

T. C. A. § 37-1-605



West's Tennessee Code Annotated [Currentness](#)

Title 37. Juveniles

[Chapter 1](#). Juvenile Courts and Proceedings

[Part 6](#). Child Sexual Abuse ([Refs & Annos](#))

➔ § **37-1-605. Reports**; investigation and investigators; medical examiners

(a) Any person, including, but not limited to, any:

- (1) Physician, osteopathic physician, medical examiner, chiropractor, nurse or hospital personnel engaged in the admission, examination, care or treatment of persons;
- (2) Health or mental health professional other than one listed in subdivision (1);
- (3) Practitioner who relies solely on spiritual means for healing;
- (4) School teacher or other school official or personnel;
- (5) Judge of any court of the state;
- (6) Social worker, day care center worker, or other professional child care, foster care, residential or institutional worker;
- (7) Law enforcement officer; or
- (8) Neighbor, relative, friend or any other person who knows or has reasonable cause to suspect that a child has been sexually abused;

shall report such knowledge or suspicion to the department in the manner prescribed in subsection (b).

(b)(1) Each report of known or suspected child sexual abuse pursuant to this section shall be made immediately to the local office of the department responsible for the investigation of reports made pursuant to this section or to the judge having juvenile jurisdiction or to the office of the sheriff or the chief law enforcement official of the municipality where the child resides. Each report of known or suspected child sexual abuse occurring in a facility licensed by the department of mental health and developmental disabilities, as defined in [§ 33-5-402](#), or any hospital, shall also be made to the local law enforcement agency in the jurisdiction where such offense occurred. In addition to those procedures provided by this part, the provisions of [§ 37-1-405](#) shall also apply to all cases reported hereunder.

(2) If a law enforcement official or judge becomes aware of known or suspected child sexual abuse, through personal knowledge, receipt of a report or otherwise, such information shall be reported to the department immediately and the child protective team shall be notified to investigate the report for the protection of the child in accordance with the provisions of this part. Further criminal investigation by such official shall be appropriately conducted.

(3) Reports involving known or suspected institutional child sexual abuse shall be made and received in the same manner as all other reports made pursuant to this section.

(c) Any person required to report or investigate cases of suspected child sexual abuse who has reasonable cause to suspect that a child died as a result of child sexual abuse shall report such suspicion to the appropriate medical examiner. The medical examiner shall accept the report for investigation and shall report the medical examiner's findings, in writing, to the local law enforcement agency, the appropriate district attorney general, and the department. Autopsy reports maintained by the medical examiner shall not be subject to the confidentiality

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requirements provided for in [§ 37-1-612](#).

1985 Pub.Acts, c. 478, § 6; 1987 Pub.Acts, c. 145, §§ 2, 11; 1988 Pub.Acts, c. 953, § 14; [1993 Pub.Acts, c. 439, § 2, eff. July 1, 1993](#); [1994 Pub.Acts, c. 901, § 2, eff. May 9, 1994](#); [2000 Pub.Acts, c. 947, § 6, 8M eff. June 23, 2000](#).

HISTORICAL AND STATUTORY NOTES

2000 Pub.Acts, c. 947, § 6 and 8M, directed the Tennessee Code Commission to substitute "department of mental health and developmental disabilities" for "department of mental health and mental retardation" throughout the Tennessee Code; and made conforming changes in statutory citation.

CROSS REFERENCES

Bureau of investigation, central registry of sexual offenders, see [§ 38-6-110](#).

Department of children's services, powers, see [§ 37-5-106](#).

Department of children's services, "report of harm" defined, see [§ 37-5-103](#).

False reports of child abuse, see [§ 37-1-413](#).

Family violence shelters and child abuse prevention services, requirements for receipt of funds, see [§ 71-6-204](#).

Persons required to report child abuse, see [§ 37-1-403](#).

LIBRARY REFERENCES

Key Numbers

Infants  13.5, 133.

Westlaw Key Number Searches: 211k13.5; 211k133.

Corpus Juris Secundum

C.J.S. Criminal Law § 2008.

[C.J.S. Infants §§ 57, 69 to 85](#).

RESEARCH REFERENCES

Treatises and Practice Aids

[13 Causes of Action 2d 1](#), Cause of Action Under State Law Against Public School for Sexual Harassment of Student by School Personnel or Other Student.

[3 Tenn. Prac. Series R 26 Gen Matls](#), General Materials.


NOTES OF DECISIONS

Failure to report child sexual abuse 1

1. Failure to report child sexual abuse

Civil damage liability for failing to report complaints of child sexual abuse will arise only when it proximately

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causes injury to another. [T.C.A. § § 29- 20-205, 29-20-205\(1\), 37-1-403\(a\)\(4\)](#), 37-1-605(a)(4). [Doe v. Coffee County Bd. of Educ., 1992, 852 S.W.2d 899](#), appeal denied. Infants  13

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