

23 Pa.C.S.A. § 6313



Purdon's Pennsylvania Statutes and Consolidated Statutes Annotated [Currentness](#)

Purdon's Pennsylvania Consolidated Statutes Annotated

Title 23. Domestic Relations ([Refs & Annos](#))

Part VII. Abuse of Family

[Chapter 63](#). Child Protective Services

[Subchapter B](#). Provisions and Responsibilities for **Reporting Suspected Child Abuse** ([Refs & Annos](#))

→§ **6313. Reporting procedure**

(a) **General rule.**--Reports from persons required to report under [section 6311](#) (relating to persons required to report suspected child abuse) shall be made immediately by telephone and in writing within 48 hours after the oral report.

(b) **Oral reports.**--Oral reports shall be made to the department pursuant to Subchapter C (relating to powers and duties of department) and may be made to the appropriate county agency. When oral reports of suspected child abuse are initially received at the county agency, the protective services staff shall, after seeing to the immediate safety of the child and other children in the home, immediately notify the department of the receipt of the report, which is to be held in the pending complaint file as provided in Subchapter C. The initial child abuse report summary shall be supplemented with a written report when a determination is made as to whether a report of suspected child abuse is a founded report, an unfounded report or an indicated report.

(c) **Written reports.**--Written reports from persons required to report under [section 6311](#) shall be made to the appropriate county agency in a manner and on forms the department prescribes by regulation. The written reports shall include the following information if available:

- (1) The names and addresses of the child and the parents or other person responsible for the care of the child if known.
- (2) Where the suspected abuse occurred.
- (3) The age and sex of the subjects of the report.
- (4) The nature and extent of the suspected child abuse, including any evidence of prior abuse to the child or siblings of the child.
- (5) The name and relationship of the person or persons responsible for causing the suspected abuse, if known, and any evidence of prior abuse by that person or persons.
- (6) Family composition.
- (7) The source of the report.
- (8) The person making the report and where that person can be reached.
- (9) The actions taken by the reporting source, including the taking of photographs and X-rays, removal or keeping of the child or notifying the medical examiner or coroner.
- (10) Any other information which the department may require by regulation.

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(d) Failure to confirm oral report.--The failure of a person **reporting** cases of suspected **child abuse** to confirm an oral report in writing within 48 hours shall not relieve the county agency from any duties prescribed by this chapter. In such event, the county agency shall proceed as if a written report were actually made.

CREDIT(S) [1990, Dec. 19, P.L. 1240, No. 206, § 2](#), effective in 90 days. Amended [1994, Dec. 16, P.L. 1292, No. 151, § 3](#), effective July 1, 1995.

HISTORICAL AND STATUTORY NOTES

2001 Main Volume

Act 1994-151 legislation

The 1994 amendment rewrote subsecs. (b), (c) and (d).


Prior Laws:

1982, June 10, P.L. 460, No. 136, § 1.

1975, Nov. 26, P.L. 438, No. 124, § 6 ([11 P.S. § 2206](#)).

LIBRARY REFERENCES

2001 Main Volume

Infants  13.5(1).
Westlaw Topic No. 211.

RESEARCH REFERENCES

2005 Electronic Update

Encyclopedias

[Summary Pa. Jur. 2d Family Law § 13:12](#), Limitation of Information Contained in Pending Compliant File or Central Register.

[Summary Pa. Jur. 2d Family Law § 13:67](#), Generally; Duty to Report.

[Summary Pa. Jur. 2d Family Law § 13:70](#), Staff Members.

[Summary Pa. Jur. 2d Family Law § 13:77](#), Generally.

[Summary Pa. Jur. 2d Family Law § 13:78](#), Oral and Written Reports.

[Summary Pa. Jur. 2d Family Law § 13:85](#), Oral Reports; Notification to Department of Public Welfare.

[Summary Pa. Jur. 2d Family Law § 13:86](#), Transmittal of Child Abuse Report Summary to Department of Public Welfare.

[Summary Pa. Jur. 2d Family Law § 13:116](#), Generally.

[Summary Pa. Jur. 2d Family Law § 13:118](#), Release of Information to Subject of Report of Suspected Child Abuse.

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[Summary Pa. Jur. 2d Family Law § 13:131](#), Penalties for Failure to Amend or Expunge Records.

Treatises and Practice Aids


[Standard Pennsylvania Practice 2d § 134:44](#), Statutory Protection.

NOTES OF DECISIONS


Limitations 1

Verification 2

1. Limitations

Legislature did not intend in Child Protective Services Law to create statute of limitations for reports of child abuse; time limits prescribed by statute were intended for protection of child, not to shield alleged abuser. [Cruz v. Com., Dept. of Public Welfare, 472 A.2d 725, 80 Pa.Cmwlth. 360](#), Cmwlth.1984. Infants  133

2. Verification

Child service agencies and individual personnel who reported suspected **child abuse** were not required to verify child's allegations of abuse prior to **reporting**, and agencies' reports were presumed to be made in good faith. [Brozovich v. Circle C Group Homes, Inc., 548 A.2d 698, 120 Pa.Cmwlth. 417](#), Cmwlth.1988. Infants  17

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Current through Act 2005-2

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