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Oregon

Immunity for Reporters of Child Abuse and Neglect

To better understand this issue and to view it across States, download the PDF (</pubpdfs/immunity.pdf>) (481 KB) of this publication.

Current Through March 2015

Citation: Rev. Stat. § 419B.025

Anyone participating in good faith in making a report of child abuse and who has reasonable grounds for the making thereof shall have immunity from any civil or criminal liability that might otherwise be incurred or imposed with respect to the making or content of such report. Any such participant shall have the same immunity with respect to participating in any judicial proceeding resulting from such report.

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Mandatory Reporters of Child Abuse and Neglect

To better understand this issue and to view it across States, download the PDF (</pubpdfs/manda.pdf>) (763 KB) of this publication.

Current Through August 2015

Professionals Required to Report

Citation: Rev. Stat. §§ 419B.005; 419B.010

A public or private official is mandated to report. Public or private officials include:

- Physicians, physician assistants, naturopathic physicians, interns, residents, optometrists, chiropractors, dentists, nurses, nurse practitioners, pharmacists, nurse's aides, home health aides, or employees of in-home health services
- School employees, including employees of higher education institutions (such as community colleges and public and private universities)
- Employees of the Department of Human Services, Oregon Health Authority, Early Learning Division, Youth Development Council, Office of Child Care, the Oregon Youth Authority, a local health department, a community mental health program, a community developmental disabilities program, a county juvenile department, a licensed child-caring agency, or an alcohol and drug treatment program
- Peace officers

- Members of the clergy
- Psychologists, social workers, professional counselors, marriage and family therapists
- Certified foster care or child care providers
- Attorneys or court-appointed special advocates
- Firefighters or emergency medical technicians
- Members of the Legislative Assembly
- Physical, speech, or occupational therapists
- Audiologists or speech-language pathologists
- Employees of the Teacher Standards and Practices Commission directly involved in investigations or discipline by the commission
- Operators of preschool or school-age recorded programs
- Employees or a private agency or organization facilitating the provision of respite services for parents pursuant to a properly executed power of attorney
- Employees of organizations providing child-related services or activities, including youth groups or centers, scout groups or camps, or summer or day camps
- Coaches, assistant coaches, or trainers of athletes, if compensated and if the athlete is a child
- Personal support and home care workers

Reporting by Other Persons

Citation: Rev. Stat. § 419B.015

Any person may voluntarily make a report.

Institutional Responsibility to Report

Citation: Rev. Stat. § 419B.010

The duty to report under this section is personal to the public or private official alone, regardless of whether the official is employed by, a volunteer of, or a representative or agent for any type of entity or organization that employs persons or uses persons as volunteers who are public or private officials in its operations.

The duty to report under this section exists regardless of whether the entity or organization that employs the public or private official or uses the official as a volunteer has its own procedures or policies for reporting abuse internally within the entity or organization.

Standards for Making a Report

Citation: Rev. Stat. § 419B.010

A report is required when any public or private official has reasonable cause to believe that any child with whom the official comes in contact has suffered abuse.

The duty to report under this section is personal to the public or private official alone, regardless of whether the official is employed by, a volunteer of, or a representative or agent for any type of entity or organization that employs persons or uses persons as volunteers who are public or private officials in its operations.

The duty to report under this section exists regardless of whether the entity or organization that employs the public or private official or uses the official as a volunteer has its own procedures or policies for reporting abuse internally within the entity or organization.

Privileged Communications

Citation: Rev. Stat. § 419B.010

A psychiatrist, psychologist, member of the clergy, or attorney shall not be required to report if such communication is privileged under law. An attorney is not required to make a report of information communicated to the attorney in the course of representing a client if disclosure of the information would be detrimental to the client.

Inclusion of Reporter's Name in Report

Not addressed in statutes reviewed.

Disclosure of Reporter Identity

Citation: Rev. Stat. § 419B.015

The name, address, and other identifying information about the person who made the report may not be disclosed.

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Penalties for Failure to Report and False Reporting of Child Abuse and Neglect

To better understand this issue and to view it across States, download the PDF (</pubpdfs/report.pdf>) (416 KB) of this publication.

Current Through August 2015

Failure to Report

Citation: Rev. Stat. § 419B.010(3)

A person who violates the reporting laws commits a Class A violation. Prosecution under this law shall be commenced at any time within 18 months after the commission of the offense.

False Reporting

Citation: Rev. Stat. § 419B.016

A person commits the offense of making a false report of child abuse if, with the intent to influence a custody, parenting time, visitation, or child support decision, the person:

- Makes a false report of child abuse to the Department of Human Services or a law enforcement agency, knowing that the report is false
- Makes a false report of child abuse to a public or private official, knowing that the report is false and with the intent that the public or private official make a report of child abuse to the Department of Human Services or a law enforcement agency

Making a false report of child abuse is a Class A violation.

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