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Sent: Monday, July 02, 2012 3:25 PM
To: licensinglistserv@virginiainteractive.org
Subject: Changes to Child Protective Services Mandated Reporting Law

This file is being sent to providers of child day centers, family day homes, voluntarily registered family day homes, family day system, religious exempt child day centers, certified preschools, children's residential facilities, child-placing agencies, independent foster homes and child caring institutions from the Virginia Department of Social Services Email Distribution Service.

Please do not reply to this email.

**SCROLL DOWN TO VIEW CHANGES TO CHILD CARE PROTECTIVE SERVICES
MANDATED REPORTING LAW**

DATE: July 2, 2012

TO: Licensed Child Day Centers
Licensed Family Day Homes
Voluntarily Registered Family Day Homes
Licensed Family Day System
Religious Exempt Child Day Centers
Certified Preschools
Children's Residential Facilities
Licensed Child-Placing Agencies
Independent Foster Homes
Child Caring Institutions

FROM: Lynne A. Williams, Director
Division of Licensing Programs

SUBJECT: Changes to Child Protective Services Mandated Reporting Law

This communication is intended to advise children's programs that there will be significant changes in § 63.2-1509 of the *Code of Virginia*, effective July 1, 2012. This section of the *Code of Virginia* pertains to mandated reporting of suspected child abuse and neglect.

The following document (scroll down) provides an overview of the changes regarding mandated reporting. It includes information about new mandated reporters, time frame to report suspicions, additional responsibilities of mandated reporters, increased penalties and substance exposed infants.

Please note that all foster, resource, adoptive, treatment foster, and short-term foster parents approved as providers by licensed child-placing agencies are mandated reporters, effective 7/1/12, as they are 'associated or employed by a public or private organization that is responsible for the care, custody or control of children.'

The Department offers an on-line mandated training course, CWS 5692, which is available to the public. The course and other mandated reporter resources are available on the public website: <http://www.dss.virginia.gov/family/cps/index2.cgi>.



COMMONWEALTH of VIRGINIA

DEPARTMENT OF SOCIAL SERVICES

Effective July 1, 2012: Changes to the Child Abuse and Neglect Mandated Reporting Law § 63.2-1509,

New Mandated Reporters:

Individuals, 18 years and older, who are associated with, employed or volunteer with a:

- public organization responsible for the care, custody, or control of children;
- private sports organization or team;
- public or private day camps, youth centers, or youth recreation programs;
- public or private institution of higher learning

Timeframe to Report:

- Mandated reporters are required to report as soon as possible, but no later than 24 hours after having a suspicion of a reportable offense. The Department's toll-free child abuse and neglect hotline is **1-800-552-7096**.

Additional Responsibilities:

- Mandatory reporters are not required to make a report if they have actual knowledge that the same matter has already been reported to Child Protective Services (CPS).
- Persons who are designated to receive reports from mandated reporters in hospitals or schools must notify the teacher, staff member, resident, intern or nurse who made the initial report when the report is made to Child Protective Services, who received the report, and any communication resulting from the report.

Increased Penalties:

- A second failure to report will result in a fine of not less than \$1,000;
- In cases of rape, sodomy, or object sexual penetration, a person who fails to make the required report shall be guilty of a Class 1 misdemeanor.

Substance Exposed Infants:

Circumstances requiring a report to be made to CPS for a substance exposed infant include:

- Results of toxicology studies done within 6 weeks of birth indicating the presence of a controlled substance not prescribed for the mother ;
- Child born demonstrating withdrawal symptoms from a controlled substance not prescribed for the mother.
- Child diagnosed with an illness, disease or condition attributable to in utero exposure to a controlled substance not prescribed for the mother or the child;
- Child diagnosed with a fetal alcohol spectrum disorder.

Training and other mandated reporter resources available at: <http://www.dss.virginia.gov/family/cps/index2.cgi>