

Code 1976 § 20-7-510



Code of Laws of South Carolina 1976 Annotated [Currentness](#)

Title 20. Domestic Relations

Chapter 7. Children's Code ([Refs & Annos](#))

[Article 7](#). Intake

[Subarticle 3](#). Identification

→ § 20-7-510. **Persons required or permitted to report; method; confidentiality.**

(A) A physician, nurse, dentist, optometrist, medical examiner, or coroner, or an employee of a county medical examiner's or coroner's office, or any other medical, emergency medical services, mental health, or allied health professional, member of the clergy including a Christian Science Practitioner or religious healer, school teacher, counselor, principal, assistant principal, social or public assistance worker, substance abuse treatment staff, or childcare worker in a childcare center or foster care facility, police or law enforcement officer, undertaker, funeral home director or employee of a funeral home, persons responsible for processing films, computer technician, or a judge must report in accordance with this section when in the person's professional capacity the person has received information which gives the person reason to believe that a child has been or may be abused or neglected as defined in [Section 20-7-490](#).

(B) If a person required to **report** pursuant to subsection (A) has received information in the person's professional capacity which gives the person reason to believe that a child's physical or mental health or welfare has been or may be adversely affected by acts or omissions that would be **child abuse** or neglect if committed by a parent, guardian, or other person responsible for the child's welfare, but the **reporter** believes that the act or omission was committed by a person other than the parent, guardian, or other person responsible for the child's welfare, the **reporter** must make a **report** to the appropriate law enforcement agency.

(C) Except as provided in subsection (A), any person who has reason to believe that a child's physical or mental health or welfare has been or may be adversely affected by abuse and neglect may report in accordance with this section.

(D) **Reports of child abuse** or neglect may be made orally by telephone or otherwise to the county department of social services or to a law enforcement agency in the county where the child resides or is found.

Where reports are made pursuant to this section to a law enforcement agency, the law enforcement agency shall notify the county department of social services of the law enforcement's response to the report at the earliest possible time.

Where a county or contiguous counties have established multicounty child protective services, pursuant to [Section 20-7-650](#), the county department of social services immediately shall transfer reports pursuant to this section to the service.

(E) The identity of the person making a report pursuant to this section must be kept confidential by the agency or department receiving the report and must not be disclosed except as provided for in this chapter.

When the department refers a **report** to a law enforcement agency for a criminal investigation, the department must inform the law enforcement agency of the identity of the person who **reported** the **child abuse** or neglect. The identity of the reporter must only be used by the law enforcement agency to further the criminal investigation arising from the report, and the agency must not disclose the reporter's identity to any person other than an employee of the agency who is involved in the criminal investigation arising from the report. If the reporter testifies in a criminal proceeding arising from the report, it must not be disclosed that the reporter made the report.

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When a law enforcement agency refers a **report** to the department for an investigation or other response, the law enforcement agency must inform the department of the identity of the person who **reported the child abuse** or neglect. The department must not disclose the identity of the reporter to any person except as authorized by [Section 20-7-690](#).

(F) When a report is referred to the department for an investigation or other response, the department must determine whether previous reports have been made regarding the same child or the same subject of the report. In determining whether previous reports have been made, the department must determine whether there are any suspected, indicated, or unfounded reports maintained pursuant to [Section 20-7-650](#) regarding the same child or the same subject of the report.

(G) If the department does not conduct an investigation as a result of information received pursuant to this section, the department must make a record of the information and must classify the record as a Category IV unfounded report in accordance with [Section 20-7-650](#). The department and law enforcement are authorized to use information recorded pursuant to this subsection for purposes of assessing risk and safety if additional contacts are made concerning the child, the family, or the subject of the report.

HISTORY: 1981 Act No. 71, § 1.

HISTORY: [1993 Act No. 158, § 9, eff June 15, 1993](#); [1993 Act No. 164, Part II, § 88I, eff June 21, 1993](#); [1996 Act No. 450, § 4, eff January 1, 1997](#); [1999 Act No. 104, § 7, eff June 30, 1999](#); [2001 Act No. 81, § 16, eff July 20, 2001](#); [2002 Act No. 325, § 3, eff June 7, 2002](#); [2003 Act No. 2, § 2, eff December 16, 2002](#); [2003 Act No. 94, § 1, eff July 25, 2003](#).

#### EDITOR'S NOTE

**2002 Act No. 325, § 1**, provides as follows:

"This act may be cited as 'Stephanie's Law'."

The 2003 amendments were read together at the directive of the Code Commissioner.

#### EFFECT OF AMENDMENT

The **1993** amendment, by both Act No. 158 and Act No. 164, in subsection (A), inserted "or employee of a county medical examiner's or coroner's office," "emergency medical services", and "undertaker, funeral home director, or employee of a funeral home"; and, following "is required to report", deleted "or cause a report to be made".

The **1996** amendment in subsection (A) substituted "A" for "Any", inserted "an" preceding "employee of a county", substituted "or" for a comma following "health professional", substituted a comma for "or" following "school teacher", inserted "principal, assistant principal," following "counselor,", inserted "substance abuse treatment staff, or" preceding "child care worker", substituted "foster care facility" for "child caring institution", replaced a comma with "or persons responsible for processing of films", substituted "shall report in accordance with this section when in the person's professional capacity the person has received information which gives the person" for "having", and deleted "is required to report in accordance with this section"; in subsection (B) substituted "subsection (A)" for "(A) of this section"; in subsection (C) deleted "made pursuant to this section" following "or neglect", substituted "or" for ", or in the alternative,", and redesignated paragraphs (1) and (2) as undesignated subsections; in the first undesignated subsection substituted "the law enforcement agency" for "it", and substituted "the law enforcement's" for "its"; in the second undesignated subsection substituted "multicounty" for "local", inserted "the" preceding "county department", and substituted "immediately shall" for "shall immediately"; and made nonsubstantive changes.

The **1999** amendment rewrote subsection (B), added subsections (C) and (E) and redesignated former subsection (C) as subsection (D).

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The **2001** amendment in subsection (A) inserted ", computer technician," and deleted ", or" following "funeral home".

The **2002** amendment added subsections (F) and (G).

The first **2003** amendment, in subsection (A), substituted "childcare" for "daycare".

The second **2003** amendment, in subsection (A), substituted "member of the clergy including a Christian Science Practitioner or religious healer," for "or Christian Science practitioner, religious healer," following "allied health professional", "child has been or may be abused or neglected as defined in [Section 20-7-490](#)" for "child's physical or mental health or welfare has been or may be adversely affected by abuse or neglect" at the end, and made nonsubstantive changes.

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