

Comparison Chart: Reporting

Issue	Code	Old	New	Description	Effective Date
Electronic reporting	§6305 of Title 23 ADDED by Act 29 of 2014	NA	<p>(a) Departmental procedures.--The department shall establish procedures for the secure and confidential use of electronic technologies to transmit information under this chapter, including:</p> <p style="padding-left: 20px;">(1) the filing of reports and other required records, including those of the county agency; and</p> <p style="padding-left: 20px;">(2) the verification of records and signatures on forms.</p> <p>(b) Confirmation of reports.--A confirmation by the department of the receipt of a report of suspected child abuse submitted electronically shall relieve the person making the report of making an additional oral or written report of suspected child abuse, subject to section 6313 (relating to reporting procedure).</p> <p>(c) Effect on other law.--</p>	<ul style="list-style-type: none"> • Added requirement that the department must: <ul style="list-style-type: none"> ○ Establish procedures for secure and confidential use of electronic technologies including: <ul style="list-style-type: none"> ▪ Filing reports and other records required by CPSL; and ▪ The verification of records and signatures on forms ○ Confirm the receipt of a report of suspected child abuse submitted electronically. This will relieve the person making the report of making an additional oral or written report of suspected child abuse • Develop procedures that comply with all laws regarding confidentiality of personally identifiable information 	Act 29 of 2014 effective 12/31/14

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			Nothing in this chapter shall be construed to supersede the act of December 16, 1999 (P.L.971, No.69), known as the Electronic Transactions Act. Any procedures developed by the department under this section shall comply with all applicable Federal and State laws regarding confidentiality of personally identifiable information.		
Promulgating regulations	§6306 of Title 23 ADDED by Act 29 of 2014	NA	The department shall promulgate regulations necessary to implement this chapter.	<ul style="list-style-type: none"> • Added requirement that the department promulgate and disseminate regulations to implement law 	12/31/14
Persons required to report suspected child abuse	§6311 of Title 23 AMENDED by Act 32 of 2014, Act 33 of 2014, Act 34 of 2014, Act	(a) General rule.--A person who, in the course of employment, occupation or practice of a profession, comes into contact with children shall report	(a) Mandated reporters.-- The following adults shall make a report of suspected child abuse, subject to subsection (b), if the person has reasonable cause to suspect that a child is a victim of child abuse:	<ul style="list-style-type: none"> • Enumerated those individuals who are legally mandated to make a report of suspected child abuse • Enumerated four basis for the mandated reporter to report a reasonable cause to suspect that a child is a victim of child abuse including: <ul style="list-style-type: none"> ○ The mandated reporter 	Act 32 of 2014 effective 12/31/14 Act 33 of 2014 effective 12/31/14

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	44 of 2014, Act 153 of 2014, and Act 15 of 2015	or cause a report to be made in accordance with section 6313 (relating to reporting procedure) when the person has reasonable cause to suspect, on the basis of medical, professional or other training and experience, that a child under the care, supervision, guidance or training of that person or of an agency, institution, organization or other entity with which that person is affiliated is a victim of child abuse, including child abuse by an individual who is not a perpetrator. Except with respect to confidential communications made to a member of the clergy which are protected under 42	<p>(1) A person licensed or certified to practice in any health-related field under the jurisdiction of the Department of State.</p> <p>(2) A medical examiner, coroner or funeral director.</p> <p>(3) An employee of a health care facility or provider licensed by the Department of Health, who is engaged in the admission, examination, care or treatment of individuals.</p> <p>(4) A school employee.</p> <p>(5) An employee of a child-care service who has direct contact with children in the course of employment.</p> <p>(6) A clergyman, priest, rabbi, minister, Christian Science practitioner, religious healer or spiritual leader of any regularly established church or other religious</p>	<p>comes into contact with the child in the course of employment, occupation and practice of a profession or through a regularly scheduled program, activity or service</p> <ul style="list-style-type: none"> ○ The mandated reporter is directly responsible for the care, supervision, guidance or training of the child, or is affiliated with an agency, institution, organization or other entity that is directly responsible for the care, supervision, guidance or training of the child ○ A person makes a specific disclosure to the mandated reporter that an identifiable child is the victim of child abuse ○ An individual 14 years of age or older makes a 	<p>Act 34 of 2014 effective 12/31/14</p> <p>Act 44 of 2014 effective 12/31/14</p> <p>Act 153 of 2014 effective 12/31/14</p> <p>Act 15 of 2015 effective 7/1/15</p>

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		<p>Pa.C.S. § 5943 (relating to confidential communications to clergymen), and except with respect to confidential communications made to an attorney which are protected by 42 Pa.C.S. § 5916 (relating to confidential communications to attorney) or 5928 (relating to confidential communications to attorney), the privileged communication between any professional person required to report and the patient or client of that person shall not apply to situations involving child abuse and shall not constitute grounds for failure to report as required by</p>	<p>organization. (7) An individual paid or unpaid, who, on the basis of the individual's role as an integral part of a regularly scheduled program, activity or service, is a person responsible for the child's welfare or has direct contact with children. (8) An employee of a social services agency who has direct contact with children in the course of employment. (9) A peace officer or law enforcement official. (10) An emergency medical services provider certified by the Department of Health. (11) An employee of a public library who has direct contact with children in the course of employment. (12) An individual supervised or managed by a person listed under</p>	<p style="text-align: center;">specific disclosure to the mandated reporter that the individual has committed child abuse</p> <ul style="list-style-type: none"> • Clarified that it is not required for the child to come before the mandated reporter in order for the mandated reporter to make a report of suspected child abuse • Clarified reports are made directly to ChildLine by mandated reporters by deleting "cause a report to be made" • Added a provision that staff members of institutions, etc. must report immediately and directly to ChildLine and shall immediately thereafter notify the person in charge of the institution, etc. or the designated agent • Added a provision that the person in charge of the institution, etc. or the designated agent must facilitate the cooperation of the institution, etc. with the investigation of the report 	

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		<p>this chapter. (b) Enumeration of persons required to report.--Persons required to report under subsection (a) include, but are not limited to, any licensed physician, osteopath, medical examiner, coroner, funeral director, dentist, optometrist, chiropractor, podiatrist, intern, registered nurse, licensed practical nurse, hospital personnel engaged in the admission, examination, care or treatment of persons, Christian Science practitioner, member of the clergy, school administrator, school teacher, school nurse, social services worker, day-care center worker or any other child-care or foster-care worker,</p>	<p>paragraphs (1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11) and (13), who has direct contact with children in the course of employment. (13) An independent contractor. (14) An attorney affiliated with an agency, institution, organization or other entity, including a school or regularly established religious organization that is responsible for the care, supervision, guidance or control of children. (15) A foster parent. (16) An adult family member who is a person responsible for the child's welfare and provides services to a child in a family living home, community home for individuals with an intellectual disability or host home for children which are</p>		

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		<p>mental health professional, peace officer or law enforcement official. (c) Staff members of institutions, etc.-- Whenever a person is required to report under subsection (b) in the capacity as a member of the staff of a medical or other public or private institution, school, facility or agency, that person shall immediately notify the person in charge of the institution, school, facility or agency or the designated agent of the person in charge. Upon notification, the person in charge or the designated agent, if any, shall assume the responsibility and have the legal obligation to report or cause a report to be made in</p>	<p>subject to supervision or licensure by the department under Articles IX and X of the act of June 13, 1967 (P.L.31, No. 21), known as the Public Welfare Code (b) Basis to report.-- (1) A mandated reporter enumerated in subsection (a) shall make a report of suspected child abuse or cause a report to be made in accordance with section 6313 (relating to reporting procedure), if the mandated reporter has reasonable cause to suspect that a child is a victim of child abuse under any of the following circumstances: (i) The mandated reporter comes into contact with the child in the course of employment, occupation and</p>		

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		<p>accordance with section 6313. This chapter does not require more than one report from any such institution, school, facility or agency.</p>	<p>practice of a profession or through a regularly scheduled program, activity or service. (ii) The mandated reporter is directly responsible for the care, supervision, guidance or training of the child, or is affiliated with an agency, institution, organization, school, regularly established church or religious organization or other entity that is directly responsible for the care, supervision, guidance or training of the child. (iii) A person makes a specific disclosure to the mandated reporter that an identifiable child is the victim of child abuse. (iv) An individual 14 years of age or older makes a specific</p>		

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			<p>disclosure to the mandated reporter that the individual has committed child abuse.</p> <p>(2) Nothing in this section shall require a child to come before the mandated reporter in order for the mandated reporter to make a report of suspected child abuse.</p> <p>(3) Nothing in this section shall require the mandated reporter to identify the person responsible for the child abuse to make a report of suspected child abuse.</p> <p>(c) Staff members of institutions, etc.-- Whenever a person is required to report under subsection (b) in the capacity as a member of the staff of a medical or other public or private institution, school, facility or agency, that person shall report immediately in</p>		

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			<p>accordance with section 6313 and shall immediately thereafter notify the person in charge of the institution, school, facility or agency or the designated agent of the person in charge. Upon notification, the person in charge or the designated agent, if any, shall facilitate the cooperation of the institution, school, facility or agency with the investigation of the report. Any intimidation, retaliation or obstruction in the investigation of the report is subject to the provisions of 18 Pa.C.S. § 4958 (relating to intimidation, retaliation or obstruction in child abuse cases). This chapter does not require more than one report from any such institution, school, facility or agency.</p>		
<p>Privileged communications</p>	<p>§6311.1 of Title 23 ADDED by</p>	<p>NA</p>	<p>(a) General rule.--Subject to subsection (b), the privileged communications between a mandated</p>	<ul style="list-style-type: none"> Added provision related to privileged to state that the privilege communications between a mandated reporter and a patient or 	<p>Act 32 of 2014 effective 12/31/14</p>

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	Acts 32 of 2014		<p>reporter and a patient or client of the mandated reporter shall not:</p> <p>(1) Apply to a situation involving child abuse.</p> <p>(2) Relieve the mandated reporter of the duty to make a report of suspected child abuse.</p> <p>(b) Confidential communications.--The following protections shall apply:</p> <p>(1) Confidential communications made to a member of the clergy are protected under 42 Pa.C.S. § 5943 (relating to confidential communications to clergymen).</p> <p>(2) Confidential communications made to an attorney are protected so long as they are within the scope of 42 Pa.C.S. §§ 5916 (relating to confidential communications to attorney) and 5928</p>	<p>client of the mandated reporter shall not:</p> <ul style="list-style-type: none"> ○ Apply to a situation involving child abuse ○ Relieve the mandated reporter of the duty to make a report of suspected child abuse <ul style="list-style-type: none"> ● Added provision that certain confidential communications are protected, including those made to: <ul style="list-style-type: none"> ○ Member of the clergy, under 42 PA. C.S. §5943 ○ An attorney within the scope of 42 PA. C.S. §5916 and §5928 	

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			<p>(relating to confidential communications to attorney), the attorney work product doctrine or the rules of professional conduct for attorneys.</p> <p>---</p> <p><i>42 Pa.C.S. § 5943. Confidential communications to clergymen.</i></p> <p><i>No clergyman, priest, rabbi or minister of the gospel of any regularly established church or religious organization, except clergymen or ministers, who are self-ordained or who are members of religious organizations in which members other than the leader thereof are deemed clergymen or ministers, who while in the course of his duties has acquired information from any</i></p>		

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			<p><i>person secretly and in confidence shall be compelled, or allowed without consent of such person, to disclose that information in any legal proceeding, trial or investigation before any government unit.</i></p> <p><i>42 Pa.C.S. § 5916. Confidential communications to attorney. In a criminal proceeding counsel shall not be competent or permitted to testify to confidential communications made to him by his client, nor shall the client be compelled to disclose the same, unless in either case this privilege is waived upon the trial by the client.</i></p> <p><i>42 Pa. C.S. §5928. Confidential</i></p>		

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			<p><i>communications to attorney. In a civil matter counsel shall not be competent or permitted to testify to confidential communications made to him by his client, nor shall the client be compelled to disclose the same, unless in either case this privilege is waived upon the trial by the client.</i></p>		
<p>Persons encouraged to report suspected child abuse</p>	<p>§6312 of Title 23 AMENDED by Act 33 of 2014</p>	<p>Persons permitted to report suspected child abuse. In addition to those persons and officials required to report suspected child abuse, any person may make such a report if that person has reasonable cause to suspect that a child is an abused child.</p>	<p>Persons encouraged to report suspected child abuse. Any person may make an oral or written report of suspected child abuse, which may be submitted electronically, or cause a report of suspected child abuse to be made to the department, county agency or law enforcement, if that person has reasonable cause to suspect that a child is a victim of child abuse.</p>	<ul style="list-style-type: none"> • Changed language to “persons encouraged” to report suspected child abuse • Added provision that reports may be made electronically • Clarified that reports can be made to the department, county agency, or law enforcement 	<p>Act 33 of 2014 effective 12/31/14</p>

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Reporting procedure	§6313 of Title 23 AMENDED by Act 33 of 2014 and Act 153 of 2014	(a) General rule.-- Reports from persons required to report under section 6311 (relating to persons required to report suspected child abuse) shall be made immediately by telephone and in writing within 48 hours after the oral report. (b) Oral reports.--Oral reports shall be made to the department pursuant to Subchapter C (relating to powers and duties of department) and may be made to the appropriate county agency. When oral reports of suspected child abuse are initially received at the county agency, the protective services staff shall, after seeing to the immediate safety of	(a) Report by mandated reporter.-- (1) A mandated reporter shall immediately make an oral report of suspected child abuse to the department via the Statewide toll-free telephone number under section 6332 (relating to establishment of Statewide toll-free telephone number) or a written report using electronic technologies under section 6305 (relating to electronic reporting). (2) A mandated reporter making an oral report under paragraph (1) of suspected child abuse shall also make a written report, which may be submitted electronically, within 48 hours to the department or county agency assigned to the case in a manner and	<ul style="list-style-type: none"> • Clarified that mandated reporters must: <ul style="list-style-type: none"> ○ Immediately make an oral report of suspected abuse to the department via the statewide toll-free telephone OR a written report using electronic technologies ○ Submit a written report within 48 hours, which may be submitted electronically, if the mandated reporter makes an oral report • The county agency must proceed as though the mandated reporter complied with filing a written report • Added the following information, if known, to be included in a written report: <ul style="list-style-type: none"> ○ The name, telephone number and email address of the person making the report ○ The actions taken by the person making the report, including those actions taken under section 6314 (relating to photographs, medical tests and X-rays of child subject to report), 6315 (relating to taking child into protective custody), 6316 (relating to admission to private and public hospitals) or 6317 (relating to 	Act 33 of 2014 effective 12/31/14 Act 153 of 2014 effective 12/31/14

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		<p>the child and other children in the home, immediately notify the department of the receipt of the report, which is to be held in the pending complaint file as provided in Subchapter C. The initial child abuse report summary shall be supplemented with a written report when a determination is made as to whether a report of suspected child abuse is a founded report, an unfounded report or an indicated report.</p> <p>(c) Written reports.-- Written reports from persons required to report under section 6311 shall be made to the appropriate county agency in a manner and on forms the department prescribes by</p>	<p>format prescribed by the department.</p> <p>(3) The failure of the mandated reporter to file the report under paragraph (2) shall not relieve the county agency from any duty under this chapter, and the county agency shall proceed as though the mandated reporter complied with paragraph (2).</p> <p>(b) Contents of report.--A written report of suspected child abuse, which may be submitted electronically, shall include the following information, if known:</p> <p>(1) The names and addresses of the child, the child's parents and any other person responsible for the child's welfare.</p> <p>(2) Where the suspected abuse occurred.</p> <p>(3) The age and sex of each subject of the</p>	<p>mandatory reporting and postmortem investigation of deaths)</p> <ul style="list-style-type: none"> ○ Any other information required by Federal law or regulation ● Added a provision to confirm that a mandated reporter who makes a report of suspected child abuse or crime against a child is not in violation of the Mental Health Procedures Act 	

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		<p>regulation. The written reports shall include the following information if available:</p> <p>(1) The names and addresses of the child and the parents or other person responsible for the care of the child if known.</p> <p>(2) Where the suspected abuse occurred.</p> <p>(3) The age and sex of the subjects of the report.</p> <p>(4) The nature and extent of the suspected child abuse, including any evidence of prior abuse to the child or siblings of the child.</p> <p>(5) The name and relationship of the person or persons responsible for causing the</p>	<p>report.</p> <p>(4) The nature and extent of the suspected child abuse, including any evidence of prior abuse to the child or any sibling of the child.</p> <p>(5) The name and relationship of each individual responsible for causing the suspected abuse and any evidence of prior abuse by each individual.</p> <p>(6) Family composition.</p> <p>(7) The source of the report.</p> <p>(8) The name, telephone number and e-mail address of the person making the report.</p> <p>(9) The actions taken by the person making the report, including those actions taken under section 6314 (relating to photographs, medical tests and X-rays of child subject to report), 6315</p>		

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		<p>suspected abuse, if known, and any evidence of prior abuse by that person or persons.</p> <p>(6) Family composition.</p> <p>(7) The source of the report.</p> <p>(8) The person making the report and where that person can be reached.</p> <p>(9) The actions taken by the reporting source, including the taking of photographs and X-rays, removal or keeping of the child or notifying the medical examiner or coroner.</p> <p>(10) Any other information which the department may require by regulation.</p>	<p>(relating to taking child into protective custody), 6316 (relating to admission to private and public hospitals) or 6317 (relating to mandatory reporting and postmortem investigation of deaths).</p> <p>(10) Any other information required by Federal law or regulation.</p> <p>(11) Any other information that the department requires by regulation.</p> <p>(c) (Deleted by amendment).</p> <p>(d) (Deleted by amendment).</p> <p>(e) Applicability of mental health procedures act. – Notwithstanding any other provision of law, a mandated reporter enumerated under 6311 (relating to persons required to report suspected child abuse) who makes a report of suspected child abuse</p>		

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		<p>(d) Failure to confirm oral report.--The failure of a person reporting cases of suspected child abuse to confirm an oral report in writing within 48 hours shall not relieve the county agency from any duties prescribed by this chapter. In such event, the county agency shall proceed as if a written report were actually made.</p>	<p>pursuant to this section, or who makes a report of a crime against a child to law enforcement officials, shall not be in violation of the act of July 9, 1976 (P.L. 817, NO. 143), known as the Mental Health Procedures Act, by releasing information necessary to complete the report.</p>		
<p>Photographs, medical tests, and x-rays of child subject to report</p>	<p>§6314 of Title 23 AMENDED by Act 33 of 2014</p>	<p>A person or official required to report cases of suspected child abuse may take or cause to be taken photographs of the child who is subject to a report and, if clinically indicated, cause to be performed a radiological examination and other medical tests on the child. Medical summaries or reports</p>	<p>A person or official required to report cases of suspected child abuse may take or cause to be taken photographs of the child who is subject to a report and, if clinically indicated, cause to be performed a radiological examination and other medical tests on the child. Medical summaries or reports of the photographs, X-rays and relevant medical tests taken shall be sent to the county agency at the time</p>	<ul style="list-style-type: none"> • Added a requirement that information such as photographs, medical tests, and x-rays, must be sent to the county agency at the time the written report is sent or within 48 hours after the report is made by electronic technologies <ul style="list-style-type: none"> ○ This information is also available to law enforcement officials 	<p>Act 33 of 2014 effective 12/31/14</p>

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		<p>of the photographs, X-rays and relevant medical tests taken shall be sent to the county agency at the time the written report is sent or as soon thereafter as possible. The county agency shall have access to actual photographs or duplicates and X-rays and may obtain them or duplicates of them upon request.</p>	<p>the written report is sent or within 48 hours after a report is made by electronic technologies or as soon thereafter as possible. The county agency shall have access to actual photographs or duplicates and X-rays and may obtain them or duplicates of them upon request. Medical summaries or reports of the photographs, X-rays and relevant medical tests shall be made available to law enforcement officials in the course of investigating cases pursuant to section 6340(a)(9) or (10) (relating to release of information in confidential reports).</p>		
<p>Mandatory reporting and postmortem investigation of deaths</p>	<p>§6317 of Title 23 AMENDED by Act 29 of 2014</p>	<p>A person or official required to report cases of suspected child abuse, including employees of a county agency, who has reasonable cause to suspect that a child died as a result of</p>	<p>A person or official required to report cases of suspected child abuse, including employees of a county agency, who has reasonable cause to suspect that a child died as a result of child abuse shall report that suspicion to</p>	<ul style="list-style-type: none"> • Clarified a requirement to report to the medical examiner as well as the coroner when there is reasonable cause to suspect that a child died as a result of child abuse 	<p>Act 29 of 2014 effective 12/31/14</p>

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		child abuse shall report that suspicion to the appropriate coroner. The coroner shall accept the report for investigation and shall report his finding to the police, the district attorney, the appropriate county agency and, if the report is made by a hospital, the hospital.	the appropriate coroner or medical examiner. The coroner or medical examiner shall accept the report for investigation and shall report his finding to the police, the district attorney, the appropriate county agency and, if the report is made by a hospital, the hospital.		
Immunity from liability	§6318 of Title 23 AMENDED by Act 119 of 2013	(a) General rule.--A person, hospital, institution, school, facility, agency or agency employee that participates in good faith in the making of a report, whether required or not, cooperating with an investigation, including providing information to a child fatality or near fatality review team, testifying in a proceeding arising	(a) General rule.--A person, hospital, institution, school, facility, agency or agency employee acting in good faith shall have immunity from civil and criminal liability that might otherwise result from any of the following: (1) Making a report of suspected child abuse or making a referral for general protective services, regardless of whether the report is required to be made	<ul style="list-style-type: none"> • Expanded immunity from liability for: <ul style="list-style-type: none"> ○ Reporting ○ Cooperating and consulting in investigations ○ Testifying in proceedings as a result of the report ○ Engaging in actions authorized under: <ul style="list-style-type: none"> ▪ § 6314 (photographs, medical tests, and x-rays) ▪ §6315 (taking child into protective custody) ▪ §6316 (admission to public and private hospitals) ▪ §6317 (mandatory reporting and postmortem investigation of deaths) 	Act 119 of 2013 effective 7/1/14

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		<p>out of an instance of suspected child abuse, the taking of photographs or the removal or keeping of a child pursuant to section 6315 (relating to taking child into protective custody), and any official or employee of a county agency who refers a report of suspected abuse to law enforcement authorities or provides services under this chapter, shall have immunity from civil and criminal liability that might otherwise result by reason of those actions.</p> <p>(b) Presumption of good faith.--For the purpose of any civil or criminal proceeding, the good faith of a person required to report pursuant to section 6311 (relating</p>	<p>under this chapter.</p> <p>(2) Cooperating or consulting with an investigation under this chapter, including providing information to a child fatality or near-fatality review team.</p> <p>(3) Testifying in a proceeding arising out of an instance of suspected child abuse or general protective services.</p> <p>(4) Engaging in any action authorized under section 6314 (relating to photographs, medical tests and X-rays of child subject to report), 6315 (relating to taking child into protective custody), 6316 (relating to admission to private and public hospitals) or 6317 (relating to mandatory reporting and postmortem investigation of deaths).</p> <p>(b) Departmental and</p>	<ul style="list-style-type: none"> Expanded immunity from civil and criminal liability for an official or employee of the department or county agency who refers a report of suspected child abuse for general protective services to law enforcement authorities 	

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		to persons required to report suspected child abuse) and of any person required to make a referral to law enforcement officers under this chapter shall be presumed.	county agency immunity.-- An official or employee of the department or county agency who refers a report of suspected child abuse for general protective services to law enforcement authorities or provides services as authorized by this chapter shall have immunity from civil and criminal liability that might otherwise result from the action. (c) Presumption of good faith.--For the purpose of any civil or criminal proceeding, the good faith of a person required to report pursuant to section 6311 (relating to persons required to report suspected child abuse) and of any person required to make a referral to law enforcement officers under this chapter shall be presumed.		
Penalties for failure to report or to refer	§6319 of Title 23 AMENDED	A person or official required by this chapter to report a case of suspected	(a) Failure to report or refer.-- (1) A person or official required by this chapter	<ul style="list-style-type: none"> Increased the penalties for failure to report (from a misdemeanor of the third degree to a felony of the third degree) if: 	Act 32 of 2014 effective 12/31/14

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	by Act 32 of 2014	child abuse or to make a referral to the appropriate authorities who willfully fails to do so commits a misdemeanor of the third degree for the first violation and a misdemeanor of the second degree for a second or subsequent violation.	<p>to report a case of suspected child abuse or to make a referral to the appropriate authorities commits an offense if the person or official willfully fails to do so.</p> <p>(2) An offense under this section is a felony of the third degree if:</p> <ul style="list-style-type: none"> (i) the person or official willfully fails to report; (ii) the child abuse constitutes a felony of the first degree or higher; and (iii) the person or official has direct knowledge of the nature of the abuse. <p>(3) An offense not otherwise specified in paragraph (2) is a misdemeanor of the second degree.</p> <p>(4) A report of suspected child abuse to law enforcement or the appropriate county agency by a mandated</p>	<ul style="list-style-type: none"> ○ The person or official willfully fails to report ○ The child abuse constitutes a felony of the first degree or higher ○ The person or official has direct knowledge of the nature of the abuse ● An offense not otherwise specified in (A) is a misdemeanor of the second degree ● If a person’s willful failure continues while the person knows or has reasonable cause to believe the child is actively being subjected to child abuse, the person commits a misdemeanor of the first degree, except that if the child abuse constitutes a felony of the first degree or higher, the person commits a felony of the third degree ● A person who commits a second or subsequent offense commits a felony of the third degree, except that if the child abuse constitutes a felony of the first degree or higher, the penalty for the second or subsequent offenses is a felony of the second degree ● The statute of limitations shall be either the statute of limitations for the crime committed against the 	

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			<p>reporter, made in lieu of a report to the department, shall not constitute an offense under this subsection, provided that the report was made in a good faith effort to comply with the requirements of this chapter.</p> <p>(b) Continuing course of action.--If a person's willful failure under subsection (a) continues while the person knows or has reasonable cause to believe the child is actively being subjected to child abuse, the person commits a misdemeanor of the first degree, except that if the child abuse constitutes a felony of the first degree or higher, the person commits a felony of the third degree.</p> <p>(c) Multiple offenses.--A person who commits a second or subsequent offense under subsection (a) commits a felony of the</p>	<p>minor child or five years, whichever is greater</p> <ul style="list-style-type: none"> • Clarified that a report of suspected child abuse to law enforcement or the appropriate county agency by a mandated reporter, made in lieu of a report to the department, shall not constitute an offense under this subsection, provided that the report was made in a good faith effort to comply with the requirements of this chapter 	

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			<p>third degree, except that if the child abuse constitutes a felony of the first degree or higher, the penalty for the second or subsequent offenses is a felony of the second degree.</p> <p>(d) Statute of limitations.-- The statute of limitations for an offense under subsection (a) shall be either the statute of limitations for the crime committed against the minor child or five years, whichever is greater.</p>		
Protection from employment discrimination	§6311 (d) of Title 23 DELETED by amendment §6320 of Title 23 ADDED by Act 34 of 2014	(d) Civil action for discrimination against person filing report.-- Any person who, under this section, is required to report or cause a report of suspected child abuse to be made and who, in good faith, makes or causes the report to be made and, as a result thereof, is discharged from his employment or in any other manner is	6320 (a) Basis for relief.--A person may commence an action for appropriate relief if all of the following apply: <ul style="list-style-type: none"> (1) The person is required to report under section 6311 (relating to persons required to report suspected child abuse) or encouraged to report under section 6312 (relating to persons encouraged to report suspected child abuse). 	<ul style="list-style-type: none"> • Deleted 6311 (d) • Added 6320 which permits a person to commence an action for appropriate relief if all of the following apply: <ul style="list-style-type: none"> ○ The person is required to report under § 6311 or encouraged to report under §6312 ○ The person acted in good faith in making or causing the report of suspected child abuse to be made ○ The person is discharged from employment or is discriminated against with respect to compensation, hire, tenure, 	Act 34 of 2014 effective 12/31/14

Comparison Chart: Reporting

Issue	Code	Old	New	Description	Effective Date
		<p>discriminated against with respect to compensation, hire, tenure, terms, conditions or privileges of employment, may commence an action in the court of common pleas of the county in which the alleged unlawful discharge or discrimination occurred for appropriate relief. If the court finds that the person is an individual who, under this section, is required to report or cause a report of suspected child abuse to be made and who, in good faith, made or caused to be made a report of suspected child abuse and, as a result thereof, was discharged or discriminated against with respect to</p>	<p>(2) The person acted in good faith in making or causing the report of suspected child abuse to be made. (3) As a result of making the report of suspected child abuse, the person is discharged from employment or is discriminated against with respect to compensation, hire, tenure, terms, conditions or privileges of employment. (b) Applicability.--This section does not apply to an individual making a report of suspected child abuse who is found to be a perpetrator because of the report or to any individual who fails to make a report of suspected child abuse as required under section 6311 and is subject to conviction under section 6319 (relating to penalties) for failure to report or to refer.</p>	<p>terms, conditions or privileges of employment as a result of making the report of suspected child abuse</p>	

Comparison Chart: Reporting

Issue	Code	Old	New	Description	Effective Date
		<p>compensation, hire, tenure, terms, conditions or privileges of employment, it may issue an order granting appropriate relief, including, but not limited to, reinstatement with back pay. The department may intervene in any action commenced under this subsection.</p>	<p>(c) Location.--An action under this section must be filed in the court of common pleas of the county in which the alleged unlawful discharge or discrimination occurred. (d) Relief.--Upon a finding in favor of the plaintiff, the court may grant appropriate relief, which may include reinstatement of the plaintiff with back pay. (e) Departmental intervention.--The department may intervene in an action commenced under this section.</p>		
<p>Establishment of a Statewide Database</p>	<p>§6331 of Title 23 AMENDED by Act 119 of 2013, Act 29 of 2014, and Act 45 of 2014</p>	<p>Establishment of pending complaint file, Statewide central register and file of unfounded reports. There shall be established in the department: (1) A pending complaint file of child abuse reports under investigation and a</p>	<p>Establishment of Statewide database. There shall be established in the department a Statewide database of protective services, which shall include the following, as provided by section 6336 (relating to information in Statewide database): (1) Reports of suspected child abuse pending</p>	<ul style="list-style-type: none"> ● Established a statewide database of protective services to include: <ul style="list-style-type: none"> ○ Reports of suspected child abuse pending investigation ○ Reports with a status of pending juvenile court or pending criminal court action ○ Indicated and founded reports of child abuse ○ Unfounded reports of child abuse awaiting expunction ○ Unfounded reports accepted for services 	<p>Act 119 of 2013 effective 7/1/14</p> <p>Act 29 of 2014 effective 12/31/14</p> <p>Act 45 of 2014 effective</p>

Comparison Chart: Reporting

Issue	Code	Old	New	Description	Effective Date
		<p>file of reports under investigation pursuant to Subchapter C.1 (relating to students in public and private schools).</p> <p>(2) A Statewide central register of child abuse which shall consist of founded and indicated reports.</p> <p>(3) A file of unfounded reports awaiting expunction.</p>	<p>investigation.</p> <p>(2) Reports with a status of pending juvenile court or pending criminal court action.</p> <p>(3) Indicated and founded reports of child abuse.</p> <p>(4) Unfounded reports of child abuse awaiting expunction.</p> <p>(5) Unfounded reports accepted for services.</p> <p>(6) Reports alleging the need for general protective services.</p> <p>(7) General protective services reports that have been determined to be valid.</p> <p>(8) Reports alleging the need for general protective services that have been determined invalid and are awaiting expunction.</p> <p>(9) A family case record for all reports accepted for investigation, assessment or services.</p> <p>(10) Information on reports made to the agency, but not accepted</p>	<ul style="list-style-type: none"> ○ Reports alleging the need for general protective services ○ General protective services reports that have been determined to be valid ○ Reports alleging the need for general protective services that have been determined invalid and are awaiting expunction ○ A family case record for all reports accepted for investigation, assessment or services ○ Information on reports made to the agency, but not accepted for investigation or assessment ○ False reports for the purpose of identifying and tracking patterns of intentional false reporting 	12/31/14

Comparison Chart: Reporting

Issue	Code	Old	New	Description	Effective Date
			for investigation or assessment. (11) False reports of child abuse pursuant to a conviction under 18 Pa.C.S. § 4906.1 (relating to false reports of child abuse) for the purpose of identifying and tracking patterns of intentionally false reports.		
Establishment of a statewide toll-free telephone number	§ 6332 of Title 23 AMENDED by Act 29 of 2014	(a) General rule.--The department shall establish a single Statewide toll-free telephone number that all persons, whether mandated by law or not, may use to report cases of suspected child abuse. A county agency shall use the Statewide toll-free telephone number for determining the existence of prior founded or indicated reports of child abuse in the Statewide central register or reports under	(a) General rule.--The department shall establish a single Statewide toll-free telephone number that all persons, whether mandated by law or not, may use to report cases of suspected child abuse or children allegedly in need of general protective services. A county agency or law enforcement official shall use the Statewide toll-free telephone number or electronic technologies for determining the existence of reports of child abuse or general protective services reports in the Statewide database or reports under	<ul style="list-style-type: none"> • Added a provision requiring the department’s toll-free telephone number to be used to report cases of children allegedly in need of general protective services as well as suspected child abuse <ul style="list-style-type: none"> ○ This toll-free telephone number is also to be used by law enforcement officials, as well as a county agency, in determining the existence of prior reports in the statewide database or reports under investigation 	Act 29 of 2014 effective 12/31/14

Comparison Chart: Reporting

Issue	Code	Old	New	Description	Effective Date
		<p>investigation in the pending complaint file.</p> <p>(b) Limitation on use.- -A county agency may only request and receive information pursuant to this subsection either on its own behalf because it has received a report of suspected child abuse or on behalf of a physician examining or treating a child or on behalf of the director or a person specifically designated in writing by the director of any hospital or other medical institution where a child is being treated, where the physician or the director or a person specifically designated in writing by the director suspects the child of being an abused</p>	<p>investigation.</p> <p>(b) Limitation on use.--A county agency may only request and receive information pursuant to this subsection either on its own behalf because it has received a report of suspected child abuse or on behalf of a physician examining or treating a child or on behalf of the director or a person specifically designated in writing by the director of any hospital or other medical institution where a child is being treated, where the physician or the director or a person specifically designated in writing by the director suspects the child of being an abused child.</p>		

Comparison Chart: Reporting

Issue	Code	Old	New	Description	Effective Date
		child.			
Continuous availability of department	§ 6333 of Title 23 AMENDED by Act 29 of 2014	The department shall be capable of receiving oral reports of child abuse made pursuant to this chapter, reports under section 6353.2 (relating to responsibilities of county agency) and report summaries of child abuse from county agencies and shall be capable of immediately identifying prior reports of child abuse and prior reports of abuse or injury under Subchapter C.1 (relating to students in public and private schools) in the Statewide central register and reports under investigation in the pending complaint file and of monitoring the provision of child protective services 24	The department shall be capable of receiving oral reports of child abuse , reports of children in need of general protective services, reports made by electronic technologies pursuant to this chapter and report summaries from county agencies. The department shall be capable of immediately identifying prior reports in the Statewide database and reports under investigation with a pending status and of monitoring the provision of child protective services 24 hours a day, seven days a week. (Dec. 16, 1994, P.L.1292, No.151, eff. July 1, 1995; Apr. 7, 2014, P.L.388, No.29, eff. Dec. 31, 2014)	<ul style="list-style-type: none"> Added provision requiring the department to receive reports of children in need of general protective services and reports made by electronic technologies 	Act 29 of 2014 effective 12/31/14

Comparison Chart: Reporting

Issue	Code	Old	New	Description	Effective Date
		hours a day, seven days a week.			
Confidentiality of reports	§ 6339 of Title 23 AMENDED by Act 29 of 2014 and Act 153 of 2014	Except as otherwise provided in this subchapter, reports made pursuant to this chapter, including, but not limited to, report summaries of child abuse and written reports made pursuant to section 6313(b) and (c) (relating to reporting procedure) as well as any other information obtained, reports written or photographs or X-rays taken concerning alleged instances of child abuse in the possession of the department or a county agency shall be confidential.	Except as otherwise provided in this subchapter or by the Pennsylvania Rules of Juvenile Court Procedure, reports made pursuant to this chapter, including, but not limited to, report summaries of child abuse and reports made pursuant to section 6313 (relating to reporting procedure) as well as any other information obtained, reports written or photographs or x-rays taken concerning alleged instances of child abuse in the possession of the Department or a county agency shall be confidential.	<ul style="list-style-type: none"> Revised section by deleting reference to 6313 (b) and (c) Adds reference to the Pennsylvania Rules of Juvenile Court Procedure 	<p>Act 29 of 2014 effective 12/31/14</p> <p>Act 153 of 2014 effective 12/31/14</p>
Release of information in confidential reports	§ 6340 (a) (5.1) and (a)(9)(i) and (c) of Title 23 AMENDED	(a) General rule.-- Reports specified in section 6339 (relating to confidentiality of reports) shall only be made available to:	(a) General rule.--Reports specified in section 6339 (relating to confidentiality of reports) shall only be made available to: (5.1) A court of	<ul style="list-style-type: none"> Aligned language with other statutory amendments and language Allowed information sharing by the department and county agencies for both child protective service (CPS) and general protective services (GPS) 	Act 107 of 2013 effective 1/1/2014

Comparison Chart: Reporting

Issue	Code	Old	New	Description	Effective Date
	by Act 107 of 2013, Act 29 of 2014, and by Act 153 of 2014	<p>(5.1) A court of common pleas in connection with any matter involving custody of a child. The department shall provide to the court any reports and files which the court considers relevant.</p> <p>(9) Law enforcement officials of any jurisdiction, as long as the information is relevant in the course of investigating cases of:</p> <p style="padding-left: 20px;">(i) Homicide or other criminal offense set forth in section 6344(c) (relating to information relating to prospective child-care</p>	<p>common pleas in connection with any matter involving custody of a child as set forth in sections 5328 (relating to factors to consider when awarding custody) and 5329.1 (relating to consideration of child abuse and involvement with protective services).</p> <p>(9) Law enforcement officials of any jurisdiction, as long as the information is relevant in the course of investigating cases of:</p> <p style="padding-left: 20px;">(i) Homicide or other criminal offense set forth in section 6344(c) (relating to employees having contact with children; adoption and foster parents), sexual abuse or exploitation, bodily injury or serious bodily injury caused</p>	<p>to the court of common pleas in matters involving custody of a child</p> <ul style="list-style-type: none"> • Permitted information to be made available to law enforcement officials in the course of investigating allegations of false reports of child abuse • Prohibited the department, county, institution, school, facility, or agency or designated agent of the person in charge from releasing the identity of any reporter or any person who cooperated with the investigation 	<p>Act 29 of 2014 effective 12/31/2014</p> <p>Act 153 of 2014 effective 12/31/2014</p>

Comparison Chart: Reporting

Issue	Code	Old	New	Description	Effective Date
		<p>personnel), sexual abuse, sexual exploitation, serious bodily injury or serious physical injury perpetrated by persons whether or not related to the victim.</p> <p>(c) Protecting identity of person making report.--Except for reports pursuant to subsection (a)(9) and (10), the release of data that would identify the person who made a report of suspected child abuse or the person who cooperated in a subsequent investigation is prohibited unless the secretary finds that the release will not be detrimental to the safety of that person. Law enforcement</p>	<p>by a perpetrator or nonperpetrator.</p> <p>(c) Protecting identity. – Except for reports under subsection (a)(9) and (10) and in response to a law enforcement official investigating allegations of false reports under 18 PA.C.S. §4906.1 (relating to false reports of child abuse), the release of data by the department, county, institution, school, facility, or agency or designated agent of the person in charge that would identify the person who made a report of suspected child abuse or who cooperated in a subsequent investigation is prohibited. Law enforcement officials shall treat all reporting sources as confidential informants.</p>		

Comparison Chart: Reporting

Issue	Code	Old	New	Description	Effective Date
		officials shall treat all reporting sources as confidential informants.			
Release of information in confidential reports	§ 6340(a)(9)(v) of Title 23 ADDED by Act 115 of 2016	NA	(9)(v) Severe forms of trafficking in persons or sex trafficking, as those terms are defined under section 103 of the Trafficking Victims Protection Act of 2000 (114 Stat. 1466, 22 U.S.C. § 7102)	<ul style="list-style-type: none"> Added (9)(v) to include severe forms of trafficking in persons or sex trafficking 	Act 115 of 2016 effective 10/28/16
Release of information in confidential reports	§ 6340(a)(18) of Title 23 ADDED by Act 15 of 2015	NA	(18) The Department of the Auditor General in conjunction with the performances of the duties designated to the Office of Auditor General, except that the Auditor General may not remove identifiable reports or copies thereof from the department or county agency	<ul style="list-style-type: none"> Added (18) to state that reports specified in section 6339 can be made available to the Department of Auditor General 	Act 15 of 2015 effective 7/1/15
Education and training	§ 6383 (a.2) of Title 23 ADDED by Act 33 of 2014 § 6383 (b)	(a) Duties of department and county agencies.--The department and each county agency, both jointly and individually, shall	(a) Duties of department and county agencies.--The department and each county agency, both jointly and individually, shall conduct a continuing publicity and education	<ul style="list-style-type: none"> Required the department to provide information related to reporting on its Internet website in forms, including, but not limited to, the following: <ul style="list-style-type: none"> Website content Printable booklets and brochures 	Act 33 of 2014 effective 12/31/2014 Act 31 of 2014

Comparison Chart: Reporting

Issue	Code	Old	New	Description	Effective Date
	<p>of Title 23 AMENDED by Act 31 of 2014</p> <p>§ 6383 (c) and (d) of Title 23 ADDED by Act 31 of 2014</p> <p>§ 6383 (c) of Title 23 AMENDED by Act 15 of 2015</p>	<p>conduct a continuing publicity and education program for the citizens of this Commonwealth aimed at the prevention of child abuse and child neglect, including the prevention of newborn abandonment, the identification of abused and neglected children and the provision of necessary ameliorative services to abused and neglected children and their families. The department and each county agency shall conduct an ongoing training and education program for local staff, persons required to make reports and other appropriate persons in order to familiarize those persons with</p>	<p>program for the citizens of this Commonwealth aimed at the prevention of child abuse and child neglect, including the prevention of newborn abandonment, the identification of abused and neglected children and the provision of necessary ameliorative services to abused and neglected children and their families. The department and each county agency shall conduct an ongoing training and education program for local staff, persons required to make reports and other appropriate persons in order to familiarize those persons with the reporting and investigative procedures for cases of suspected child abuse and the rehabilitative services that are available to children and families. In addition, the department shall, by regulation, establish a program of</p>	<ul style="list-style-type: none"> ○ Educational videos ○ Internet-based interactive training exercises ● Information shall be pertinent to both mandated and permissive reporters and shall address topics, including, but not limited to: <ul style="list-style-type: none"> ○ Conduct constituting child abuse under this chapter ○ Persons classified as mandated reporters ○ Reporting requirements and procedures ○ The basis for making a report of suspected child abuse ○ Penalties for failure to report ○ Background clearance requirements for individuals who work or volunteer with children ○ Recognition of the signs and symptoms of child abuse ○ Alternative resources to assist with concerns not related to child abuse ● Required the department to include the following with all certifications provided pursuant to section 6344(b)(2): <ul style="list-style-type: none"> ○ Information that certain persons are required by law to report suspected child abuse ○ The Internet address where the 	<p>effective 12/31/2014</p> <p>Act 15 of 2015 effective 7/1/15</p>

Comparison Chart: Reporting

Issue	Code	Old	New	Description	Effective Date
		<p>the reporting and investigative procedures for cases of suspected child abuse and the rehabilitative services that are available to children and families. In addition, the department shall, by regulation, establish a program of training and certification for persons classified as protective services workers. The regulations shall provide for the grandfathering of all current permanent protective services workers as certified protective services workers. Upon request by the county agency and approval of the department, the agency may conduct the training of the county's protective services workers.</p>	<p>training and certification for persons classified as protective services workers. The regulations shall provide for the grandfathering of all current permanent protective services workers as certified protective services workers. Upon request by the county agency and approval of the department, the agency may conduct the training of the county's protective services workers.</p> <p>(a.1) Study by department.--The department shall conduct a study to determine the extent of the reporting of suspected child abuse in this Commonwealth where the reports upon investigation are determined to be unfounded and to be knowingly false and maliciously reported or it is believed that a minor was persuaded to make or</p>	<p>information and guidance required by this subsection can be obtained</p> <ul style="list-style-type: none"> ○ A telephone number and mailing address where guidance materials can be requested by individuals who cannot access the department's Internet website ● Required the department to implement this subsection within 180 days of the effective date of this subsection ● Required each licensing board with jurisdiction over professional licensees identified as mandated reporters to: <ul style="list-style-type: none"> ○ Require all persons applying for a license or certification issued by the licensing board to submit documentation acceptable to the licensing board of the completion of at least three hours of approved child abuse recognition and reporting training. Training shall address, but shall not be limited to, recognition of the signs of child abuse and the reporting requirements for suspected child abuse in this Commonwealth. Training shall be approved by the 	

Comparison Chart: Reporting

Issue	Code	Old	New	Description	Effective Date
		<p>(a.1) Study by department.--The department shall conduct a study to determine the extent of the reporting of suspected child abuse in this Commonwealth where the reports upon investigation are determined to be unfounded and to be knowingly false and maliciously reported or it is believed that a minor was persuaded to make or substantiate a false and malicious report. The department shall submit the report to the Governor, General Assembly and Attorney General no later than June 1, 1996. The report shall include the department's findings and recommendations on how to reduce the</p>	<p>substantiate a false and malicious report. The department shall submit the report to the Governor, General Assembly and Attorney General no later than June 1, 1996. The report shall include the department's findings and recommendations on how to reduce the incidence of knowingly false and malicious reporting.</p> <p>(a.2) Information for mandated and permissive reporters.--</p> <p>(1) In addition to the requirements of subsection (a), the department shall provide specific information related to the recognition and reporting of child abuse on its Internet website in forms, including, but not limited to, the following:</p> <p>(i) Website content.</p> <p>(ii) Printable booklets and</p>	<p>department. The training may occur as part of the continuing education requirement of the license</p> <ul style="list-style-type: none"> ○ Require all persons applying for the renewal of a license or certification issued by the licensing board to submit documentation acceptable to the licensing board of the completion of at least two hours of approved continuing education per licensure cycle. Continuing education shall address, but shall not be limited to, recognition of the signs of child abuse and the reporting requirements for suspected child abuse in this Commonwealth. Continuing education curricula shall be approved by the licensing board in consultation with the department. The two hours of continuing education on child abuse recognition and reporting shall be completed by each licensee as a portion of the total continuing education required for biennial license renewal ● A licensing board with jurisdiction over professional licensees identified 	

Comparison Chart: Reporting

Issue	Code	Old	New	Description	Effective Date
		<p>incidence of knowingly false and malicious reporting.</p> <p>(b) Duties of Department of State.-</p> <p>-</p> <p>(1) The Department of State shall make training and educational programs and materials available for all professional licensing boards whose licensees are charged with responsibilities for reporting child abuse under this chapter with a program of distributing educational materials to all licensees.</p> <p>(2) Each licensing board with jurisdiction over professional licensees identified as</p>	<p>brochures.</p> <p>(iii) Educational videos.</p> <p>(iv) Internet-based interactive training exercises.</p> <p>(2) Information shall be pertinent to both mandated and permissive reporters and shall address topics, including, but not limited to:</p> <p>(i) Conduct constituting child abuse under this chapter.</p> <p>(ii) Persons classified as mandated reporters.</p> <p>(iii) Reporting requirements and procedures.</p> <p>(iv) The basis for making a report of suspected child abuse.</p> <p>(v) Penalties for failure to report.</p> <p>(vi) Background clearance requirements for</p>	<p>as mandated reporters under this chapter may exempt an applicant or licensee from the training or continuing education required by paragraph (3) if all of the following apply:</p> <ul style="list-style-type: none"> ○ The applicant or licensee submits documentation acceptable to the licensing board that the person has already completed child abuse recognition training ○ The training was: <ul style="list-style-type: none"> ▪ Required by section 1205.6 of the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, and the training program was approved by the Department of Education in consultation with the department; or ▪ Required by the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, and the training program was approved by the department ○ The amount of training received equals or exceeds the amount of training or continuing education required by paragraph (3) ● Upon biennial renewal of a license, a 	

Comparison Chart: Reporting

Issue	Code	Old	New	Description	Effective Date
		<p>mandated reporters under this chapter shall promulgate regulations within one year of the effective date of this subsection on the responsibilities of mandated reporters. These regulations shall clarify that the provisions of this chapter take precedence over any professional standard that might otherwise apply in order to protect children from abuse.</p>	<p>individuals who work or volunteer with children.</p> <p>(vii) Recognition of the signs and symptoms of child abuse.</p> <p>(viii) Alternative resources to assist with concerns not related to child abuse.</p> <p>(3) The department shall include the following with all certifications provided pursuant to section 6344(b)(2) (relating to information relating to prospective child-care personnel):</p> <p>(i) Information that certain persons are required by law to report suspected child abuse.</p> <p>(ii) The Internet address where the information and guidance required by this subsection can be obtained.</p>	<p>licensing board shall provide to professional licensees under its jurisdiction identified as mandated reporters information related to mandatory reporting of child abuse and the reporting requirements of licensees</p> <ul style="list-style-type: none"> • A professional licensee identified as a mandated reporter may apply to the licensing board with jurisdiction over the licensee for an exemption from the training or continuing education required by paragraph (3). A licensing board may exempt the licensee if the licensee submits documentation acceptable to the licensing board that the licensee should not be subject to the training or continuing education requirement <p>Training of persons subject to department regulation.--</p> <ul style="list-style-type: none"> • The following persons shall be required to meet the child abuse recognition and reporting training requirements of this subsection: <ul style="list-style-type: none"> ○ Operators of institutions, facilities or agencies which care for children and are subject to supervision by the department under Article IX of the Public Welfare Code, and their employees who have direct 	

Comparison Chart: Reporting

Issue	Code	Old	New	Description	Effective Date
			<p>(iii) A telephone number and mailing address where guidance materials can be requested by individuals who cannot access the department's Internet website.</p> <p>(4) The department shall implement this subsection within 180 days of the effective date of this subsection.</p> <p>(b) Duties of Department of State.--</p> <p>(1) The Department of State shall make training and educational programs and materials available for all professional licensing boards whose licensees are charged with responsibilities for reporting child abuse under this chapter with a program of distributing educational materials to all licensees.</p> <p>(2) Each licensing board</p>	<p>contact with children</p> <ul style="list-style-type: none"> ○ Foster parents ○ Operators of facilities and agencies which care for children and are subject to licensure by the department under Article X of the Public Welfare Code and their employees who have direct contact with children ○ Caregivers in family day care homes which are subject to registration by the department under Subarticle (c) of Article X of the Public Welfare Code and their employees who have direct contact with children <ul style="list-style-type: none"> ● Within six months of the effective date of this subsection, operators and caregivers shall receive three hours of training prior to the issuance of a license, approval or registration certificate and three hours of training every five years thereafter ● Employees who have direct contact with children and foster parents shall receive three hours of training within six months of the issuance of a license, approval or registration certificate and three hours of training every five years thereafter. New employees and new foster 	

Comparison Chart: Reporting

Issue	Code	Old	New	Description	Effective Date
			<p>with jurisdiction over professional licensees identified as mandated reporters under this chapter shall promulgate regulations within one year of the effective date of this subsection on the responsibilities of mandated reporters. These regulations shall clarify that the provisions of this chapter take precedence over any professional standard that might otherwise apply in order to protect children from abuse.</p> <p>(3) Each licensing board with jurisdiction over professional licensees identified as mandated reporters under this chapter shall:</p> <p style="padding-left: 20px;">(i) Require all persons applying for a license or certification issued by the licensing</p>	<p>parents shall receive three hours of training within 90 days of hire or approval as a foster parent and three hours of training every five years thereafter</p> <ul style="list-style-type: none"> • Training curriculum shall be approved by the department and shall address, but not be limited to, the following: <ul style="list-style-type: none"> ○ Recognition of the signs of abuse and reporting requirements for suspected abuse in this Commonwealth ○ For institutions, facilities and agencies under paragraph (1)(i), their policies related to reporting of suspected abuse • A person may be exempted from the requirements of this subsection if all of the following apply: <ul style="list-style-type: none"> ○ The person provides documentation that the person has already completed child abuse recognition and reporting training ○ The training was: <ul style="list-style-type: none"> ▪ Required by section 1205.6 of the Public School Code of 1949, and the training program was approved by the Department of Education in consultation with the 	

Comparison Chart: Reporting

Issue	Code	Old	New	Description	Effective Date
			<p>board to submit documentation acceptable to the licensing board of the completion of at least three hours of approved child abuse recognition and reporting training. Training shall address, but shall not be limited to, recognition of the signs of child abuse and the reporting requirements for suspected child abuse in this Commonwealth. Training shall be approved by the department. The training may occur as part of the continuing education requirement of the license.</p> <p>(ii) Require all persons applying for the renewal of a license or certification issued</p>	<p>department; or</p> <ul style="list-style-type: none"> ▪ Required by this chapter and the training program was approved by the department ○ The amount of training received equals or exceeds the amount of training required by this subsection <p>Definitions.--As used in this section, the following words and phrases shall have the meanings given to them in this subsection unless the context clearly indicates otherwise:</p> <ul style="list-style-type: none"> • "Direct contact with children." The care, supervision, guidance or control of children or routine interaction with children • "Operator." An executive or facility director. The term does not include a person who is not involved in managerial decisions related to the provision of services for or care of children with regard to any of the following: <ul style="list-style-type: none"> ○ Personnel ○ Policy and procedures ○ Regulatory compliance ○ Services related to the general or medical care of children ○ Supervision of children ○ Safety of children 	

Comparison Chart: Reporting

Issue	Code	Old	New	Description	Effective Date
			<p>by the licensing board to submit documentation acceptable to the licensing board of the completion of at least two hours of approved continuing education per licensure cycle. Continuing education shall address, but shall not be limited to, recognition of the signs of child abuse and the reporting requirements for suspected child abuse in this Commonwealth. Continuing education curricula shall be approved by the licensing board in consultation with the department. The two hours of continuing education on child abuse recognition and reporting shall be completed by each licensee as a</p>		

Comparison Chart: Reporting

Issue	Code	Old	New	Description	Effective Date
			<p>portion of the total continuing education required for biennial license renewal.</p> <p>(4) A licensing board with jurisdiction over professional licensees identified as mandated reporters under this chapter may exempt an applicant or licensee from the training or continuing education required by paragraph (3) if all of the following apply:</p> <p style="padding-left: 20px;">(i) The applicant or licensee submits documentation acceptable to the licensing board that the person has already completed child abuse recognition training.</p> <p style="padding-left: 20px;">(ii) The training was:</p> <p style="padding-left: 40px;">(A) required by section 1205.6 of the act of March 10, 1949 (P.L.30, No.14), known as the Public School</p>		

Comparison Chart: Reporting

Issue	Code	Old	New	Description	Effective Date
			<p>Code of 1949, and the training program was approved by the Department of Education in consultation with the department; or</p> <p>(B) required by the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, and the training program was approved by the department.</p> <p>(iii) The amount of training received equals or exceeds the amount of training or continuing education required by paragraph (3).</p> <p>(5) Upon biennial renewal of a license, a licensing board shall provide to professional licensees under its jurisdiction identified as</p>		

Comparison Chart: Reporting

Issue	Code	Old	New	Description	Effective Date
			<p>mandated reporters information related to mandatory reporting of child abuse and the reporting requirements of licensees.</p> <p>(6) A professional licensee identified as a mandated reporter may apply to the licensing board with jurisdiction over the licensee for an exemption from the training or continuing education required by paragraph (3). A licensing board may exempt the licensee if the licensee submits documentation acceptable to the licensing board that the licensee should not be subject to the training or continuing education requirement.</p> <p>(c) Training of persons subject to department regulation.--</p> <p>(1) The following persons shall be required to meet the</p>		

Comparison Chart: Reporting

Issue	Code	Old	New	Description	Effective Date
			<p>child abuse recognition and reporting training requirements of this subsection:</p> <ul style="list-style-type: none"> (i) Operators of institutions, facilities or agencies which care for children and are subject to supervision by the department under Article IX of the Public Welfare Code, and their employees who have direct contact with children. (ii) Foster parents. (iii) Operators of facilities and agencies which care for children and are subject to licensure by the department under Article X of the Public Welfare Code and their employees who have direct contact with children. (iv) Caregivers in family child-care 		

Comparison Chart: Reporting

Issue	Code	Old	New	Description	Effective Date
			<p>homes which are subject to licensure by the department under Subarticle (c) of Article X of the Public Welfare Code and their employees who have direct contact with children.</p> <p>(v) The adult family member who is a person responsible for the child's welfare and is providing services to a child in a family living home, a community home for individuals with an intellectual disability or a host home which is subject to supervision or licensure by the department under Articles IX and X of the Public Welfare Code</p> <p>(2) Within six months of the effective date of this subsection,</p>		

Comparison Chart: Reporting

Issue	Code	Old	New	Description	Effective Date
			<p>operators and caregivers shall receive three hours of training prior to the issuance of a license or approval certificate and three hours of training every five years thereafter.</p> <p>(3) Employees who have direct contact with children and foster parents shall receive three hours of training within six months of the issuance of a license or approval certificate and three hours of training every five years thereafter. New employees and new foster parents shall receive three hours of training within 90 days of hire or approval as a foster parent and three hours of training every five years thereafter.</p> <p>(4) Training curriculum shall be approved by the department and shall address, but not be limited to, the</p>		

Comparison Chart: Reporting

Issue	Code	Old	New	Description	Effective Date
			<p>following:</p> <ul style="list-style-type: none"> (i) Recognition of the signs of abuse and reporting requirements for suspected abuse in this Commonwealth. (ii) For institutions, facilities and agencies under paragraph (1)(i), their policies related to reporting of suspected abuse. <p>(5) A person may be exempted from the requirements of this subsection if all of the following apply:</p> <ul style="list-style-type: none"> (i) The person provides documentation that the person has already completed child abuse recognition and reporting training. (ii) The training was: <ul style="list-style-type: none"> (A) required by section 1205.6 of the Public School Code of 1949, and 		

Comparison Chart: Reporting

Issue	Code	Old	New	Description	Effective Date
			<p>the training program was approved by the Department of Education in consultation with the department; or</p> <p>(B) required by this chapter and the training program was approved by the department.</p> <p>(iii) The amount of training received equals or exceeds the amount of training required by this subsection.</p> <p>(d) Definitions.--As used in this section, the following words and phrases shall have the meanings given to them in this subsection unless the context clearly indicates otherwise: "Direct contact with children." The care, supervision, guidance or control of children or routine interaction with</p>		

Comparison Chart: Reporting

Issue	Code	Old	New	Description	Effective Date
			children. "Operator." An executive or facility director. The term does not include a person who is not involved in managerial decisions related to the provision of services for or care of children with regard to any of the following: (1) Personnel. (2) Policy and procedures. (3) Regulatory compliance. (4) Services related to the general or medical care of children. (5) Supervision of children. (6) Safety of children.		
Mandatory reporting of children under one year of age	§6386 of Title 23 AMENDED by Act 4 of 2014 and by Act 15 of 2015	Mandatory reporting of infants born and identified as being affected by illegal substance abuse. Health care providers who are involved in the delivery or care of an infant who is born	Mandatory reporting of children under one year of age. (a) When report to be made.--A health care provider shall immediately make a report or cause a report to be made to the appropriate county agency if the provider is involved in the delivery or care of a	<ul style="list-style-type: none"> • Changed language changed from “infants” to “children under one year of age” • Added the mandatory reporting of children under one year of age to include those with fetal alcohol spectrum disorder • Required the county agency to perform a safety and/or risk assessment to determine if services are warranted 	Act 4 of 2014 effective 4/22/14 Act 15 of 2015 effective 7/1/15

Comparison Chart: Reporting

Issue	Code	Old	New	Description	Effective Date
		<p>and identified as being affected by illegal substance abuse or as having withdrawal symptoms resulting from prenatal drug exposure shall immediately cause a report to be made to the appropriate county agency. The county agency shall provide or arrange for appropriate services for the infant.</p>	<p>child under one year of age who is born and identified as being affected by any of the following:</p> <ul style="list-style-type: none"> (1) Illegal substance abuse by the child's mother. (2) Withdrawal symptoms resulting from prenatal drug exposure unless the child's mother, during the pregnancy, was: <ul style="list-style-type: none"> (i) under the care of a prescribing medical professional; and (ii) in compliance with the directions for the administration of a prescription drug as directed by the prescribing medical professional (3) A Fetal Alcohol Spectrum Disorder. <p>(b) Safety or risk assessment.--The county agency shall perform a safety assessment or risk</p>	<ul style="list-style-type: none"> • Required the county agency to: <ul style="list-style-type: none"> ○ Immediately ensure the safety of the child ○ Physically see the child within 48 hours ○ Contact the parents of the child within 24 hours ○ Provide or arrange reasonable services 	

Comparison Chart: Reporting

Issue	Code	Old	New	Description	Effective Date
			<p>assessment, or both, for the child and determine whether child protective services or general protective services are warranted.</p> <p>(c) County agency duties.- -Upon receipt of a report under this section, the county agency for the county where the child resides shall:</p> <ol style="list-style-type: none"> (1) Immediately ensure the safety of the child and see the child immediately if emergency protective custody is required or has been or shall be taken or if it cannot be determined from the report whether emergency protective custody is needed. (2) Physically see the child within 48 hours of receipt of the report. (3) Contact the parents of the child within 24 hours of receipt of the report. (4) Provide or arrange 		

Comparison Chart: Reporting

Issue	Code	Old	New	Description	Effective Date
			reasonable services to ensure the child is provided with proper parental care, control and supervision. (Nov. 9, 2006, P.L.1358, No.146, eff. 180 days; Jan. 22, 2014, P.L.6, No.4, eff. 90 days)		

Comparison Chart:
Definitions Related to Reporting

Issue	Code	Old	New	Description	Effective Date
Child	§6303(a) of Title 23 AMENDED by Act 108 of 2013	Includes a newborn.	An individual under 18 years of age.	<ul style="list-style-type: none"> Changed language to “an individual under 18 years of age “ 	Act 108 of 2013 effective 12/31/14
Direct contact with children	§6303(a) of Title 23 ADDED by Act 33 of 2014	NA	The care, supervision, guidance or control of children, or routine interaction with children.	<ul style="list-style-type: none"> Added a definition for “direct contact with children” 	Act 33 of 2014 effective 12/31/14
Health care provider	§6303(a) of Title 23 ADDED by Act 4 of 2014	NA	A licensed hospital or health care facility or person who is licensed, certified or otherwise regulated to provide health care services under the laws of this Commonwealth, including a physician, podiatrist, optometrist, psychologist, physical therapist, certified nurse practitioner, registered nurse, nurse midwife, physician's assistant, chiropractor, dentist, pharmacist or an individual accredited or certified to provide behavioral health services.	<ul style="list-style-type: none"> Added a definition for “health care provider” The definition includes: <ul style="list-style-type: none"> A licensed hospital or health care facility A person who is licensed, certified, or otherwise regulated to provide health care services 	Act 4 of 2014 effective 4/22/14

Comparison Chart: Definitions Related to Reporting

Issue	Code	Old	New	Description	Effective Date
Independent contractor	§6303(a) of Title 23 ADDED by Act 33 of 2014 and by Act 15 of 2015	NA	An individual who provides a program, activity or service to an agency, institution, organization or other entity, including a school or regularly established religious organization, that is responsible for the care, supervision, guidance or control of children. The term does not apply to administrative or other support personnel unless the administrative or other support personnel have direct contact with children.	<ul style="list-style-type: none"> • Added a definition for “independent contractor” • The definition includes an individual who provides: <ul style="list-style-type: none"> ○ Program, activity, or service to an <ul style="list-style-type: none"> ▪ Agency ▪ Institution ▪ Organization ▪ Other entity including a school or regularly established religious organization that is responsible for the: <ul style="list-style-type: none"> ▪ Care ▪ Supervision ▪ Guidance, or ▪ Control of children ○ Does not include individuals who have no direct contact with children • *See “Direct contact with children,” defined above 	<p>Act 33 of 2014 effective 12/31/14</p> <p>Act 15 of 2015 effective 7/1/15</p>
Law enforcement official	§6303(a) of Title 23 ADDED by Act 29 of 2014	NA	The term includes the following: (1) The Attorney General. (2) A Pennsylvania district attorney. (3) A Pennsylvania State Police officer. (4) A municipal police officer.	<ul style="list-style-type: none"> • Added a definition for “law enforcement official” 	Act 29 of 2014 effective 12/31/14

Comparison Chart:
Definitions Related to Reporting

Issue	Code	Old	New	Description	Effective Date
Mandated reporter	§6303(a) of Title 23 ADDED by Act 29 of 2014 and Act 33 of 2014	NA	A person who is required by this chapter to make a report of suspected child abuse.	<ul style="list-style-type: none"> Added a definition for “mandated reporter” Refers to those individuals required to report suspected child abuse in accordance with § 6311 (see above) 	Act 29 of 2014 effective 12/31/14 Act 33 of 2014 effective 12/31/14
Police officer	§6303(a) of Title 23 is ADDED by Act 91 of 2014	NA	A full-time or part-time employee assigned to criminal or traffic law enforcement duties of a police department of a county, city, borough, town or township. The term also includes a member of the State Police Force.	<ul style="list-style-type: none"> Added a definition for “police officer” 	Act 91 of 2014 effective 12/31/14
Police station	§6303(a) of Title 23 is ADDED by Act 91 of 2014	NA	The station or headquarters of a police department or a Pennsylvania State Police station or headquarters.	<ul style="list-style-type: none"> Added a definition for “police station” 	Act 91 of 2014 effective 12/31/14
Program, activity, or service	§6303(a) of Title 23 ADDED by Act 33 of 2013 and AMENDED	NA	Any of the following in which children participate and which is sponsored by a school or a public or private organization:	<ul style="list-style-type: none"> Added a definition for “program, activity, or service” 	Act 33 of 2014 effective 12/31/14 Act 15 of

Comparison Chart:
Definitions Related to Reporting

Issue	Code	Old	New	Description	Effective Date
	by Act 15 of 2015		(1) A youth camp or program. (2) A recreational camp or program. (3) A sports or athletic program. (4) A community or social outreach program. (5) An enrichment program. (6) A troop, club or similar organization.		2015 effective 7/1/15
School Employee	§6303(a) of Title 23 AMENDED by Act 33 of 2014 and Act 44 of 2014	An individual employed by a public or private school, intermediate unit or area vocational-technical school. The term includes an independent contractor and employees. The term excludes an individual who has no direct contact with students.	An individual who is employed by a school or who provides a program, activity or service sponsored by a school. The term includes an independent contractor and employees. The term excludes an individual who has no direct contact with children.	<ul style="list-style-type: none"> • Clarified that school employees includes: <ul style="list-style-type: none"> ○ People directly employed by the school ○ Independent contractors ○ Individuals who provide a program, activity, or service sponsored by the school • The term excludes individuals who have no direct contact with children 	Act 33 of 2014 effective 12/31/14 Act 44 of 2014 effective 12/31/14

Comparison Chart:
Definitions Related to Reporting