

Mandatory Reporting Requirements: Children Illinois

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Question	Answer
Who is required to report?	<ul style="list-style-type: none">• Any of the following persons or entities, having reasonable cause to believe a child known to them <i>in their professional or official capacity</i> may be an abused child or a neglected child:<ul style="list-style-type: none">• Physician;• Resident;• Intern;• Hospital;• Hospital administrator;• Personnel engaged in the examination, care and treatment persons;• Surgeon;• Dentist;• Dental hygienist;• Osteopath;• Chiropractor;• podiatric physician;• Physician assistant;• Substance abuse treatment personnel;• Funeral home director or employee;• Coroner;• Medical Examiner;• Emergency medical technician;• Acupuncturist;• Crisis line or hotline personnel;• School personnel (including administrators and both certified and non-certified school employees);• Personnel of institutions of higher education;• Educational advocate assigned to a child pursuant to School Code;• Member of a school board or the Chicago Board of Education or the governing body of a private school (but only to the extent required in accordance with other provisions of this Section expressly concerning the duty of school board members to report suspected child abuse);• Truant officers;• Social workers;• Social Services administrator;• Domestic violence program personnel;• Registered nurse;

- Licensed practical nurse;
- Genetic counselor;
- Respiratory care practitioner;
- Advanced practice nurse;
- Home health aide;
- Director or staff assistant of a nursery school or a child day care center, recreational or athletic program or facility personnel;
- Early intervention provider as defined in the Early Intervention Services System Act;
- Law enforcement officer;
- Licensed professional counselor;
- Licensed clinical professional counselor;
- Registered psychologist and assistants working under direct supervision of a psychologist, psychiatrist, or field personnel of the Department of Health Care and Family Services, Juvenile Justice, Public Health, Human Services, Corrections, Human Rights, or Children and Family Services;
- Supervisor and administrator of general assistance under the Illinois Public Aid Code;
- Probation officer;
- Animal control officer or Illinois Department of Agriculture Bureau of Animal Health and Welfare field investigator;
- Any other foster parent, homemaker or child care worker
- Any member of the clergy having reasonable cause to believe that a child known to that member of the clergy in his or her professional capacity may be an abused child as a result of a sex offense; and
- Any physician, physician's assistant, registered nurse, licensed practical nurse, medical technician, certified nursing assistant, social worker, or licensed professional counselor of any office, clinic, or any other physical location that provides abortions, abortion referrals, or contraceptives having reasonable cause to believe a child known to him or her in his or her professional or official capacity may be an abused child or a neglected child.

When is a report required and where does it go?

When is a report required?

- Reasonable cause to believe a child known to them may be an abused or neglected child.
- For clergy, reasonable cause to believe a child known to them may be an abused child as a result of a sex offense.

Where does it go?

- All reports shall be made by telephone to the central register (1-800-25-ABUSE or 1-800-252-2873 or TTY 1-800-358-5117), which is maintained by the Illinois Department of Children and Family Services ("DCFS"), or in person or by telephone through the nearest DCFS office. In non-emergent situations, mandated reporters may report online (<https://www2.illinois.gov/dcf/safekids/reporting/Pages/index.aspx>) though this requires creation of an account
- Whenever a person is required to report in his capacity as a member of the staff of a medical or other public or private institution, school, faculty or agency, or as a member of the clergy, he shall make a

	<p>report immediately to the DCFS and may also notify the person in charge of such institution, etc. or his or her designated agent that such report has been made.</p> <ul style="list-style-type: none"> • Any mandatory reporter or any other person who has reasonable cause to suspect that a child has died as a result of abuse or neglect shall also immediately report that suspicion to the appropriate medical examiner or coroner. • If an electronic and information technology worker discovers any depiction of child pornography while installing, repairing, or otherwise servicing an item of electronic and information technology equipment, that worker or the worker’s employer shall immediately report the discovery to the local law enforcement agency or to the Cyber Tip-line at the National Center for Missing & Exploited Children. • If an allegation is raised to a school board member during the course of an open or closed school board meeting that a child who is enrolled in the school district of which he or she is a board member is an abused child, the member shall direct or cause the school board to direct the superintendent of the school district or other equivalent school administrator to comply with the reporting requirements.
<p>What definitions are important to know?</p>	<ul style="list-style-type: none"> • “Abused child” means a child whose parent or immediate family member, or any person responsible for the child’s welfare, or any individual residing in the same home as the child, or a paramour of the child’s parent does any of the enumerated items in 325 ILCS 5/3. A child shall not be considered neglected or abused solely because the child has been relinquished in accordance with the Abandoned Newborn Infant Protection Act. • “Adult residents” are covered by the mandatory reporting requirements. An adult resident is any person between 18 and 22 years who resides in any facility licensed by the Department through the Child Care Act of 1969. An adult resident is protected to the same extent as a child is under the statute (child abuse or neglect includes abuse or neglect of an adult resident). • “Child” means a person under the age of 18 who is not legally emancipated by reason of marriage or entry into a branch of the United States armed services. • “Neglected child” means any child who: <ul style="list-style-type: none"> • Is not receiving the proper or necessary nourishment or medically indicated treatment including food or care not provided solely on the basis of the present or anticipated mental or physical impairment as determined by a physician acting alone or in consultation with other physicians or otherwise is not receiving the proper or necessary support or medical or other remedial care recognized under State law as necessary for a child’s well-being, or other care necessary for his or her well-being, including adequate food, clothing and shelter; • Is subjected to an environment which is injurious insofar as (i) the child’s environment creates a likelihood of harm to the child’s health, physical well-being, or welfare and (ii) the likely harm to the child is the result of a blatant disregard of parent or caretaker responsibilities; • Is abandoned by his or her parents or other person responsible for the child’s welfare without a proper plan of care; • Has been provided with interim crisis intervention services under Section 3-5 of the Juvenile Court Act of 1987 and whose parent, guardian, or custodian refuses to permit the child to return home and no other living arrangement agreeable to the parent, guardian, or custodian can be made, and the parent, guardian, or custodian has not made any other appropriate living arrangement for the child; or

	<ul style="list-style-type: none"> • Is a newborn infant whose blood, urine, or meconium contains any amount of a controlled substance as defined in subsection (f) of Section 102 of the Illinois Controlled Substances Act or a metabolite thereof, with the exception of a controlled substance or metabolite thereof whose presence in the newborn infant is the result of medical treatment administered to the mother or the newborn infant. • A child shall not be considered “neglected” for the sole reason that the child’s parent or other person responsible for his or her welfare has left the child in the care of an adult relative for any period of time; the child has been relinquished in accordance with the Abandoned Newborn Infant Protection Act; such child’s parent or other person responsible for his or her welfare depends upon spiritual means through prayer alone for the treatment or cure of disease or remedial care as provided under Section 4 of this Act; or because the child is not attending school in accordance with the requirements of Article 26 of The School Code, as amended.
<p>What timing and procedural requirements apply to reports?</p>	<ul style="list-style-type: none"> • Must report suspected abuse or neglect <i>immediately</i>. • All reports by mandatory reporters must be confirmed in writing to the appropriate Child Protective Services Unit within 48 hours of any initial report.
<p>What information must a report include?</p>	<ul style="list-style-type: none"> • Reports shall include, if known: <ul style="list-style-type: none"> • Name and address of the child and his parents or other persons having his custody; • The child’s age; • The nature of the child’s condition including any evidence of previous injuries or disabilities; and • Any other information that the person filing the report believes might be helpful in establishing the cause of such abuse or neglect and the identity of the person believed to have caused such abuse or neglect.
<p>Anything else I should know?</p>	<ul style="list-style-type: none"> • Any person making a report shall testify fully in any judicial proceeding. • The privileged quality of communication between any professional person required to report and his patient or client shall not apply to situations involving abused or neglected children and shall not constitute grounds for failure to report as required <ul style="list-style-type: none"> • The reporting requirements of this Act shall not apply to the contents of a privileged communication between an attorney and his or her client or to confidential information within the meaning of Rule 1.6 of the Illinois Rules of Professional Conduct relating to the legal representation of an individual client. • A member of the clergy may claim the privilege under Section 8-803 of the Code of Civil Procedure • Knowing and willful violation of reporting requirements is a Class A misdemeanor for a first violation and a Class 4 felony for a second or subsequent violation, other than the submission of false reports, as described elsewhere. If a person acts as part of a plan or scheme to prevent the discovery of an abused or neglected child by lawful authorities to protect or insulate any person or entity from arrest or prosecution, the person is guilty of a Class 4 felony for a first offense and a Class 3 felony for a second or subsequent offense. • Any person who knowingly transmits a false report of child abuse or neglect commits the offense of disorderly conduct, which is a Class 4 felony.

- Any person who enters into employment on or after July 1, 1986 and is mandated to report suspected child abuse must sign a statement signifying the employee understands the reporting requirements prior to commencing employment.
- Any physician who willfully fails to report suspected child abuse or neglect as required by this Act shall be referred to the Illinois State Medical Disciplinary Board.
- Any dentist or dental hygienist who willfully fails to report suspected child abuse or neglect as required by this Act shall be referred to the Department of Professional Regulation.
- Any other mandated reporter (other than physician or dentist or dental hygienist) who willfully fails to report such is guilty of a Class A misdemeanor for a first violation and a Class 4 felony for a second or subsequent violation.
- For individual covered under Illinois Athletic Trainers Practice Act, the Department of Financial and Professional Regulation may refuse to issue or renew, or may revoke, suspend, place on probation, reprimand, or take other disciplinary action as the Department may deem proper, including fines not to exceed \$10,000 for each violation, with regard to any licensee for willfully failing to report an instance of suspected child abuse or neglect as required by the Abused and Neglected Child Reporting Act.
- An electronic and information technology equipment worker or electronic and information technology equipment worker's employer who reports a discovery of child pornography as required under this Section is immune from any criminal, civil, or administrative liability in connection with making the report, except for willful or wanton misconduct.
- Failure to report a discovery of child pornography as required under this Section is a business offense subject to a fine of \$1,001.
- Any person, institution, or agency participating in good faith in the making of a report of child abuse or neglect or in the investigation of such a report or referral or in the taking of photographs and x-rays shall have immunity from any liability, civil, criminal or that otherwise might result by reason of such actions.
- A child whose parent, guardian or custodian in good faith selects and depends upon spiritual means through prayer alone for the treatment or cure of disease or remedial care may be considered neglected or abused, but not for the sole reason that his parent, guardian or custodian accepts and practices such beliefs.
- No employer shall discharge, demote or suspend, or threaten to discharge, demote or suspend, or in any manner discriminate against any employee who makes any good faith oral or written report of suspected child abuse or neglect, or who is or will be a witness or testify in any investigation or proceeding concerning a report of suspected child abuse or neglect.
- Under no circumstances shall any person in charge of such institution, school, facility or agency, or church, synagogue, temple, mosque, or other religious institution, or his designated agent to whom such notification has been made, exercise any control, restraint, modification or other change in the report or the forwarding of such report to the Department.

Statutory citation(s):

- Abused and Neglected Child Reporting Act, 325 ILCS §§ 5/3, 5/4, 5/4.1, 5/4.02, 5/4.5, 5/7, 5/7.6, 5/9; 5/9.1, 5,10; 225 ILC 5/16