

N.R.S. 432B.220



West's Nevada Revised Statutes Annotated [Currentness](#)

Title 38. Public Welfare

[Chapter 432B](#). Protection of Children from Abuse and Neglect ([Refs & Annos](#))

[Reports of Abuse or Neglect](#) ([Refs & Annos](#))

→432B.220. Persons required to make report; when and to whom reports are required; any person may make report; report and written findings if reasonable cause to believe death of child caused by abuse or neglect

1. Any person who is described in subsection 3 and who, in his professional or occupational capacity, knows or has reasonable cause to believe that a child has been abused or neglected shall:

(a) Except as otherwise provided in subsection 2, report the abuse or neglect of the child to an agency which provides child welfare services or to a law enforcement agency; and

(b) 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.

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

(a) 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 his home for a portion of the day, the person shall make the report to a law enforcement agency.

(b) An agency which provides child welfare services or 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, and the investigation of the abuse or neglect of the child must be made by an agency other than the one alleged to have committed the act or omission.

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

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

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

(c) A coroner;

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

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

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

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- (g) Any person licensed to conduct a foster home;
- (h) Any officer or employee of a law enforcement agency or an adult or juvenile probation officer;
- (i) An attorney, unless he has acquired the knowledge of the abuse or neglect from a client who is or may be accused of the abuse or neglect;
- (j) Any person who maintains, is employed by or serves as a volunteer for an agency or service which advises persons regarding abuse or neglect of a child and refers them to persons and agencies where their requests and needs can be met;
- (k) Any person who is employed by or serves as a volunteer for an approved youth shelter. As used in this paragraph, "approved youth shelter" has the meaning ascribed to it in [NRS 244.422](#); and
- (l) Any adult person who is employed by an entity that provides organized activities for children.

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

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

Added by Laws 1985, p. 1371. Amended by Laws 1987, pp. 2132, 2220; Laws 1989, p. 439; Laws 1993, p. 2229; Laws 1999, p. 3526; [Laws 2001, c. 260, § 1, eff. Oct. 1, 2001](#); [Laws 2001, c. 152, § 57 \[FN1\]](#); [Laws 2001 \(17th ss\), c. 1, § 93, eff. Oct. 1, 2001](#); [Laws 2003, c. 221, § 1, eff. July 1, 2003](#); [Laws 2003, c. 173, § 50, eff. Oct. 1, 2003](#).

[\[FN1\]](#) See Historical and Statutory Notes below for effective date information.

HISTORICAL AND STATUTORY NOTES

2001 Legislation

Laws 2001, c. 152, § 94, eff. May 24, 2001, provides in part:

"2. Sections 1 to 90, inclusive, subsection 1 of section 91 and sections 92, 93 and 95 of this act become effective upon passage and approval for the purpose of adopting regulations and taking such other actions as necessary to regulate practitioners of respiratory care, and on July 1, 2001, for all other purposes."

2003 Legislation

Technical changes were made to conform with Legislative Counsel Bureau revisions (2003).

CROSS REFERENCES

Physician defined, see [NRS 0.040](#).

LIBRARY REFERENCES

Infants 13.
Westlaw Key Number Search: 211k13.

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[C.J.S. Infants § § 5, 92 to 93, 95 to 98.](#)

UNITED STATES SUPREME COURT

Child abuse,

Reporting,

Due process, state duty to protect child from parental abuse, see [DeShaney v. Winnebago County Dept. of Social Services, U.S.Wis.1989, 109 S.Ct. 998, 489 U.S. 189, 103 L.Ed.2d 249.](#)

NOTES OF DECISIONS

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[1.](#) Immediacy of report

Statute requiring certain professionals to report incidents of suspected child abuse or neglect "immediately" after determining that there is reason to believe that abuse or neglect has occurred is unconstitutionally vague; term "immediately" vests prosecuting authorities with unbridled discretion to determine whether report was made quickly enough. N.R.S. 432B.220; [U.S.C.A. Const.Amend. 5, 14. Sheriff, Washoe County v. Sferrazza, 1988, 766 P.2d 896, 104 Nev. 747.](#) Infants  12(9)

[2.](#) Confidentiality

Information reported in accordance with Nevada Revised Statutes Chapter 432B concerning child abuse remains confidential after the death of the abused child and can never be released to anyone other than the parties and persons named in the chapter. Op.Atty.Gen. No. 88-15, Dec. 14, 1988.

[3.](#) Negligence

Amendment of complaint brought by parents of preschool child against county school board and school district, stemming from alleged failure to report **child abuse**, to add negligence claim would not have been futile; although Nevada **reporting** statutes did not provide private right of action, violation of statutes would have been relevant to finding of negligence per se. [Doe v. Nevada, 2004, 356 F.Supp.2d 1123.](#) Federal Civil Procedure  851

Genuine issue of material fact as to extent of knowledge school officials had of teacher's conduct towards female high school student precluded summary judgment in parents' action alleging that officials violated their duty under state law to report child abuse. Jane [Doe A. v. Green, 2004, 298 F.Supp.2d 1025.](#) Federal Civil Procedure  2515

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