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SENATE BILL NO. 383—SENATOR SHAFFER

MARCH 17, 2003

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Referred to Committee on Human Resources and Facilities

SUMMARY—Makes various changes concerning reporting of child abuse. (BDR 38-194)

FISCAL NOTE: Effect on Local Government: Yes.  
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

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AN ACT relating to protection of children; providing that any person who is employed by or serves as a volunteer for an entity that provides organized activities for children is required to report to certain authorities when child abuse or neglect is suspected; increasing the penalty for not reporting suspected child abuse or neglect when a duty exists to provide such a report; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1     **Section 1.** NRS 432B.220 is hereby amended to read as  
2 follows:  
3     432B.220 1. Any person who is described in subsection 3  
4 and who, in his professional or occupational capacity, knows or has  
5 reasonable cause to believe that a child has been abused or neglected  
6 shall:  
7     (a) Except as otherwise provided in subsection 2, report the  
8 abuse or neglect of the child to an agency which provides child  
9 welfare services or to a law enforcement agency; and  
10    (b) Make such a report as soon as reasonably practicable but not  
11 later than 24 hours after the person knows or has reasonable cause to  
12 believe that the child has been abused or neglected.



1 2. If a person who is required to make a report pursuant to  
2 subsection 1 knows or has reasonable cause to believe that the abuse  
3 or neglect of the child involves an act or omission of:

4 (a) A person directly responsible or serving as a volunteer for or  
5 an employee of a public or private home, institution or facility  
6 where the child is receiving child care outside of his home for a  
7 portion of the day, the person shall make the report to a law  
8 enforcement agency.

9 (b) An agency which provides child welfare services or a law  
10 enforcement agency, the person shall make the report to an agency  
11 other than the one alleged to have committed the act or omission,  
12 and the investigation of the abuse or neglect of the child must be  
13 made by an agency other than the one alleged to have committed the  
14 act or omission.

15 3. A report must be made pursuant to subsection 1 by the  
16 following persons:

17 (a) A physician, dentist, dental hygienist, chiropractor,  
18 optometrist, podiatric physician, medical examiner, resident, intern,  
19 professional or practical nurse, physician assistant, psychiatrist,  
20 psychologist, marriage and family therapist, alcohol or drug abuse  
21 counselor, advanced emergency medical technician or other person  
22 providing medical services licensed or certified in this state;

23 (b) Any personnel of a hospital or similar institution engaged in  
24 the admission, examination, care or treatment of persons or an  
25 administrator, manager or other person in charge of a hospital or  
26 similar institution upon notification of suspected abuse or neglect of  
27 a child by a member of the staff of the hospital;

28 (c) A coroner;

29 (d) A clergyman, practitioner of Christian Science or religious  
30 healer, unless he has acquired the knowledge of the abuse or neglect  
31 from the offender during a confession;

32 (e) A social worker and an administrator, teacher, librarian or  
33 counselor of a school;

34 (f) Any person who maintains or is employed by a facility or  
35 establishment that provides care for children, children's camp or  
36 other public or private facility, institution or agency furnishing care  
37 to a child;

38 (g) Any person licensed to conduct a foster home;

39 (h) Any officer or employee of a law enforcement agency or an  
40 adult or juvenile probation officer;

41 (i) An attorney, unless he has acquired the knowledge of the  
42 abuse or neglect from a client who is or may be accused of the abuse  
43 or neglect;

44 (j) Any person who maintains, is employed by or serves as a  
45 volunteer for an agency or service which advises persons regarding



1 abuse or neglect of a child and refers them to persons and agencies  
2 where their requests and needs can be met; ~~and~~

3 (k) Any person who is employed by or serves as a volunteer for  
4 an approved youth shelter. As used in this paragraph, "approved  
5 youth shelter" has the meaning ascribed to it in NRS 244.422 ~~H~~ ;  
6 *and*

7 *(l) Any person who is employed by or serves as a volunteer for*  
8 *an entity that provides organized activities for children.*

9 4. A report may be made by any other person.

10 5. If a person who is required to make a report pursuant to  
11 subsection 1 knows or has reasonable cause to believe that a child  
12 has died as a result of abuse or neglect, the person shall, as soon as  
13 reasonably practicable, report this belief to the appropriate medical  
14 examiner or coroner, who shall investigate the report and submit to  
15 an agency which provides child welfare services his written  
16 findings. The written findings must include, if obtainable, the  
17 information required pursuant to the provisions of subsection 2 of  
18 NRS 432B.230.

19 **Sec. 2.** NRS 432B.240 is hereby amended to read as follows:

20 432B.240 Any person who knowingly and willfully violates  
21 the provisions of NRS 432B.220 is guilty of a *gross* misdemeanor.

22 **Sec. 3.** This act becomes effective on July 1, 2003.

