

# RESOURCES FOR MANDATED REPORTING

DEPARTMENT OF HUMAN SERVICES HANDBOOK;  
<http://humanservices.hawaii.gov/ssd/files/2013/01/MANDATED-REPORTER-HANDBOOK.pdf>

DEPARTMENT OF HUMAN SERVICES CHECKLIST;  
<http://humanservices.hawaii.gov/ssd/files/2014/03/Mandated-Reporter-Checklist-form-1516.pdf>

## CHILD WELFARE REPORTING/INTAKE:

**1-800-494-3991**

### POLICE

OAHU POLICE	911
MAUI POLICE	911
KONA POLICE	911
HILO POLICE	911
KAUAI POLICE	911
LANAI POLICE	911
MOLOKAI POLICE	911

**THE WELFARE OF A CHILD  
MUST COME FIRST. IF YOU  
FEEL A CHILD IS IN  
DANGER CALL**

**911 IMMEDIATELY**

**Hawaii State Chapter of Children's  
Justice Centers (HSCCJC)**  
 HSCCJC is a statewide collaboration between the State Judiciary's Children's Justice Centers (CJC) and the Friends of the Children's Justice Centers that support and enhance the CJC's Programs to minimize trauma and promote better outcomes for child abuse victims and their families.

FRIENDS of the CHILDREN'S JUSTICE CENTERS (FCJC'S) are separate 501(c) (3) non-profit organizations that provide community support to their local Children Justice Centers, and to victims of child abuse and neglect.

HILO FRIENDS	(808) 935-8755
KAUAI FRIENDS	(808) 246-6214
KONA FRIENDS <b>(KIDS MATTER)</b>	(808) 534-6742
MAUI FRIENDS	(808) 986-8634
OAHU FRIENDS	(808) 445-1873
HILO CHILDREN'S JUSTICE CENTER	(808) 933-1505
KAUAI CHILDREN'S JUSTICE CENTER	(808) 246-0923
KONA CHILDREN'S JUSTICE CENTER	(808) 329-5261
MAUI CHILDREN'S JUSTICE CENTER	(808) 244-7926
OAHU CHILDREN'S JUSTICE CENTER	(808) 534-6700

MAHALO TO JUDGE KEITH TANAKA; RUTH MORI, MAUI CO. VICTIM/WITNESS DIVISION; ROBERT RIVERA, MAUI CO. PROSECUTOR'S OFFICE; WILLIAM KEPLER M.D. FORENSIC MEDICAL EXAMINER; ELLADINE OLEVAO, DHS-CWS; STANFORD HAO, DOE; SGT. RICHARD RODRIGUEZ, MPD; AND WADE ROBSON CREATIONS FOR MAKING THIS FILM POSSIBLE.



**Friends**  
 of the Children's  
 Justice Center of Maui

# MANDATED REPORTING LAW

**CHAPTER 350  
CHILD ABUSE**

SUPPLEMENTARY INFORMATION  
FOR MANDATED REPORTING

FILM

**350-1 Definitions.** For the purposes of this chapter, unless the context specifically indicates otherwise:

"Child abuse or neglect" means the acts or omissions of any person who, or legal entity which, is in any manner or degree related to the child, is residing with the child, or is otherwise responsible for the child's care, that have resulted in the physical or psychological health or welfare of the child, who is under the age of eighteen, to be harmed, or to be subject to any reasonably foreseeable, substantial risk of being harmed. The acts or omissions are indicated for the purposes of reports by circumstances that include but are not limited to:

- 1) When the child exhibits evidence of:
  - A) Substantial or multiple skin bruising or any other internal bleeding;
  - B) Any injury to skin causing substantial bleeding;
  - C) Malnutrition;
  - D) Failure to thrive;
  - E) Burn or burns;
  - F) Poisoning;
  - G) Fracture of any bone;
  - H) Subdural hematoma;
  - I) Soft tissue swelling;
  - J) Extreme pain;
  - K) Extreme mental distress;
  - L) Gross degradation;
  - M) Death; and such injury is not justifiably explained, or when the history given concerning such condition or death is at variance with the degree or type of such condition or death, or circumstances indicate that such condition or death may not be the product of an accidental occurrence; or
- 2) When the child has been the victim of sexual contact or conduct, including, but not limited to, sexual assault as defined in the Penal Code, molestation, sexual fondling, incest, or prostitution obscene or pornographic photographing, filming, or depiction; or other similar forms of sexual exploitation; or
- 3) When there exists injury to the psychological capacity of a child as is evidenced by an observable and substantial impairment in the child's ability to function; or

4) When the child is not provided in a timely manner with adequate food, clothing, shelter, psychological care, physical care, medical care, or supervision; or

5) When the child is provided with dangerous, harmful, or detrimental drugs as defined by section 712-1240; provided that this paragraph shall not apply when such drugs are provided to the child pursuant to the direction or prescription of a practitioner, as defined in section 712-1240.

"Department" means the department of human services.

"Report" means the initial oral statement and, if required by section 350-1.1(c), the subsequent written account concerning the facts and circumstances which cause a person to have reason to believe that child abuse or neglect has occurred or that there exists a substantial risk that child abuse or neglect may occur in the reasonably foreseeable future.

**350-1.1 Reports.** (a) Notwithstanding any other state law concerning confidentiality to the contrary, the following persons who, in their professional or official capacity, have reason to believe that child abuse or neglect has occurred or that there exists a substantial risk that child abuse or neglect may occur in the reasonably foreseeable future, shall immediately report the matter orally to the department or to the police department:

- 1) Any licensed or registered professional of the healing arts or any health-related occupation who examines, attends, treats, or provides other professional or specialized services, including but not limited to physicians, including physicians in training, psychologists, dentists, nurses, osteopathic physicians and surgeons, optometrists, chiropractors, podiatrists, pharmacists, and other health-related professionals;
- 2) Employees or officers of any public or private school;
- 3) Employees or officers of any public or private agency or institution, or other individuals, providing social, medical, hospital, or mental health services, including financial assistance;
- 4) Employees or officers of any law enforcement agency, including but not limited to the courts, police departments, department of public safety, correctional institutions, and parole or probation offices;

5) Individual providers of child care, or employees or officers of any licensed or registered child care facility, foster home, or similar institution;

6) Medical examiners or coroners; and

7) Employees of any public or private agency providing recreational or sports activities

b) Whenever a person designated in subsection (a) is a member of the staff of any public or private school, agency, or institution, that staff member shall immediately report the known or suspected child abuse or neglect directly to the department or to the police department and also shall immediately notify the person in charge or a designated delegate of the report made in accordance with this chapter. (c) The initial oral report shall be followed as soon as possible by a report in writing to the department. If a police department or the department of public safety is the initiating agency,

#### **350-1.4 Confidentiality.**

a) All reports to the department concerning child abuse or neglect made pursuant to this chapter, as well as all records of such reports, are confidential

#### **350-3 Immunity from liability.**

a) Anyone participating in good faith in the making of a report pursuant to this chapter shall have immunity from any liability, civil or criminal, that might be otherwise incurred or imposed by or as a result of the making of such report.

**350-5 Admissibility of evidence.** The physician-patient privilege, the psychologist-client privilege, the spousal privilege, and the victim-counselor privilege shall not be grounds for excluding evidence in any judicial proceeding resulting from a report of child abuse or neglect pursuant to this chapter .

## **FOR THE COMPLETE LAW**

**VISIT THE RESOURCE LINKS PROVIDED ON THE BACK OF THIS BROCHURE.**