

Child Abuse

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... Some forms of child abuse may not be readily recognizable to practitioners. That is why a thorough knowledge of child abuse reporting requirements, which vary from state to state, is necessary in order to avoid being faced with the charge of failure to report – which could result in a criminal case against the therapist or counselor, or perhaps a licensing board action to revoke or suspend one’s license. Some examples of situations possibly requiring a report, which may not at first glance seem like child abuse, follow.

Suppose that your client tells you that he was in an automobile accident and that a child in the other car was injured. In a later session, your client tells you that he was intoxicated (from alcohol or perhaps cocaine) at the time of the accident and that he veered into the other lane on the highway, which caused the accident. In some states, a report is required because the Legislature has passed a law that specifically covers such a situation and categorizes it as child abuse. In other states, it may be reportable if such action fits the definition of, for example, child endangerment or unjustifiable corporal punishment of a child. At first blush, this may not seem like child abuse. It may seem like an accident caused by a negligent driver – not by a child abuser. What is the law in your state?

Suppose that a patient reports that her husband struck her with his fist in the presence of their 10-year old child. Does this constitute child abuse? Is it reportable (mandatory or permissive) as emotional abuse of the minor or child endangerment? Does domestic violence not committed in the presence of a minor (although the minor is present in the residence) constitute reportable child abuse (e.g., child endangerment) if a weapon is used and the perpetrator is drunk? Or, suppose that the parents of a 12-year old child engage in drug dealing out of their house and that unsavory people are coming to the house on a regular basis. Does this constitute child abuse in the form of child endangerment or perhaps neglect?

These various situations may or may not require a report of child abuse – depending upon state law. It is important that counselors and therapists recognize when a child abuse reporting issue arises and that they have the resources available to get an informed answer to their questions. The important thing is to first recognize that there is a reporting issue.