

**CONFIDENTIAL**  
**LEGISLATIVE BILL REVIEW FORM: 2016**

Bill Number: H.622      Name of Bill: An act relating to obligations for reporting child abuse and neglect and cooperating in investigations of child abuse and neglect

Agency/ Dept: AHS/DCF

Author of Bill Review: Luciana DiRuocco

Date of Bill Review: 2/23/16

Related Bills and Key Players: None

Status of Bill: (check one): ☐ Upon Introduction      ☒ As passed by 1<sup>st</sup> body      ☐ As passed by both

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Recommended Position:

☒ Support      ☐ Oppose      ☐ Remain Neutral      ☐ Support with modifications identified in #8 below

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**Analysis of Bill**

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1. **Summary of bill and issue it addresses.** *Describe what the bill is intended to accomplish and why.*  
This bill provides clarity to formerly passed Act 60 regarding mandated reporters. The bill clarifies, as passed by the House, that mandated reporters are not compelled to report suspected child abuse or neglect if they have written confirmation that a report of the same instance has been made and they have no new information. The bill also directs the Joint Legislative Child Protection Oversight Committee to look into a patient privilege exception, and if any such laws would deter professionals from participating in DCF investigations/assessments. This extension of the exception to patient privilege was requested by DCF.
2. **Is there a need for this bill?** *Please explain why or why not.*  
Yes, this provides the needed clarity to mandated reporters about when they may refrain from reporting suspected child abuse/neglect when they may already be aware of a report having been made. This has been particularly challenging in settings in which multiple mandated reporters become aware of suspected abuse or neglect either concurrently or sequentially, such as in medical, educational and child care settings, which results in many duplicative reports to DCF of the same information.
3. **What are likely to be the fiscal and programmatic implications of this bill for this Department?**  
There will likely be favorable fiscal implications for this bill in that the duplicative reports will stop coming in which will reduce the workload of our Centralized Intake Unit's Call Center.
4. **What might be the fiscal and programmatic implications of this bill for other departments in state government, and what is likely to be their perspective on it?**  
Not Applicable
5. **What might be the fiscal and programmatic implications of this bill for others, and what is likely to be their perspective on it?** *(for example, public, municipalities, organizations, business, regulated entities, etc)*  
Community partners and others are likely in support of this bill as it will reduce their current reporting practice while maintaining the clarity of the obligation to report suspected child abuse and neglect.

*Please return this bill review as a Microsoft Word document to [Jahala.Dudley@vermont.gov](mailto:Jahala.Dudley@vermont.gov) & [Jessica.Mishaan@vermont.gov](mailto:Jessica.Mishaan@vermont.gov)*

**6. Other Stakeholders:**

**6.1 Who else is likely to support the proposal and why?**

See above; this will include medical, educational, child care and other staff/providers.

**6.2 Who else is likely to oppose the proposal and why?**

We do not foresee anyone opposing this bill

**7. Rationale for recommendation:** *Justify recommendation stated above.*

This bill provides further clarity to mandated reporters on the need to report suspected child abuse and neglect and the need to have written confirmation of a report having already been made should they know of an incident of child abuse or neglect and are not reporting for duplicative purposes.

**8. Specific modifications that would be needed to recommend support of this bill:** *Not meant to rewrite bill, but rather, an opportunity to identify simple modifications that would change recommended position.*  
Not applicable

**9. Will this bill create a new board or commission AND/OR add or remove appointees to an existing one? If so, which one and how many?**

No

**Secretary/Commissioner has reviewed this document:** \_\_\_\_\_ **Date:** \_\_\_\_\_