

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

Act 629 of the Regular Session

1 State of Arkansas
2 87th General Assembly
3 Regular Session, 2009
4

As Engrossed: H3/18/09

A Bill

HOUSE BILL 1715

5 By: Representatives D. Creekmore, Garner
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For An Act To Be Entitled

9 AN ACT TO EXPAND THE LIST OF MANDATED REPORTERS
10 OF SUSPECTED ABUSE OR NEGLECT; AND FOR OTHER
11 PURPOSES.
12

Subtitle

14 TO EXPAND THE LIST OF MANDATED REPORTERS
15 OF SUSPECTED ABUSE OR NEGLECT.
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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20 SECTION 1. Arkansas Code § 12-12-507(b), concerning mandated reporters
21 of suspected abuse or neglect, is amended to read as follows:

22 (b)(1) When any individual listed in subdivision (b)(4) of this
23 section has reasonable cause to suspect that a child has been subjected to
24 child maltreatment or has died as a result of child maltreatment or observes
25 a child being subjected to conditions or circumstances that would reasonably
26 result in child maltreatment, he or she shall immediately notify the child
27 abuse hotline by telephone call, facsimile transmission, or online reporting.

28 (2) The child abuse hotline shall review the information
29 received under subdivision (b)(1) of this section to determine if the
30 information rises to the minimum standards for investigation under this
31 subchapter.

32 (3)(A) Facsimile transmission and online reporting may be used
33 in nonemergency situations by an identified reporter who provides the
34 following contact information:

35 (i) Name and phone number; and



1 (ii) In the case of online reporting, the email
2 address of the identified reporter.

3 (B) The child abuse hotline shall provide confirmation of
4 the receipt of a facsimile transmission via a return facsimile transmission
5 or via online receipt.

6 (C) A mandated reporter who wishes to remain anonymous
7 shall make the report through the child abuse hotline toll-free telephone
8 system.

9 (4) The following individuals are mandated reporters under this
10 subsection:

- 11 (A) Any child care worker or foster care worker;
- 12 (B) A coroner;
- 13 (C) A day care center worker;
- 14 (D) A dentist;
- 15 (E) A dental hygienist;
- 16 (F) A domestic abuse advocate;
- 17 (G) A domestic violence shelter employee;
- 18 (H) A domestic violence shelter volunteer;
- 19 (I) An employee of the Department of Human Services;
- 20 (J) An employee working under contract for the Division of
21 Youth Services of the Department of Human Services;
- 22 (K) Any foster parent;
- 23 (L) A judge;
- 24 (M) A law enforcement official;
- 25 (N) A licensed nurse;
- 26 (O) Any medical personnel who may be engaged in the
27 admission, examination, care, or treatment of persons;
- 28 (P) A mental health professional;
- 29 (Q) An osteopath;
- 30 (R) A peace officer;
- 31 (S) A physician;
- 32 (T) A prosecuting attorney;
- 33 (U) A resident intern;
- 34 (V) A school counselor;
- 35 (W) A school official;
- 36 (X) A social worker;

- 1 (Y) A surgeon;
- 2 (Z) A teacher;
- 3 (AA) A court-appointed special advocate program staff
- 4 member or volunteer;
- 5 (BB) A juvenile intake or probation officer;
- 6 (CC) Any clergy member, which includes a minister, priest,
- 7 rabbi, accredited Christian Science practitioner, or other similar
- 8 functionary of a religious organization, or an individual reasonably believed
- 9 to be so by the person consulting him or her, except to the extent he or she:
- 10 (i) Has acquired knowledge of suspected maltreatment
- 11 through communications required to be kept confidential pursuant to the
- 12 religious discipline of the relevant denomination or faith; or
- 13 (ii) Received the knowledge of the suspected
- 14 maltreatment from the offender in the context of a statement of admission; ~~or~~
- 15 (DD) An employee of a child advocacy center;
- 16 (EE)(i) A sexual abuse advocate or sexual abuse volunteer,
- 17 who is a person that works with a victim of sexual abuse as an employee of a
- 18 community-based victim service or mental health agency such as Safe Places,
- 19 United Family Services, or Centers for Youth and Families.
- 20 (ii) A sexual abuse advocate or sexual abuse
- 21 volunteer includes a paid or volunteer sexual abuse advocate that is based
- 22 with a local law enforcement agency;
- 23 (FF) A rape crisis advocate or rape crisis volunteer;
- 24 (GG)(i) A child abuse advocate or child abuse volunteer,
- 25 who is a person that works with a child victim of abuse or maltreatment as an
- 26 employee of a community-based victim service or a mental health agency such
- 27 as Safe Places, United Family Services, or Centers for Youth and Families.
- 28 (ii) A child abuse advocate or child abuse volunteer
- 29 also includes a paid or volunteer sexual abuse advocate that is based with a
- 30 local law enforcement agency;
- 31 (HH) A victim/witness coordinator; or
- 32 (II) A victim assistance professional or victim assistance
- 33 volunteer.

/s/ D. Creekmore

APPROVED: 3/27/2009