

1 AN ACT relating to the reporting of child abuse, neglect, or dependency.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 620.030 is amended to read as follows:

4 (1) **(a)** Any person who knows or has reasonable cause to believe that a child is
5 dependent, neglected, or abused shall immediately cause an oral or written
6 report to be made to a local law enforcement agency or the Department of
7 Kentucky State Police; the cabinet or its designated representative; the
8 Commonwealth's attorney or the county attorney; by telephone or otherwise.

9 **If the person who causes the oral or written report to be made is employed**
10 **by a local law enforcement agency, the Department of Kentucky State**
11 **Police, the cabinet or its designated representative, the Commonwealth's**
12 **attorney, or a county attorney, then that person shall make the oral or**
13 **written report to his or her employer and to one (1) of the other entities**
14 **listed in this paragraph authorized to receive the report.**

15 **(b)** Any supervisor who receives from an employee a report of suspected
16 dependency, neglect, or abuse shall promptly make a report to the proper
17 authorities for investigation. If the cabinet receives a report of abuse or neglect
18 allegedly committed by a person other than a parent, guardian, or person
19 exercising custodial control or supervision, the cabinet shall refer the matter to
20 the Commonwealth's attorney or the county attorney and the local law
21 enforcement agency or the Department of Kentucky State Police. Nothing in
22 this section shall relieve individuals of their obligations to report.

23 (2) Any person, including but not limited to a physician, osteopathic physician, nurse,
24 teacher, school personnel, social worker, coroner, medical examiner, child-caring
25 personnel, resident, intern, chiropractor, dentist, optometrist, emergency medical
26 technician, paramedic, health professional, mental health professional, peace officer,
27 or any organization or agency for any of the above, who knows or has reasonable

1 cause to believe that a child is dependent, neglected, or abused, regardless of
2 whether the person believed to have caused the dependency, neglect, or abuse is a
3 parent, guardian, person exercising custodial control or supervision, or another
4 person, or who has attended such child as a part of his or her professional duties
5 shall, if requested, in addition to the report required in subsection (1) or (3) of this
6 section, file with the local law enforcement agency or the Department of Kentucky
7 State Police or the Commonwealth's or county attorney, the cabinet or its designated
8 representative within forty-eight (48) hours of the original report a written report
9 containing:

10 (a) The names and addresses of the child and his or her parents or other persons
11 exercising custodial control or supervision;

12 (b) The child's age;

13 (c) The nature and extent of the child's alleged dependency, neglect, or abuse,
14 including any previous charges of dependency, neglect, or abuse, to this child
15 or his or her siblings;

16 (d) The name and address of the person allegedly responsible for the abuse or
17 neglect; and

18 (e) Any other information that the person making the report believes may be
19 helpful in the furtherance of the purpose of this section.

20 (3) Any person who knows or has reasonable cause to believe that a child is a victim of
21 human trafficking as defined in KRS 529.010 shall immediately cause an oral or
22 written report to be made to a local law enforcement agency or the Department of
23 Kentucky State Police; or the cabinet or its designated representative; or the
24 Commonwealth's attorney or the county attorney; by telephone or otherwise. This
25 subsection shall apply regardless of whether the person believed to have caused the
26 human trafficking of the child is a parent, guardian, or person exercising custodial
27 control or supervision.

- 1 (4) Neither the husband-wife nor any professional-client/patient privilege, except the
2 attorney-client and clergy-penitent privilege, shall be a ground for refusing to report
3 under this section or for excluding evidence regarding a dependent, neglected, or
4 abused child or the cause thereof, in any judicial proceedings resulting from a report
5 pursuant to this section. This subsection shall also apply in any criminal proceeding
6 in District or Circuit Court regarding a dependent, neglected, or abused child.
- 7 (5) The cabinet upon request shall receive from any agency of the state or any other
8 agency, institution, or facility providing services to the child or his or her family,
9 such cooperation, assistance, and information as will enable the cabinet to fulfill its
10 responsibilities under KRS 620.030, 620.040, and 620.050.
- 11 (6) Any person who intentionally violates the provisions of this section shall be guilty of
12 a:
- 13 (a) Class B misdemeanor for the first offense;
14 (b) Class A misdemeanor for the second offense; and
15 (c) Class D felony for each subsequent offense.