

Mandatory Reporting Requirements: Children Missouri

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Question	Answer
Who is required to report?	<ul style="list-style-type: none"> • Physician, medical examiner, coroner, dentist, chiropractor, optometrist, podiatrist, resident, intern, nurse, hospital or clinic personnel that are engaged in the examination, care, treatment or research of persons; • any other health practitioner, psychologist, mental health professional, social worker, daycare center worker or other child-care worker, juvenile officer, probation or parole officer, jail or detention center personnel, teacher, principal or other school official, minister, peace officer or law enforcement official, volunteer or personnel of a community service program that offers support services for families in crisis to assist in the delegation of any powers regarding the care and custody of a child by a properly executed power of attorney pursuant to sections 475.600 to 475.604; and • any other person with responsibility for the care of children.
When is a report required and where does it go?	<p>When is a report required?</p> <ul style="list-style-type: none"> • Reasonable cause to suspect that a child has been or may be subjected to abuse or neglect or observation of a child being subjected to conditions or circumstances which would reasonably result in abuse or neglect. • Note: For the purposes of providing supportive services or verifying the status of a youth as unaccompanied or homeless for the purposes of accessing supportive services, the fact that a child is an unaccompanied youth as defined in 42 U.S.C. Section 11434a(6) is not, in and of itself, a sufficient basis for reporting child abuse or neglect, unless the child is under sixteen years of age or is an incapacitated person, as defined in section 475.010. [This shall not] limit a mandated reporter from making a report [. . .] if the mandated reporter knows or has reasonable cause to suspect that an unaccompanied youth has been or may be a victim of abuse or neglect. <p>Where does it go?</p> <ul style="list-style-type: none"> • The Child Abuse & Neglect Hotline (1-800-392-3738) run by the Missouri Children’s Division (within the Department of Social Services). • Mandated reporter may also report online (only in non-emergency cases) at https://apps.dss.mo.gov/OnlineCanReporting/default.aspx. • The report may also be made to any law enforcement agency or juvenile office. Such a report does not take the place of reporting to the Children’s Division. • Any mandated reporter who has probable cause to suspect that a child who is or may be under the age of 18, who is eligible to receive a certificate of live birth, has died shall report that fact to the appropriate medical examiner or coroner. • If the mandated reporter has reason to believe that the victim is a resident of another state or was injured

	<p>as a result of an act which occurred in another state, the report may be made to that state's Child Protective Services. If such agency accepts the report, no report is required to be made, but may be made, to the Missouri Children's Division.</p>
<p>What definitions are important to know?</p>	<ul style="list-style-type: none"> • “Abuse” means any physical injury, sexual abuse, or emotional abuse inflicted on a child other than by accidental means by those responsible for the child's care, custody, and control, except that discipline including spanking, administered in a reasonable manner, shall not be construed to be abuse. Victims of abuse include any victims of sex trafficking or severe forms of trafficking as defined in 22 U.S.C. § 7102(11)–(12). Section 7102(11) defines “severe forms of trafficking in persons” as: (A) sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age; or (B) the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery. Section 7102(12) defines “sex trafficking” as: the recruitment, harboring, transportation, provision, obtaining, patronizing, or soliciting of a person for the purpose of a commercial sex act. • “Child” means a person (regardless of physical or mental condition) under 18 years of age. • “Minister” means any person while practicing as a minister of the gospel, clergyperson, priest, rabbi, Christian Science practitioner, or other person serving in a similar capacity for any religious organization who is responsible for or who has supervisory authority over one who is responsible for the care, custody, and control of a child or has access to a child. • “Neglect” means failure to provide, by those responsible for the care, custody, and control of the child, the proper or necessary support, education as required by law, nutrition or medical, surgical, or any other care necessary for the child's well-being. Victims of neglect include any victims of sex trafficking or severe forms of trafficking as defined in 22 U.S.C. § 7102(11)–(12) [see above]. • “Those responsible for the care, custody, and control of the child” include, but are not limited to, the parents or legal guardians of a child, other members of the child's household, or those exercising supervision over a child for any part of a twenty-four-hour day, any adult person who, based on relationship to the parents of the child or members of the child's household or the family, has access to the child, any person who takes control of the child by deception, force or coercion, and school personnel, contractors, and volunteers, if the relationship with the child was established through the school or through school related activities (even if the alleged abuse or neglect occurred outside of school hours or off school grounds).
<p>What timing and procedural requirements apply to reports?</p>	<ul style="list-style-type: none"> • Reporter must make an oral report immediately, by telephone or otherwise. • Evidence of sexual abuse or sexual molestation of any child must be turned over to the Missouri Children's Division within 24 hours by those mandated to report.

<p>What information must a report include?</p>	<ul style="list-style-type: none"> • The name and address of the child and his/her parents or other persons responsible for his/her care; • The child's age, sex and race; • The nature and extent of the child's injuries, abuse or neglect, including any evidence of previous injuries, abuse or neglect to the child or his or her siblings; • The name, age, and address of the person responsible for the injuries, abuse, or neglect, if known; • The family composition; • The source of the report; • The name and address of reporter, his or her occupation and contact information; • Actions taken by the reporter; and • Other information that the reporter believes may be helpful.
<p>Anything else I should know?</p>	<ul style="list-style-type: none"> • If two or more members of a medical institution who are required to report jointly have knowledge of a known or suspected instance of child abuse or neglect, a single report may be made by a designated member of that medical team. Any member who has knowledge that the member designated to report has failed to do so shall thereafter immediately make the report. • Whenever a person is required to report under sections 210.110 to 210.165 [Child Protection and Reform] in his official capacity as a staff member of a medical institution, whether public or private, he or she shall immediately notify the physician in charge or his/her designee who shall then take or cause to be taken color photographs of physical trauma and shall, if medically indicated, cause to be performed radiologic examination of the child who is the subject of a report, costs of which shall be paid by the Children's Division. Reproductions of such color photographs and/or radiologic reports shall be sent to the Children's Division as soon as possible. • In addition to those persons and officials required to report actual or suspected abuse or neglect, any other person may report in accordance with these sections if such person has reasonable cause to suspect that a child has been or may be subjected to abuse or neglect or observes a child being subjected to conditions or circumstances which would reasonably result in abuse or neglect. • Failure to report is a Class A misdemeanor. • Intentionally filing a false report is a Class A misdemeanor. Every person who has been previously convicted of making a false report to the Children's Division or its predecessor agency, the division of family services, and who is subsequently convicted of making a false report is guilty of a class E felony and shall be punished as provided by law. • Any legally recognized privileged communication, <i>except that between attorney and client or involving communications made to a minister or clergyperson</i>, shall not apply to situations involving known or suspected child abuse or neglect and shall not constitute grounds for failure to report. • Any child who does not receive specified medical treatment by reason of the legitimate practice of the religious belief of the child's parents, guardian, or others legally responsible for the child, for that reason alone, shall not be found to be an abused or neglected child, and such parents, guardian or other persons legally responsible for the child shall not be entered into the central registry. However, the Children's Division may accept reports concerning such a child and may subsequently investigate or conduct a family assessment as a result of that report. Such an exception shall not limit the administrative or judicial authority of the state to ensure that medical services are provided to the child when the child's health requires it.

	<ul style="list-style-type: none">• Any person, official, or institution complying with these provisions on child abuse reporting shall have immunity from any liability, civil or criminal, that otherwise might result by reason of such actions. Provided, however, any person, official or institution intentionally filing a false report, acting in bad faith, or with ill intent, shall not have immunity from any liability, civil or criminal. Any such person, official, or institution shall have the same immunity with respect to participation in any judicial proceeding resulting from the report.• An employee, including a contracted employee, of a state-funded child assessment center, as provided for in 210.001, shall be immune from any civil liability that arises from the employee's participation in the investigation process and services by the child assessment center, unless such person acted in bad faith. This subsection shall not displace or limit any other immunity provided by law.• Any person, who is not a school district employee, who makes a report to any employee of the school district of child abuse by a school employee shall have immunity from any liability, civil or criminal, that otherwise might result because of such report. Provided, however, that any such person who makes a false report, knowing that the report is false, or who acts in bad faith or with ill intent in making such report shall not have immunity from any liability, civil or criminal. Any such person shall have the same immunity with respect to participation in any judicial proceeding resulting from the report.• Guidelines for Mandated Reporters of Child Abuse and Neglect can be found at: http://dss.mo.gov/cd/pdf/guidelines_can_reports.pdf
Statutory citation(s):	<ul style="list-style-type: none">• Mo. Rev. Stat. §§ 210.110, 210.115, 210.120, 210.130, 210.135, 210.140, 210.165, 352.400.