

2016 -- S 2368

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2016

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A N A C T

RELATING TO EDUCATION -- HEALTH AND SAFETY OF PUPILS -- CHILD ABUSE
HOTLINE

Introduced By: Senators Doyle, Gallo, Satchell, Nesselbush, and DiPalma

Date Introduced: February 10, 2016

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 16-21 of the General Laws entitled "Health and Safety of Pupils" is
2 hereby amended by adding thereto the following section:

3 **16-21-36. Duty to report - Posting child abuse hotline telephone number.** – Each
4 public school in the state, including charter public schools as defined in §16-77-2.1 shall post a
5 notice that contains the statewide, toll-free telephone number established and implemented by the
6 department of children, youth and families pursuant to §40-11-3 for the receipt of reports
7 concerning the suspicion of child abuse and neglect or that a child has been a victim of sexual
8 abuse by another child, in a conspicuous, high-traffic area accessed and widely used by the
9 students in each school.

10 SECTION 2. Section 40-11-3 of the General Laws in Chapter 40-11 entitled "Abused and
11 Neglected Children" is hereby amended to read as follows:

12 **40-11-3. Duty to report -- Deprivation of nutrition or medical treatment.** -- (a) Any
13 person who has reasonable cause to know or suspect that any child has been abused or neglected
14 as defined in section 40-11-2 or has been a victim of sexual abuse by another child shall, within
15 twenty-four (24) hours, transfer that information to the department of children, youth and families
16 or its agent who shall cause the report to be investigated immediately. As a result of those reports
17 and referrals, protective social services shall be made available to those children in an effort to
18 safeguard and enhance the welfare of those children and to provide a means to prevent further

1 abuse or neglect. The department shall establish and implement a single, statewide, toll-free
2 telephone to operate twenty-four (24) hours per day, seven (7) days per week for the receipt of
3 reports concerning child abuse and neglect, which reports shall be electronically recorded and
4 placed in the central registry established by section 42-72-7. The department shall create a sign
5 using a format that is clear, simple and understandable to students that contains the statewide toll-
6 free telephone number for posting in all public schools in languages predominately spoken in the
7 state, containing pertinent information relating to reporting the suspicion of child abuse, neglect
8 and sexual abuse. This sign shall be available to the school districts electronically. The
9 electronically recorded records, properly indexed by date and other essential identifying data,
10 shall be maintained for a minimum of three (3) years; provided, however, any person who has
11 been reported for child abuse and/or neglect and who has been determined not to have neglected
12 and/or abused a child, shall have his or her record expunged as to that incident three (3) years
13 after that determination. The department shall continuously maintain a management information
14 database which includes all of the information required to implement this section, including the
15 number of cases reported by hospitals, health care centers, emergency rooms and other
16 appropriate health care facilities.

17 (b) The reporting shall include immediate notification of the department of any instance
18 where parents of an infant have requested deprivation of nutrition that is necessary to sustain life
19 and/or who have requested deprivation of medical or surgical intervention that is necessary to
20 remedy or ameliorate a life threatening medical condition, if the nutrition or medical or surgical
21 intervention is generally provided to similar nutritional, medical, or surgical conditioned infants,
22 whether disabled or not.

23 (c) Nothing in this section shall be interpreted to prevent a child's parents and physician
24 from discontinuing the use of life-support systems or nonpalliative treatment for a child who is
25 terminally ill where, in the opinion of the child's physician exercising competent medical
26 judgment, the child has no reasonable chance of recovery from the terminal illness despite every
27 appropriate medical treatment to correct the condition.

28 SECTION 3. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO EDUCATION -- HEALTH AND SAFETY OF PUPILS -- CHILD ABUSE
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- 1 This act would require posting in every public school of a sign providing the telephone
- 2 number of the child abuse hotline.
- 3 This act would take effect upon passage.

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