



[HAWAII REVISED STATUTES ANNOTATED](#)
[DIVISION 1. GOVERNMENT.](#)
[TITLE 20. SOCIAL SERVICES.](#)
[CHAPTER 350. CHILD ABUSE.](#)
[§ 350-1.1 Reports.](#)

(a) Notwithstanding any other state law concerning confidentiality to the contrary, the following persons who, in their professional or official capacity, have reason to believe that **child abuse** or neglect has occurred or that there exists a substantial risk that **child abuse** or neglect may occur in the reasonably foreseeable future, shall immediately **report** the matter orally to the department or to the police department:

(1) Any licensed or registered professional of the healing arts and any health-related occupation who examines, attends, treats, or provides other professional or specialized services, including but not limited to physicians, including physicians in training, psychologists, dentists, nurses, osteopathic physicians and surgeons, optometrists, chiropractors, podiatrists, pharmacists, and other health-related professionals;

(2) Employees or officers of any public or private school;

(3) Employees or officers of any public or private agency or institution, or other individuals, providing social, medical, hospital, or mental health services, including financial assistance;

(4) Employees or officers of any law enforcement agency, including but not limited to the courts, police departments, correctional institutions, and parole or probation offices;

(5) Individual providers of child care, or employees or officers of any licensed or registered child care facility, foster home, or similar institution;

(6) Medical examiners or coroners; and

(7) Employees of any public or private agency providing recreational or sports activities.

(b) Whenever a person designated in subsection (a) is a member of the staff of any public or private school, agency, or institution, that staff member shall immediately notify the person in charge, or a designated delegate, who shall immediately report, or cause reports to be made, in accordance with this chapter.

(c) The initial oral report shall be followed as soon as possible by a report in writing to the department. If a police department is the initiating agency, a written report shall be filed with the department for cases that the police take further action on or for active cases in the department under this chapter. All written **reports** shall contain the name and address of the child and the child's parents or other persons responsible for the child's care, if known, the child's age, the nature and extent of the child's injuries, and any other information that the **reporter** believes might be helpful or relevant to the investigation of the **child abuse** or neglect. This subsection shall not be construed to serve as a cause of action against the department or the police.

(d) Any person subject to subsection (a) shall, upon demand of the department or any police department, provide all information related to the alleged incident of **child abuse** or neglect, including, but not limited to, medical records and medical **reports**, which was not included in the written **report** submitted pursuant to subsection (c).

(e) The director may adopt, amend, or repeal rules, subject to chapter 91, to further define or clarify the specific forms of child abuse or neglect enumerated in [section 350-1](#) for use in implementing this chapter; provided that rules adopted under this subsection shall be limited to such further or clarifying definitions.

[L 1967, c 261, § 2; [HRS § 350-1](#); am L 1970, c 21, § 1 and c 105, § 5; am L 1975, c 147, § 1; am L 1977, c 81, § 2; am

L 1979, c 171, § 1; am L 1981, c 59, § 1; ren and am L 1982, c 77, § 2; am L 1985, c 17, § 1 and c 208, § 3; am L 1987, c 204, § 4 and c 339, § 4; am L 1988, c 323, § 2; am L 1998, c 134, § 4; am L 1999, c 271, § 4; am L 2000, c 248, § 1'

<General Materials (GM) - References, Annotations, or Tables>

NOTES, REFERENCES, AND ANNOTATIONS

Cross references

As to the duty of a physician, surgeon, hospital or clinic to **report child abuse**, see § 453-14. As to the criminal offense of promoting **child abuse**, see [§ § 707-750](#) and 707-751. As to the promotion of pornography, see [§ 712-1214](#).

HRS § 350-1.1, HI ST § 350-1.1

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