



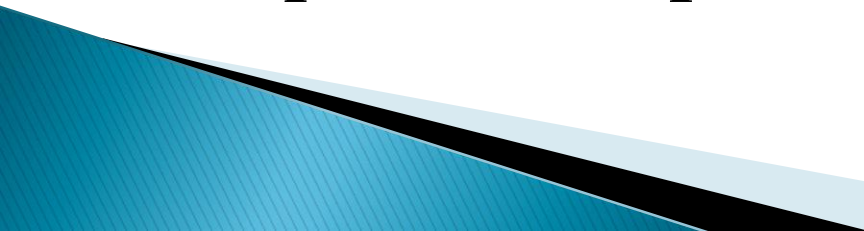
State of Utah
Division of Child and Family Services

Navigating DCFS for Medical
Professionals


What is Abuse (UCA: 78A-6-105)

Non-accidental harm or threatened harm of a child or sexual exploitation or sexual abuse.

Abuse does not include reasonable discipline or management of a child including withholding privileges, or the use of reasonable and necessary physical restraint or force on a child in self-defense, defense of others, to protect the child, or to remove a weapon in the possession of a child.



What is Neglect (UCA:78A-6-105)

- ▶ An action or inaction that causes abandonment of a child
 - ▶ Lack of proper parental care by reason of the fault or habits of the parent, guardian, or custodian; failure or refusal of a parent, guardian, or custodian to provide proper or necessary subsistence, education, or medical care, or any other care necessary for the child's health, safety, morals, or well-being
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Types of Abuse and Neglect

Types of Abuse

- ▶ Child Endangerment
- ▶ DVRCA
- ▶ Emotional Abuse
- ▶ Physical Abuse
- ▶ Pediatric Condition Falsification
- ▶ Sexual Abuse
- ▶ Fetal Exposure to Drugs

Types of Neglect

- ▶ Abandonment
- ▶ Educational
- ▶ Environmental
- ▶ Failure to Protect
- ▶ Medical Neglect
- ▶ Failure to Thrive
- ▶ Non-Supervision
- ▶ Physical Neglect

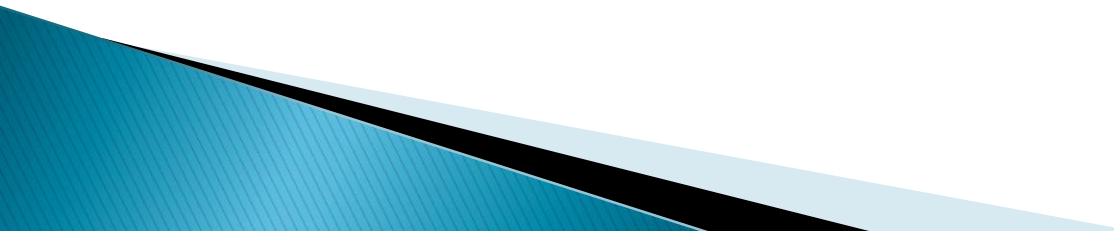
Making a Referral to DCFS

DCFS Child Abuse and Neglect Reporting Line
1-855-323-DCFS (3237)

In order to open a case we need:

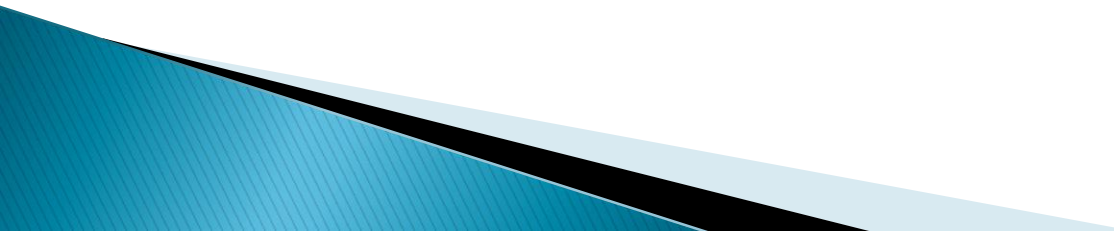
- ▶ A way to identify and locate the victim (under 18)
- ▶ A valid allegation of Abuse or Neglect

CPS Priority Response Times

- ▶ Priority 1: Caseworker has 1 hour to respond
 - ▶ Priority 2: Caseworker has 24 Hours to respond
 - ▶ Priority 3: Caseworker has 72 business hours to respond.
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Key Laws for Medical Professionals

The following are excerpts with citations. They are not the full text of each law! Consult your facility administration or legal counsel for specific questions in your practice!



UCA. 62A-4a-403

▶ **Reporting Requirements:**

- (1) (a) “...when any person including persons licensed under Title 58, Chapter 67, Utah Medical Practice Act, or Title 58, Chapter 31b, Nurse Practice Act, has reason to believe that a child has been subjected to abuse or neglect, or who observes a child being subjected to conditions or circumstances which would reasonably result in abuse or neglect, that person shall immediately notify the nearest peace officer, law enforcement agency, or office of the division...”

UCA. 62A-4a-405

▶ **Death of a Child**

- (1) “Any person who has reason to believe that a child has died as a result of abuse or neglect shall report that fact to:”
 - (a) “the local law enforcement agency...”
 - (b) “the appropriate medical examiner in accordance with Title 26, Chapter 4, Utah Medical Examiner Act.”

UCA. 62A-4a-406

▶ **Photographs:**

- (1) “Any physician, surgeon, medical examiner, peace officer, law enforcement official, or public health officer or official may take photographs of the areas of trauma visible on a child and, if medically indicated, perform radiological examinations.”
- (2) “Photographs may be taken of the premises or of objects relevant to a reported circumstance of abuse or neglect.”
- (3) “Photographs or X-rays, and all other medical records pertinent to an investigation for abuse or neglect shall be made available to the division, law enforcement officials, and the court.”

UCA. 62A-4a-407

▶ **Protective custody:**

- (1) “A physician examining or treating a child may take the child into protective custody not to exceed 72 hours, without the consent of the child's parent, guardian, or any other person responsible for the child's care or exercising temporary or permanent control over the child, when the physician has reason to believe that the child's life or safety will be in danger unless protective custody is exercised.”
- (3) “The division shall be immediately notified of protective custody exercised under this section. Protective custody under this section may not exceed 72 hours without an order of the district or juvenile court.”

UCA. 62A-4a-410

▶ **Immunity from liability:**

- (1) “Except as provided in Subsection (3), any person, official, or institution participating in good faith in making a report, taking photographs or X-rays, assisting an investigator from the division, serving as a member of a child protection team, or taking a child into protective custody pursuant to this part, is immune from any liability, civil or criminal, that otherwise might result by reason of those actions.”

UCA. 62A-4a-411

- ▶ **Failure to report -- Criminal penalty.**
 - “Any person, official, or institution required to report a case of suspected abuse, neglect, fetal alcohol syndrome, or fetal drug dependency, who willfully fails to do so is guilty of a class B misdemeanor...”

Questions and Answers

Child Abuse Reporting Line

1-855-323-3237

(Available 24 hours)

Curtis Giles

Child Welfare Administrator

DCFS Northern Region

801-395-5987

