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A bill to be entitled
 An act relating to mandatory reports of child abuse,
 abandonment, or neglect; amending s. 39.201, F.S.;
 providing that persons who are employed or supervised by
 religious institutions or by entities affiliated with such
 institutions must report to the Department of Children and
 Family Services their knowledge or reasonable suspicion of
 child abuse, abandonment, or neglect; providing an
 effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsections (1) and (2) of section 39.201,
 Florida Statutes, are amended to read:

39.201 Mandatory reports of child abuse, abandonment, or
 neglect; mandatory reports of death; central abuse hotline.--

- (1) Any person, including, but not limited to, any:
 - (a) Physician, osteopathic physician, medical examiner,
 chiropractic physician, nurse, or hospital personnel engaged in
 the admission, examination, care, or treatment of persons;
 - (b) Health or mental health professional other than one
 listed in paragraph (a);
 - (c) Practitioner who relies solely on spiritual means for
 healing;
 - (d) School teacher or other school official or personnel;
 - (e) Social worker, day care center worker, or other
 professional child care, foster care, residential, or
 institutional worker;
 - (f) Law enforcement officer; ~~or~~
 - (g) Judge; or



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31 (h) Person who is employed or supervised by:

32 1. Any religious institution, including synagogues,
 33 churches, and mosques; or

34 2. A school or an auxiliary organization that is
 35 affiliated with such a religious institution,

36
 37 who knows, or has reasonable cause to suspect, that a child is
 38 abused, abandoned, or neglected by a parent, legal custodian,
 39 caregiver, or other person responsible for the child's welfare
 40 shall report such knowledge or suspicion to the department in
 41 the manner prescribed in subsection (2).

42 (2)(a) Each report of known or suspected child abuse,
 43 abandonment, or neglect pursuant to this section, except those
 44 solely under s. 827.04(3), shall be made immediately to the
 45 department's central abuse hotline on the single statewide toll-
 46 free telephone number, and, if the report is of an instance of
 47 known or suspected child abuse by a noncaretaker, the call shall
 48 be immediately electronically transferred to the appropriate
 49 county sheriff's office by the central abuse hotline. If the
 50 report is of an instance of known or suspected child abuse
 51 involving impregnation of a child under 16 years of age by a
 52 person 21 years of age or older solely under s. 827.04(3), the
 53 report shall be made immediately to the appropriate county
 54 sheriff's office or other appropriate law enforcement agency. If
 55 the report is of an instance of known or suspected child abuse
 56 solely under s. 827.04(3), the reporting provisions of this
 57 subsection do not apply to health care professionals or other
 58 persons who provide medical or counseling services to pregnant
 59 children when such reporting would interfere with the provision
 60 of medical services.



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61 (b) The department must consider valid and accept for
62 investigation any report received by the central abuse hotline
63 from a judge, teacher or other professional school official, or
64 physician, as specified in paragraph (1)(a), paragraph (1)(d),
65 or paragraph (1)(g), who is acting in his or her professional
66 capacity, alleging harm as defined in s. 39.01.

67 (c) Reporters in occupation categories designated in
68 subsection (1) are required to provide their names to the
69 hotline staff. The names of reporters shall be entered into the
70 record of the report, but shall be held confidential as provided
71 in s. 39.202.

72 (d) Reports involving known or suspected institutional
73 child abuse or neglect shall be made and received in the same
74 manner as all other reports made pursuant to this section.

75 (e) Reports involving a known or suspected juvenile sexual
76 offender shall be made and received by the department.

77 1. The department shall determine the age of the alleged
78 juvenile sexual offender if known.

79 2. When the alleged juvenile sexual offender is 12 years
80 of age or younger, the department shall proceed with an
81 investigation of the report pursuant to this part, immediately
82 electronically transfer the call to the appropriate law
83 enforcement agency office by the central abuse hotline, and send
84 a written report of the allegation to the appropriate county
85 sheriff's office within 48 hours after the initial report is
86 made to the central abuse hotline.

87 3. When the alleged juvenile sexual offender is 13 years
88 of age or older, the department shall immediately electronically
89 transfer the call to the appropriate county sheriff's office by
90 the central abuse hotline, and send a written report to the



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91 appropriate county sheriff's office within 48 hours after the
92 initial report to the central abuse hotline.

93 (f) Reports involving abandoned newborn infants as
94 described in s. 383.50 shall be made and received by the
95 department.

96 1. If the report is of an abandoned newborn infant as
97 described in s. 383.50 and there is no indication of abuse,
98 neglect, or abandonment other than that necessarily entailed in
99 the infant having been left at a hospital, emergency medical
100 services station, or fire station, the department shall provide
101 to the caller the name of a licensed child-placing agency on a
102 rotating basis from a list of licensed child-placing agencies
103 eligible and required to accept physical custody of and to place
104 newborn infants left at a hospital, emergency medical services
105 station, or fire station. The report shall not be considered a
106 report of abuse, neglect, or abandonment solely because the
107 infant has been left at a hospital, emergency medical services
108 station, or fire station pursuant to s. 383.50.

109 2. If the caller reports indications of abuse or neglect
110 beyond that necessarily entailed in the infant having been left
111 at a hospital, emergency medical services station, or fire
112 station, the report shall be considered as a report of abuse,
113 neglect, or abandonment and shall be subject to the requirements
114 of s. 39.395 and all other relevant provisions of this chapter,
115 notwithstanding any provisions of chapter 383.

116 (g) Hotline counselors shall receive periodic training in
117 encouraging reporters to provide their names when reporting
118 abuse, abandonment, or neglect. Callers shall be advised of the
119 confidentiality provisions of s. 39.202. The department shall
120 secure and install electronic equipment that automatically



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121 provides to the hotline the number from which the call is
122 placed. This number shall be entered into the report of abuse,
123 abandonment, or neglect and become a part of the record of the
124 report, but shall enjoy the same confidentiality as provided to
125 the identity of the caller pursuant to s. 39.202.

126 (h) The department shall voice-record all incoming or
127 outgoing calls that are received or placed by the central abuse
128 hotline which relate to suspected or known child abuse, neglect,
129 or abandonment. The recording shall become a part of the record
130 of the report but, notwithstanding s. 39.202, shall be released
131 in full only to law enforcement agencies and state attorneys for
132 the purpose of investigating and prosecuting criminal charges
133 pursuant to s. 39.205, or to employees of the department for the
134 purpose of investigating and seeking administrative penalties
135 pursuant to s. 39.206. ~~Nothing in~~ This paragraph does not ~~shall~~
136 prohibit the use of the recordings by hotline staff for quality
137 assurance and training.

138 Section 2. This act shall take effect July 1, 2003.