

10 Okl.St. Ann. § 7104



This document has been updated. Use [KEYCITE](#).

Oklahoma Statutes Annotated [Currentness](#)

Title 10. Children ([Refs & Annos](#))

 [Chapter 71](#). Oklahoma **Child Abuse Reporting** and Prevention Act ([Refs & Annos](#))

→§ 7104. Report of criminally inflicted injuries

Any physician, surgeon, osteopathic physician, resident, intern, physician's assistant, registered nurse, or any other health care professional examining, attending, or treating the victim of what appears to be criminally injurious conduct, including, but not limited to, child physical or sexual abuse, as defined by the Oklahoma Crime Victims Compensation Act, [\[FN1\]](#) shall report orally or by telephone the matter promptly to the nearest law enforcement agency in the county wherein the criminally injurious conduct occurred, or if the location where the conduct occurred is unknown, the report shall be made to the law enforcement agency nearest to the location where the injury is treated.

CREDIT(S)

Laws 1984, c. 85, § 1, eff. Nov. 1, 1984. Renumbered from Title 21, § 846.1 and amended by [Laws 1995, c. 353, § 4, 20, eff. Nov. 1, 1995](#); [Laws 2001, c. 105, § 1, eff. April 17, 2001](#).

[\[FN1\] Title 21, § 142.1](#) et seq.

HISTORICAL AND STATUTORY NOTES

2005 Electronic Update

The 2001 amendment deleted "appropriate" following "to the nearest", and inserted ", or if the location where the conduct occurred is unknown, the report shall be made to the law enforcement agency nearest to the location where the injury is treated".

1998 Main Volume

The 1995 amendment rewrote the section, which prior thereto read:

"Any physician, surgeon, osteopathic physician, resident, intern, physician's assistant, or registered nurse, examining, attending, or treating the victim of what appears to be criminally injurious conduct as defined by [Section 142.3 of Title 21 of the Oklahoma Statutes](#) shall report orally or by telephone the matter promptly to the nearest appropriate law enforcement agency in the county wherein the criminally injurious conduct occurred."

CROSS REFERENCES

Threatening person who makes report of abuse under this section punishable as felony, see [Title 21, § 455](#).

LAW REVIEW AND JOURNAL COMMENTARIES

["Am I My Bother's Keeper?": Sherrice's Law. 52 Okla.L.Rev. 613 \(2000\).](#)

Refusal to consent to emergency medical treatment for minors as child abuse. Gregory S. Taylor. 56 Okla.B.J. 1199 (1985).

10 Okl.St. Ann. § 7104

RESEARCH REFERENCES

2005 Electronic Update

Forms

[Vernon's Oklahoma Forms 2d, OK. Unif. Cr. Jury Inst. 3-39](#), Witness Intimidation-Elements.

Treatises and Practice Aids



[1 Oklahoma Practice Ch. 7 § 2501-2513](#), Privileges and Rules of Confidentiality.

[7 Oklahoma Practice § 10.20](#), Unlawfully Influencing or Interfering With Witnesses.

NOTES OF DECISIONS

Construction and application 1

1. Construction and application

Child abuse reporting statutes do not create a private right of action; while knowing and willful failure to report is a criminal misdemeanor, there is no provision for civil liability. [Paulson v. Sternlof, Okla.Civ.App. Div. 1, 15 P.3d 981 \(2000\)](#), rehearing denied, certiorari denied. Infants  13.5(2); Action  3

10 Okl. St. Ann. § 7104, OK ST T. 10 § 7104

Current with Chapters of the first 2005 First Regular Session effective through July 1, 2005.

© 2005 Thomson/West

END OF DOCUMENT