

# Mandatory Reporting Requirements: Children Nebraska

*Last Updated: March 2020*

Question	Answer
Who is required to report?	<ul style="list-style-type: none"> <li>• Any person.</li> </ul>
When is a report required and where does it go?	<p><b>When is a report required?</b></p> <ul style="list-style-type: none"> <li>• When there is reasonable cause to believe a child has been subjected to child abuse or neglect or observation of a child being subjected to conditions or circumstances which reasonably would result in child abuse or neglect.               <ul style="list-style-type: none"> <li>• Whether or not “reasonable cause” exists within the meaning of the statute requires an “exercise of discretion and personal judgment.” <i>Larson by Larson v. Miller</i>, 76 F.3d 1446, 1457 (8th Cir. 1996).</li> </ul> </li> </ul> <p><b>Where does it go?</b></p> <ul style="list-style-type: none"> <li>• A local law enforcement agency (i.e., the police department or town marshal in incorporated municipalities, the office of the sheriff in unincorporated areas, or the Nebraska State Patrol) or the Nebraska Department of Health and Human Services Adult &amp; Child Abuse &amp; Neglect Hotline (1-800-652-1999).</li> <li>• The person who takes the initial telephone report will provide information regarding where the written report should be sent.</li> </ul>
What definitions are important to know?	<ul style="list-style-type: none"> <li>• <b>“Child abuse or neglect”</b> means knowingly, intentionally, or negligently causing or permitting a minor child to be:           <ul style="list-style-type: none"> <li>• Placed in a situation that endangers his or her life or physical or mental health;</li> <li>• Cruelly confined or cruelly punished;</li> <li>• Deprived of necessary food, clothing, shelter, or care;</li> <li>• Left unattended in a motor vehicle if such minor child is six years of age or younger;</li> <li>• Placed in a situation to be sexually abused;</li> <li>• Placed in a situation to be sexually exploited through sex trafficking of a minor or by allowing, encouraging, or forcing such person to engage in debauchery, public indecency, or obscene or pornographic photography, films, or depictions; or</li> <li>• Placed in a situation to be a trafficking victim.</li> </ul> </li> </ul>

<p>What timing and procedural requirements apply to reports?</p>	<ul style="list-style-type: none"> <li>• Timing is not specified.</li> <li>• Telephone report must be followed by a written report.</li> </ul>
<p>What information must a report include?</p>	<ul style="list-style-type: none"> <li>• Oral reports must include the name of the reporter and his or her address.</li> <li>• Written reports must include, to the extent available: <ul style="list-style-type: none"> <li>• The name, address, and age of the child;</li> <li>• The address of the person having custody of child;</li> <li>• The nature and extent of the abuse or neglect, or conditions and circumstances which would reasonably result in such child abuse or neglect;</li> <li>• Any evidence of previous child abuse or neglect including the nature and extent; and</li> <li>• Any other information that the reporter believes may be helpful in establishing the cause of the child abuse and identity of the perpetrator(s).</li> </ul> </li> </ul>
<p>Anything else I should know?</p>	<ul style="list-style-type: none"> <li>• The statutory privilege between patient and physician, between client and professional counselor, and between husband and wife shall not be available for excluding or refusing testimony in any judicial proceeding resulting from a report of child abuse.</li> <li>• Any person participating in an investigation or the making of a report of child abuse or neglect required by <a href="#">section 28-711</a> pursuant to or participating in a judicial proceeding resulting therefrom shall be immune from any liability, civil or criminal, that might otherwise be incurred or imposed, except for maliciously false statements.</li> <li>• Any person who willfully fails to make any report shall be guilty of a Class III misdemeanor.</li> <li>• All reports of child abuse or neglect that are not classified under the statute (as court substantiated, court pending, or agency substantiated) will be maintained only in the tracking system of child protection cases and not in the central registry of child protection cases.</li> </ul>
<p>Statutory citation(s):</p>	<ul style="list-style-type: none"> <li>• Neb. Rev. Stat. §§ 28-359, 28-707, 28-710, 28-711, 28-714, 28-716, 28-717, 28-720, 28-720.01</li> </ul>