

Mandatory Reporting Requirements: Children Nevada

Last Updated: April 2023

Question	Answer
Who is required to report?	<ul style="list-style-type: none"> • Any of the following when acting in his or her professional or occupational capacity: <ul style="list-style-type: none"> • A physician, dentist, dental hygienist, chiropractor, optometrist, dispensing optician, podiatrist, homeopathic physician, osteopath, medical examiner, resident, intern, perfusionist, professional or practical nurse, licensed physician assistant, audiologist, speech-language pathologist, physical or occupational therapist, pharmacist, psychiatrist, psychologist, marriage and family therapist, clinical professional counselor, clinical alcohol and drug abuse counselor, alcohol and drug abuse counselor, clinical social worker, music therapist, athletic trainer, driver of an ambulance, advanced emergency medical technician, paramedic, licensed dietician, a doctor of oriental medicine in any form, narapath, or other person providing medical services licensed or certified in the State of Nevada; • Any personnel of a hospital or similar institution engaged in the admission, examination, care or treatment of persons or an administrator, manager or other person in charge of a hospital or similar institution upon notification of suspected abuse or neglect of a child by a member of the staff of the hospital; • A coroner; • A clergyman, practitioner of Christian Science or religious healer, unless he has acquired the knowledge of the abuse or neglect from the offender during a confession; • A person employed by a public school or private school and any person who serves as a volunteer at such a school; • Any person who maintains or is employed by a facility or establishment that provides care for children, children's camp or other public or private facility, institution or agency furnishing care to a child; • Any person licensed to conduct a foster home; • Any officer or employee of a law enforcement agency or an adult or juvenile probation officer; • An attorney, unless he or she has acquired the knowledge of the abuse or neglect from a client who is or may be accused of the abuse or neglect; • Any person who maintains, is employed by or serves as a volunteer for an agency or service which advises persons regarding abuse or neglect of a child and refers them to persons or agencies where their requests and needs can be met; • Any person who is employed by or serves as a volunteer for an approved youth shelter; • Any adult person who is employed by an entity that provides organized activities for children, including, without limitation, a person who is employed by a school district or public school; • Any person who is enrolled with the Division of Health Care Financing and Policy of the Department of Health and Human Services to provide doula services to recipients of Medicaid; and

- A peer recover support specialist, or peer recovery support specialist supervisor.

When is a report required and where does it go?

When is a report required?

- One of the individuals above in his or her professional or occupational capacity knows or has reasonable cause to believe that a child has been abused or neglected.
- Those delivering or providing medical services to newborn infants have a duty to report those they know or have reasonable cause to believe were affected by a fetal alcohol spectrum disorder or prenatal illegal substance abuse or has withdrawal symptoms resulting from prenatal drug exposure.
- Employees of and volunteers for a public or private school have additional reporting requirements when such employee or volunteer knows or has reasonable cause to believe that a child has been subjected to (i) abuse or neglect, sexual conduct, luring, or a violation of NRS 201.553 (relating to unlawful communications between persons in position of authority and pupils) by another employee of or volunteer for a public school or private school or (ii) corporal punishment by another employee of or volunteer for a public school or private school. These requirements are referred to herein as the “Additional School Mandatory Reporting Requirements.”
- Persons who know or have reasonable cause to believe that another person has committed a violent or sexual offense against a child who is 12 years of age or younger. A person is not required to report if they (1) are less than 16 years of age; (2) are, by blood or marriage, the spouse, brother, sister, parent, grandparent, child or grandchild of: (a) the child who is the victim of the violent or sexual offense; or (b) the person who committed the violent or sexual offense against the child; (3) suffers from a mental or physical impairment or disability that, in light of all the surrounding facts and circumstances, would make it impracticable for the person to report the commission of the violent or sexual offense against the child to a law enforcement agency; (4) knows or has reasonable cause to believe that reporting the violent or sexual offense against the child to a law enforcement agency would place the person or any other person who is related to him or her by blood or marriage or who resides in the same household as he or she resides, whether or not the other person is related to him or her by blood or marriage, in imminent danger of suffering substantial bodily harm; (5) became aware of the violent or sexual offense against the child through a communication or proceeding that is protected by a privilege set forth in chapter 49 of NRS; or (6) is acting in his or her professional or occupational capacity and is required to report the abuse or neglect of a child pursuant to NRS 392.303 (Additional School Mandatory Reporting Requirements) or 432B.220 (professional/occupational mandatory reporting requirements). This requirements are referred to herein as the “Additional Minor Sexual Violence Mandatory Reporting Requirements.”

Where does it go?

- Reports should be made to the State of Nevada Division of Child & Family Services (DCFS) (775-684-4400; fax 775-684-4455) (in Clark County call 702-399-0081; in Washoe County call 833-900-SAFE (7233); for all the other counties call 833-571-1041 or 833-803-1183833-571-1041 or 833-803-1183 (after hours, weekends, holidays)) or a law enforcement agency (police department or sheriff’s department), unless the reporter knows or has reason to believe that the abuse involved an act of:
 - an agency providing child welfare services or a law enforcement agency, in which case the person should report to an agency other than the one alleged to have committed the act or omission; or

	<ul style="list-style-type: none"> • the person directly responsible for, or serving as a volunteer for or an employee of a public or private home, an institution or facility where the victim is receiving child care outside of her home for a portion of the day, in which case the abuse should be reported to a law enforcement agency. • If a person who is required to make a report knows or has reasonable cause to believe that a child has died as a result of abuse or neglect, the person shall, as soon as reasonably practicable, report this belief to Nevada Department of Children and Family Services or a law enforcement agency. • Additional School Mandatory Reporting Requirements: <ul style="list-style-type: none"> • For an employee of or volunteer for a public or private school who knows or has reasonable cause to believe that a child has been subjected to abuse or neglect, sexual conduct or luring by another employee of or volunteer for a public school or private school, the report should be made to the agency which provides child welfare services in the county in which the school is located and a law enforcement agency. • For an employee of or volunteer for a public or private school who knows or has reasonable cause to believe that a child has been subjected to corporal punishment by another employee of or volunteer for a public school or private school, the report should be made to the agency which provides child welfare services in the county in which the school is located. • Additional Minor Sexual Violence Mandatory Reporting Requirements: <ul style="list-style-type: none"> • For a person who knows or has reasonable cause to believe that another person has committed a violent or sexual offense against a child who is 12 years of age or younger, the report should be made to a law enforcement agency.
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<p>What definitions are important to know?</p>	<ul style="list-style-type: none"> • “Abuse or neglect of a child” means: (a) physical or mental injury of a non-accidental nature; (b) sexual abuse or sexual exploitation; or (c) negligent treatment or maltreatment of a child caused or allowed by a person responsible for the welfare of the child under circumstances which indicate that the child’s health or welfare is harmed or threatened with harm. <p>For the Additional School Mandatory Reporting Requirements, this definition includes abuse or neglect caused by a person who is an employee of or volunteer for a public school or private school and is not responsible for the welfare of the child (a parent, legal guardian, stepparent or other adult person found in the same home as the child on a regular basis or a home, institution or facility where the child resides or receives care).</p> <p>A child is not abused or neglected, nor is the health or welfare of the child harmed or threatened for the sole reason that:</p> <p>(a) the parent of the child delivers the child to a provider of emergency services pursuant to NRS 432B.630 (Delivery of newborn child to provider of emergency services), if the parent complies with the requirements of paragraph (a) of subsection 3 of that section (parent shall leave the child: (1) in the physical possession of a person who the parent has reasonable cause to believe is an employee of the provider; or (2) on the property of the provider in a manner and location that the parent has reasonable cause to believe will not</p>
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threaten the physical health or safety of the child, and immediately contact the provider, through the local emergency telephone number or otherwise, and inform the provider of the delivery and location of the child. A provider of emergency services is not liable for any civil damages as a result of any harm or injury sustained by a child after the child is left on the property of the provider pursuant to this subparagraph and before the provider is informed of the delivery and location of the child pursuant to this subparagraph or the provider takes physical possession of the child, whichever occurs first);

(b) the parent or guardian of the child, in good faith, selects and depends upon nonmedical remedial treatment for such child, if such treatment is recognized and permitted under the laws of Nevada in lieu of medical treatment;

(c) The parent or guardian of the child seeks to have the child admitted into a public or private mental health facility or hospital if the behavioral health needs of the child pose a risk to the safety and welfare of the family; or

(d) The parent or guardian of the child brings into the home of the child a biological, foster or adoptive child whose behavioral health needs pose a risk to the safety and welfare of the family.

- **“Allow”** means to do nothing to prevent or stop the abuse or neglect of a child in circumstances where the person knows or has reason to know that a child is abused or neglected.
- A person acts **“as soon as reasonably practicable”** if, in light of all the surrounding facts and circumstances which are known or which reasonably should be known to the person at the time, a reasonable person would act within approximately the same period under those facts and circumstances.
- **“Child”** means a person under the age of 18 or, if in school, until the person graduates from high school.
- A person has **“reasonable cause to believe”** if, in light of all the surrounding facts and circumstances which are known or which reasonably should be known to the person at the time, a reasonable person would believe, under those facts and circumstances, that an act, transaction, event, situation or condition exists, is occurring or has occurred.

What timing and procedural requirements apply to reports?

- As soon as reasonably practicable but not later than 24 hours after the reporter knows or has reasonable cause to believe that the child has been abused or neglected. Reports are to be made by telephone or (in light of all the surrounding facts and circumstances known or which reasonably should be known to the person at the time), by any other means of oral, written, or electronic communications that a reasonable person would believe, under those facts and circumstances, is a reliable and swift means of communicating under the circumstances.
- If the report is made orally, the person who receives the report must reduce it to writing as soon as reasonably practicable.

<p>What information must a report include?</p>	<ul style="list-style-type: none"> • Reports should contain, if obtainable and to the extent applicable: <ul style="list-style-type: none"> • The name, address, age and sex of the child and, if reported under the Additional School Mandatory Reporting Requirements, the school in which the child is enrolled; • The name and address of the child's parents or other person(s) responsible for his care; • The nature and extent of the abuse or neglect, the effect of a fetal alcohol spectrum disorder or prenatal substance use disorder on the newborn infant or the nature of the withdrawal symptoms resulting from prenatal substance exposure of the newborn infant; • If reported under the Additional School Mandatory Reporting Requirements, the nature and extent of the sexual conduct, luring or corporal punishment to the child; • Any evidence of previously known or suspected regarding abuse or neglect of the child or the child's siblings, or effects of a fetal alcohol spectrum disorder or prenatal substance use disorder on or evidence of withdrawal symptoms resulting from prenatal substance exposure of the newborn infant; • The name, address and relationship, if known, of the person alleged to have abused or neglected, and if reported under the Additional School Mandatory Reporting Requirements, engaged in sexual contact with, lured or administered corporal punishment to the child; and • Any other information which DCFS or the applicable law enforcement agency considers necessary. • Reports made pursuant to the Additional Minor Sexual Violence Mandatory Reporting Requirements should contain: <ul style="list-style-type: none"> • If known, the name of the child and the name of the person who committed the violent or sexual offense against the child; • The location where the violent or sexual offense was committed; and • The facts and circumstances which support the person's belief that the violent or sexual offense was committed.
<p>Anything else I should know?</p>	<ul style="list-style-type: none"> • A report may be made by any other person. • Knowingly and willfully failing to report is a misdemeanor for the first violation and a gross misdemeanor for each subsequent violation. For the Additional Minor Sexual Violence Mandatory Reporting Requirements, knowingly and willfully failing to report is a misdemeanor, but a person may not be prosecuted or convicted unless a court enters a conviction against a culpable actor for (a) the violent or sexual offense against the child; or (b) any other offense arising out of the same facts as the violent or sexual offense against the child. • Note that employees of the DCFS and others will be guilty of a misdemeanor if they have reason to believe that a child who sought services from DCFS has been or is being abused or neglected and fail to report this.
<p>Statutory citation(s):</p>	<p>Nev. Rev. Stat. §§ 432B.020, 432B.040, 432B.121, 432B.220, 432B.230, 432B.240, 392.303, 392.305, 202.882, 202.885, 202.888</p>