensed, certified, or registered under the provisions of Title 26, any resident~~
8 ~~physician, intern, or any hospital administrator in any hospital in this state,~~
9 ~~whether or not so registered, and any registered nurse, licensed practical nurse,~~
10 ~~medical examiner, emergency medical personnel as defined in 24 V.S.A.~~
11 ~~§ 2651(6), dentist, psychologist, pharmacist, any other health care provider,~~
12 ~~child care worker, school superintendent, headmaster of an approved or~~
13 ~~recognized independent school as defined in 16 V.S.A. § 11, school teacher,~~
14 ~~student teacher, school librarian, school principal, school guidance counselor,~~
15 ~~and any other individual who is employed by a school district or an approved~~
16 ~~or recognized independent school, or who is contracted and paid by a school~~
17 ~~district or an approved or recognized independent school to provide student~~
18 ~~services, mental health professional, social worker, probation officer, any~~
19 ~~employee, contractor, and grantee of the Agency of Human Services who have~~
20 ~~contact with clients, police officer, camp owner, camp administrator, camp~~
21 ~~counselor, or member of the clergy~~ Any mandated reporter who has:

1 (1) cause to believe that any child may have been sexually abused or is
2 at risk of being sexually abused by any person, shall make a report within 24
3 hours to:

4 (A) the Commissioner in accordance with the provisions of section
5 4914 of this title; and

6 (B) the Vermont State Police or local law enforcement agency;

7 (2) reasonable cause to believe that any child has been physically abused
8 or neglected shall ~~report or cause a report to be made~~ make a report to the
9 Commissioner within 24 hours in accordance with the provisions of section
10 4914 of this title ~~within 24 hours. As used in this subsection, "camp" includes~~
11 ~~any residential or nonresidential recreational program.~~

12 (b) The Commissioner shall inform the person who made the report under
13 subsection (a) of this section:

14 (1) whether the report was accepted as a valid allegation of abuse or
15 neglect;

16 (2) whether an assessment was conducted and, if so, whether a need for
17 services was found; and

18 (3) whether an investigation was conducted and, if so, whether it
19 resulted in a substantiation.

20 (c) Any ~~other concerned person not listed in subsection (a) of this section~~
21 who is not a mandated reporter and who has ~~reasonable~~ cause to believe that

1 any child has been sexually or physically abused or neglected may ~~report or~~
2 ~~cause a report to be made~~ make a report to the Commissioner in accordance
3 with the provisions of section 4914 of this title.

4 * * *

5 Sec. 3. EFFECTIVE DATE

6 This act shall take effect on July 1, 2015.