

N.H. Rev. Stat. § 169-C:29



Revised Statutes Annotated of the State of New Hampshire [Currentness](#)

Title XII. Public Safety and Welfare

[Chapter 169-C](#). Child Protection Act ([Refs & Annos](#))

Reporting Law ([Refs & Annos](#))

→ **169-C:29 Persons Required to Report.**

Any physician, surgeon, county medical examiner, psychiatrist, resident, intern, dentist, osteopath, optometrist, chiropractor, psychologist, therapist, registered nurse, hospital personnel (engaged in admission, examination, care and treatment of persons), Christian Science practitioner, teacher, school official, school nurse, school counselor, social worker, day care worker, any other child or foster care worker, law enforcement official, priest, minister, or rabbi or any other person having reason to suspect that a child has been abused or neglected shall report the same in accordance with this chapter.

HISTORY

Source. 1979, 361:2, eff. Aug. 22, 1979.

Revision note. Substituted "county medical examiner" for "county medical referee" in light of changes made by 1979, 66. See RSA 611.

LIBRARY REFERENCES

West Key Number

Infants 208.

Westlaw Topic

Westlaw Topic No. 211.

CJS

[C.J.S. Infants § § 51 to 52, 57 to 85.](#)

ALR

Validity, construction, and application of state statute requiring doctor or other person to report child abuse. [73 ALR4th 782.](#)

New Hampshire Bar Journal

For article, "Child Abuse in Delinquency and Divorce/Custody Cases," see 26 N.H.B.J. 215 (1985).

For article, "Reporting Child Sexual Abuse Under the Child Protection Act: An Unofficial Primer for the General Practitioner," see 36 N.H.B.J. 52 (March 1995).

New Hampshire Trial Bar News

For article, "The Physician's Dilemma: Providing Surgical Treatment to Newborn

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Infants With Congenital Birth Defects," see 8 N.H. Trial Bar News 39, 40 (Fall 1988).

For article, "White-Collar Crime: The Rising Tide of Sexual Misconduct and the Clergy," see 15 N.H. Trial Bar News Vol. 64, 66 n.31 (Winter 1993).

ANNOTATIONS



Civil liability [2](#)

Construction with other laws [1](#)

[1](#). Construction with other laws

This section imposes an absolute obligation on all persons to report suspected cases of child abuse and neglect, and this obligation is not limited by religious exemption contained in [RSA 169-C:3](#). Op.Atty.Gen. #0-93-3.

[2](#). Civil liability

A violation of RSA **169-C:29**, which requires the reporting of child abuse, does not constitute negligence *per se* in an action based on inadequate supervision of children because the duty to which the statute speaks (reporting of abuse) is considerably different from the duty on which the cause of action is based (supervision of students). [Marquay v. Eno \(1995\) 139 N.H. 708, 662 A.2d 272](#). Infants  13; Schools  89.2

RSA **169-C:29**, requiring reporting of child abuse, is applicable in a negligent hiring or retention action and failure to report child abuse in accordance with RSA **169-C:29** could give rise to liability if plaintiff can show that reporting would have prevented the subsequent abuse. [Marquay v. Eno \(1995\) 139 N.H. 708, 662 A.2d 272](#).

RSA **169-C:29**, which, under penalty as a misdemeanor, requires any person suspecting that a child has been abused or neglected to report same to the State, does not support a private right of action for its violation because there is no express or implied legislative intent to create such civil liability. [Marquay v. Eno \(1995\) 139 N.H. 708, 662 A.2d 272](#).

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