



Division of Public and Behavioral Health

Technical Bulletin



Topic: Child, Older & Vulnerable Person Abuse Reporting Requirements
Contact: Bureau of Health Care Quality and Compliance
Date: September 1, 2018
To: Hospitals, Facilities for the Treatment of Abuse of Alcohol or Drugs & Child Care Facilities and Institutions

The purpose of this technical bulletin is to inform your facility's staff about mandatory reporting requirements in cases of suspected abuse against a child, older adult or other vulnerable person.

Child Abuse

Persons who are required to report suspected child abuse ("mandatory reporters") under [Nevada Revised Statutes \(NRS\) 432B.220](#) include:

- Any person who maintains or is employed by a facility or establishment that provides care for children, a children's camp or another public or private facility, institution or agency furnishing care to a child;
- Any personnel of a medical facility licensed pursuant to [NRS Chapter 449](#) who are engaged in the admission, examination, care or treatment of persons, or any administrator, manager or other person in charge of a medical facility, or any member of the medical facility staff who is notified of the suspected abuse, neglect, exploitation, isolation or abandonment; and
- A person providing services licensed or certified in Nevada pursuant to, without limitation, [NRS Chapter 450B](#), [630](#), [630A](#), [631](#), [632](#), [633](#), [634](#), [634A](#), [635](#), [636](#), [637](#), [637B](#), [639](#), [640](#), [640A](#), [640B](#), [640C](#), [640D](#), [640E](#), [641](#), [641A](#), [641B](#) or [641C](#).

Any mandatory reporter who, in his or her professional or occupational capacity, knows or has reasonable cause to believe that a child has been abused or neglected shall:

- Report the abuse or neglect of the child to an agency which provides child welfare services or to a law enforcement agency; and
- Make such a report as soon as reasonably practicable but not later than 24 hours after the person knows or has reasonable cause to believe that the child has been abused or neglected.

If a mandatory reporter knows or has reasonable cause to believe that a child has died because of abuse or neglect, the person shall, as soon as reasonably practicable, report this belief to an agency which provides child welfare services or a law enforcement agency.

The employer of a mandatory reporter who is not required in his or her professional or occupational capacity to be licensed, certified or endorsed in Nevada must, upon initial employment of the person:

- Inform the person, in writing or by electronic communication, of his or her duty as a mandatory reporter;

- Obtain a written acknowledgment or electronic record from the person that he or she has been informed of his or her duty; and
- Maintain a copy of the written acknowledgment or electronic record for as long as the person is employed by the employer.

Fetal alcohol spectrum disorder and prenatal substance abuse reporting requirements

Persons licensed or certified in accordance with [NRS Chapter 450B](#), [630](#), [630A](#), [631](#), [632](#), [633](#), [634](#), [634A](#), [635](#), [636](#), [637](#), [637B](#), [639](#), [640](#), [640A](#), [640B](#), [640C](#), [640D](#), [640E](#), [641](#), [641A](#), [641B](#) or [641C](#) who deliver or provide medical services to a newborn infant and who, in his or her professional or occupational capacity, know or has reasonable cause to believe that a newborn infant has been affected by a fetal alcohol spectrum disorder or prenatal substance abuse or has withdrawal symptoms resulting from prenatal drug exposure shall, as soon as reasonably practicable but not later than 24 hours after the person knows or has reasonable cause to believe that the newborn infant is so affected or has such symptoms, notify an agency which provides child welfare services of the condition of the infant and refer each person who is responsible for the welfare of the infant to an agency which provides child welfare services for appropriate counseling, training or other services. A notification and referral to an agency which provides child welfare services pursuant to this subsection shall not be construed to require prosecution for any illegal action.

Alternate reporting requirements: If a mandatory reporter knows or has reasonable cause to believe that the abuse or neglect of the child involves an act or omission of:

- A person directly responsible or serving as a volunteer for or an employee of a public or private home, institution or facility where the child is receiving child care outside of the home for a portion of the day, the mandatory reporter shall make the report to a law enforcement agency.
- An agency which provides child welfare services or a law enforcement agency, the mandatory reporter shall make the report to an agency other than the one alleged to have committed the act or omission.

Penalty for failure to report: Any person who knowingly and willfully violates the provisions of child abuse reporting requirements is guilty of:

- A misdemeanor for the first violation; and
- A gross misdemeanor for each subsequent violation.

Elder Abuse and Vulnerable Persons Abuse

Mandatory reporters of elder abuse ([NRS 200.5093](#)) and vulnerable persons abuse ([NRS 200.50935](#)) at Nevada hospitals and facilities for the treatment of abuse of alcohol or drugs include:

- Any person who maintains or is employed by a facility or establishment that provides care for older or vulnerable persons;
- Any hospital personnel who engage in the admission, examination, care or treatment of persons, or administrator, manager or other person in charge of a hospital, or any member of the hospital staff who is notified of the suspected abuse, neglect, exploitation, isolation or abandonment; and
- Every physician, dentist, dental hygienist, chiropractor, optometrist, podiatric physician, medical examiner, resident, intern, professional or practical nurse, physician assistant licensed pursuant to [NRS Chapter 630](#) or [633](#), perfusionist, psychiatrist, psychologist, marriage and family therapist, clinical professional counselor, clinical alcohol and drug abuse counselor, alcohol and drug abuse counselor, music therapist, athletic trainer, driver of an ambulance, paramedic, licensed dietitian

or other person providing medical services licensed or certified to practice in Nevada is a mandatory reporter of these actions in accordance with [NRS 200.5093](#) and [NRS 200.50935](#).

Any mandatory reporter who knows or has reasonable cause to believe that an older person has been abused, neglected, exploited, isolated or abandoned shall:

If an older person is the victim, report the abuse, neglect, exploitation, isolation or abandonment to:

- The [local office](#) of the Nevada Aging and Disability Services Division;
- A police department or sheriff's office; or
- A [toll-free telephone service](#) designated by the Nevada Aging and Disability Services Division; or

Reports of abuse, neglect, exploitation, isolation or abandonment of a vulnerable person must be reported to a law enforcement agency.

The mandatory reports, as noted above, must be made as soon as reasonably practicable but not later than 24 hours after the mandatory reporter knows or has reasonable cause to believe that the older or vulnerable person has been abused, neglected, exploited, isolated or abandoned.

If a person who is required to make a report knows or has reasonable cause to believe that an older or vulnerable person has died because of abuse, neglect, isolation or abandonment, the person shall, as soon as reasonably practicable, report this belief to the appropriate medical examiner or coroner.

Alternate reporting requirement: If a mandatory reporter knows or has reasonable cause to believe that the abuse, neglect, exploitation, isolation or abandonment of the older person involves an act or omission of the Aging and Disability Services Division, another division of the Department of Health and Human Services or if an older or vulnerable person, a law enforcement agency, the person shall make the report to an agency other than the one alleged to have committed the act or omission.

Penalty for failure to report: A person who knowingly and willfully violates mandatory older or vulnerable person abuse reporting requirements is guilty of a misdemeanor.

Current lists of all licensed Nevada health facilities (including hospitals and facilities for the treatment of abuse of alcohol or drugs) can be found online at [findahealthfacility.nv.gov](#).

Signed: 
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Administrator

Date: 9-7-18

Signed: 
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Chief Medical Officer

Date: 9/7/18