

1 AN ACT concerning State government.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Abused and Neglected Child Reporting Act is  
5 amended by changing Sections 4 and 11.5 as follows:

6 (325 ILCS 5/4)

7 Sec. 4. Persons required to report; privileged  
8 communications; transmitting false report.

9 (a) The following persons are required to immediately  
10 report to the Department when they have reasonable cause to  
11 believe that a child known to them in their professional or  
12 official capacities may be an abused child or a neglected  
13 child:

14 (1) Medical personnel, including any: physician  
15 licensed to practice medicine in any of its branches  
16 (medical doctor or doctor of osteopathy); resident;  
17 intern; medical administrator or personnel engaged in the  
18 examination, care, and treatment of persons; psychiatrist;  
19 surgeon; dentist; dental hygienist; chiropractic  
20 physician; podiatric physician; physician assistant;  
21 emergency medical technician; acupuncturist; registered  
22 nurse; licensed practical nurse; advanced practice  
23 registered nurse; genetic counselor; respiratory care

1 practitioner; home health aide; or certified nursing  
2 assistant.

3 (2) Social services and mental health personnel,  
4 including any: licensed professional counselor; licensed  
5 clinical professional counselor; licensed social worker;  
6 licensed clinical social worker; licensed psychologist or  
7 assistant working under the direct supervision of a  
8 psychologist; associate licensed marriage and family  
9 therapist; licensed marriage and family therapist; field  
10 personnel of the Departments of Healthcare and Family  
11 Services, Public Health, Human Services, Human Rights, or  
12 Children and Family Services; supervisor or administrator  
13 of the General Assistance program established under  
14 Article VI of the Illinois Public Aid Code; social services  
15 administrator; or substance abuse treatment personnel.

16 (3) Crisis intervention personnel, including any:  
17 crisis line or hotline personnel; or domestic violence  
18 program personnel.

19 (4) Education personnel, including any: school  
20 personnel (including administrators and certified and  
21 non-certified school employees); personnel of institutions  
22 of higher education; educational advocate assigned to a  
23 child in accordance with the School Code; member of a  
24 school board or the Chicago Board of Education or the  
25 governing body of a private school (but only to the extent  
26 required under subsection (d)); or truant officer.

1           (5) Recreation or athletic program or facility  
2           personnel.

3           (6) Child care personnel, including any: early  
4           intervention provider as defined in the Early Intervention  
5           Services System Act; director or staff assistant of a  
6           nursery school or a child day care center; or foster  
7           parent, homemaker, or child care worker.

8           (7) Law enforcement personnel, including any: law  
9           enforcement officer; field personnel of the Department of  
10           Juvenile Justice; field personnel of the Department of  
11           Corrections; probation officer; or animal control officer  
12           or field investigator of the Department of Agriculture's  
13           Bureau of Animal Health and Welfare.

14           (8) Any funeral home director; funeral home director  
15           and embalmer; funeral home employee; coroner; or medical  
16           examiner.

17           (9) Any member of the clergy.

18           (10) Any physician, physician assistant, registered  
19           nurse, licensed practical nurse, medical technician,  
20           certified nursing assistant, licensed social worker,  
21           licensed clinical social worker, or licensed professional  
22           counselor of any office, clinic, or any other physical  
23           location that provides abortions, abortion referrals, or  
24           contraceptives.

25           (b) When 2 or more persons who work within the same  
26           workplace and are required to report under this Act share a

1 reasonable cause to believe that a child may be an abused or  
2 neglected child, one of those reporters may be designated to  
3 make a single report. The report shall include the names and  
4 contact information for the other mandated reporters sharing  
5 the reasonable cause to believe that a child may be an abused  
6 or neglected child. The designated reporter must provide  
7 written confirmation of the report to those mandated reporters  
8 within 48 hours. If confirmation is not provided, those  
9 mandated reporters are individually responsible for  
10 immediately ensuring a report is made. Nothing in this Section  
11 precludes or may be used to preclude any person from reporting  
12 child abuse or child neglect.

13 (c) (1) As used in this Section, "a child known to them in  
14 their professional or official capacities" means:

15 (A) the mandated reporter comes into contact with the  
16 child in the course of the reporter's employment or  
17 practice of a profession, or through a regularly scheduled  
18 program, activity, or service;

19 (B) the mandated reporter is affiliated with an agency,  
20 institution, organization, school, school district,  
21 regularly established church or religious organization, or  
22 other entity that is directly responsible for the care,  
23 supervision, guidance, or training of the child; or

24 (C) a person makes a specific disclosure to the  
25 mandated reporter that an identifiable child is the victim  
26 of child abuse or child neglect, and the disclosure happens

1 while the mandated reporter is engaged in his or her  
2 employment or practice of a profession, or in a regularly  
3 scheduled program, activity, or service.

4 (2) Nothing in this Section requires a child to come before  
5 the mandated reporter in order for the reporter to make a  
6 report of suspected child abuse or child neglect.

7 ~~Any physician, resident, intern, hospital, hospital~~  
8 ~~administrator and personnel engaged in examination, care and~~  
9 ~~treatment of persons, surgeon, dentist, dentist hygienist,~~  
10 ~~osteopath, chiropractor, podiatric physician, physician~~  
11 ~~assistant, substance abuse treatment personnel, funeral home~~  
12 ~~director or employee, coroner, medical examiner, emergency~~  
13 ~~medical technician, acupuncturist, crisis line or hotline~~  
14 ~~personnel, school personnel (including administrators and both~~  
15 ~~certified and non-certified school employees), personnel of~~  
16 ~~institutions of higher education, educational advocate~~  
17 ~~assigned to a child pursuant to the School Code, member of a~~  
18 ~~school board or the Chicago Board of Education or the governing~~  
19 ~~body of a private school (but only to the extent required in~~  
20 ~~accordance with other provisions of this Section expressly~~  
21 ~~concerning the duty of school board members to report suspected~~  
22 ~~child abuse), truant officers, social worker, social services~~  
23 ~~administrator, domestic violence program personnel, registered~~  
24 ~~nurse, licensed practical nurse, genetic counselor,~~  
25 ~~respiratory care practitioner, advanced practice registered~~  
26 ~~nurse, home health aide, director or staff assistant of a~~

1 ~~nursery school or a child day care center, recreational or~~  
2 ~~athletic program or facility personnel, early intervention~~  
3 ~~provider as defined in the Early Intervention Services System~~  
4 ~~Act, law enforcement officer, licensed professional counselor,~~  
5 ~~licensed clinical professional counselor, registered~~  
6 ~~psychologist and assistants working under the direct~~  
7 ~~supervision of a psychologist, psychiatrist, or field~~  
8 ~~personnel of the Department of Healthcare and Family Services,~~  
9 ~~Juvenile Justice, Public Health, Human Services (acting as~~  
10 ~~successor to the Department of Mental Health and Developmental~~  
11 ~~Disabilities, Rehabilitation Services, or Public Aid),~~  
12 ~~Corrections, Human Rights, or Children and Family Services,~~  
13 ~~supervisor and administrator of general assistance under the~~  
14 ~~Illinois Public Aid Code, probation officer, animal control~~  
15 ~~officer or Illinois Department of Agriculture Bureau of Animal~~  
16 ~~Health and Welfare field investigator, or any other foster~~  
17 ~~parent, homemaker or child care worker having reasonable cause~~  
18 ~~to believe a child known to them in their professional or~~  
19 ~~official capacity may be an abused child or a neglected child~~  
20 ~~shall immediately report or cause a report to be made to the~~  
21 ~~Department.~~

22 ~~Any member of the clergy having reasonable cause to believe~~  
23 ~~that a child known to that member of the clergy in his or her~~  
24 ~~professional capacity may be an abused child as defined in item~~  
25 ~~(c) of the definition of "abused child" in Section 3 of this~~  
26 ~~Act shall immediately report or cause a report to be made to~~

1 ~~the Department.~~

2 ~~Any physician, physician's assistant, registered nurse,~~  
3 ~~licensed practical nurse, medical technician, certified~~  
4 ~~nursing assistant, social worker, or licensed professional~~  
5 ~~counselor of any office, clinic, or any other physical location~~  
6 ~~that provides abortions, abortion referrals, or contraceptives~~  
7 ~~having reasonable cause to believe a child known to him or her~~  
8 ~~in his or her professional or official capacity may be an~~  
9 ~~abused child or a neglected child shall immediately report or~~  
10 ~~cause a report to be made to the Department.~~

11 (d) If an allegation is raised to a school board member  
12 during the course of an open or closed school board meeting  
13 that a child who is enrolled in the school district of which he  
14 or she is a board member is an abused child as defined in  
15 Section 3 of this Act, the member shall direct or cause the  
16 school board to direct the superintendent of the school  
17 district or other equivalent school administrator to comply  
18 with the requirements of this Act concerning the reporting of  
19 child abuse. For purposes of this paragraph, a school board  
20 member is granted the authority in his or her individual  
21 capacity to direct the superintendent of the school district or  
22 other equivalent school administrator to comply with the  
23 requirements of this Act concerning the reporting of child  
24 abuse.

25 Notwithstanding any other provision of this Act, if an  
26 employee of a school district has made a report or caused a

1 report to be made to the Department under this Act involving  
2 the conduct of a current or former employee of the school  
3 district and a request is made by another school district for  
4 the provision of information concerning the job performance or  
5 qualifications of the current or former employee because he or  
6 she is an applicant for employment with the requesting school  
7 district, the general superintendent of the school district to  
8 which the request is being made must disclose to the requesting  
9 school district the fact that an employee of the school  
10 district has made a report involving the conduct of the  
11 applicant or caused a report to be made to the Department, as  
12 required under this Act. Only the fact that an employee of the  
13 school district has made a report involving the conduct of the  
14 applicant or caused a report to be made to the Department may  
15 be disclosed by the general superintendent of the school  
16 district to which the request for information concerning the  
17 applicant is made, and this fact may be disclosed only in cases  
18 where the employee and the general superintendent have not been  
19 informed by the Department that the allegations were unfounded.  
20 An employee of a school district who is or has been the subject  
21 of a report made pursuant to this Act during his or her  
22 employment with the school district must be informed by that  
23 school district that if he or she applies for employment with  
24 another school district, the general superintendent of the  
25 former school district, upon the request of the school district  
26 to which the employee applies, shall notify that requesting



1 school district that the employee is or was the subject of such  
2 a report.

3 (e) Whenever such person is required to report under this  
4 Act in his capacity as a member of the staff of a medical or  
5 other public or private institution, school, facility or  
6 agency, or as a member of the clergy, he shall make report  
7 immediately to the Department in accordance with the provisions  
8 of this Act and may also notify the person in charge of such  
9 institution, school, facility or agency, or church, synagogue,  
10 temple, mosque, or other religious institution, or his  
11 designated agent that such report has been made. Under no  
12 circumstances shall any person in charge of such institution,  
13 school, facility or agency, or church, synagogue, temple,  
14 mosque, or other religious institution, or his designated agent  
15 to whom such notification has been made, exercise any control,  
16 restraint, modification or other change in the report or the  
17 forwarding of such report to the Department.

18 (f) In addition to the persons required to report suspected  
19 cases of child abuse or child neglect under this Section, any  
20 other person may make a report if such person has reasonable  
21 cause to believe a child may be an abused child or a neglected  
22 child.

23 (g) The privileged quality of communication between any  
24 professional person required to report and his patient or  
25 client shall not apply to situations involving abused or  
26 neglected children and shall not constitute grounds for failure

1 to report as required by this Act or constitute grounds for  
2 failure to share information or documents with the Department  
3 during the course of a child abuse or neglect investigation. If  
4 requested by the professional, the Department shall confirm in  
5 writing that the information or documents disclosed by the  
6 professional were gathered in the course of a child abuse or  
7 neglect investigation.

8 The reporting requirements of this Act shall not apply to  
9 the contents of a privileged communication between an attorney  
10 and his or her client or to confidential information within the  
11 meaning of Rule 1.6 of the Illinois Rules of Professional  
12 Conduct relating to the legal representation of an individual  
13 client.

14 A member of the clergy may claim the privilege under  
15 Section 8-803 of the Code of Civil Procedure.

16 (h) Any office, clinic, or any other physical location that  
17 provides abortions, abortion referrals, or contraceptives  
18 shall provide to all office personnel copies of written  
19 information and training materials about abuse and neglect and  
20 the requirements of this Act that are provided to employees of  
21 the office, clinic, or physical location who are required to  
22 make reports to the Department under this Act, and instruct  
23 such office personnel to bring to the attention of an employee  
24 of the office, clinic, or physical location who is required to  
25 make reports to the Department under this Act any reasonable  
26 suspicion that a child known to him or her in his or her

1 professional or official capacity may be an abused child or a  
2 neglected child. ~~In addition to the above persons required to~~  
3 ~~report suspected cases of abused or neglected children, any~~  
4 ~~other person may make a report if such person has reasonable~~  
5 ~~cause to believe a child may be an abused child or a neglected~~  
6 ~~child.~~

7 (i) Any person who enters into employment on and after July  
8 1, 1986 and is mandated by virtue of that employment to report  
9 under this Act, shall sign a statement on a form prescribed by  
10 the Department, to the effect that the employee has knowledge  
11 and understanding of the reporting requirements of this Act. On  
12 and after January 1, 2019, the statement shall also include  
13 information about available mandated reporter training  
14 provided by the Department. The statement shall be signed prior  
15 to commencement of the employment. The signed statement shall  
16 be retained by the employer. The cost of printing,  
17 distribution, and filing of the statement shall be borne by the  
18 employer.

19 (j) ~~Persons~~ ~~Within one year of initial employment and at~~  
20 ~~least every 5 years thereafter, school personnel~~ required to  
21 report child abuse or child neglect as provided under this  
22 Section must complete mandated reporter training within 3  
23 months of their date of engagement in a professional or  
24 official capacity as a mandated reporter, and at least every 3  
25 years thereafter. The initial 3-month requirement only applies  
26 to the first time they engage in their professional or official

1 capacity and may be extended to 6 months pursuant to any other  
2 applicable State law that governs training requirements for a  
3 specific profession. In lieu of training every 3 years, medical  
4 personnel, as listed in paragraph (1) of subsection (a), must  
5 meet the requirements described in subsection (k).

6 The trainings shall be in-person or web-based, and shall  
7 include, at a minimum, information on the following topics: (i)  
8 indicators for recognizing child abuse and child neglect, as  
9 defined under this Act; (ii) the process for reporting  
10 suspected child abuse and child neglect in Illinois as required  
11 by this Act and the required documentation; (iii) responding to  
12 a child in a trauma-informed manner; and (iv) understanding the  
13 response of child protective services and the role of the  
14 reporter after a call has been made. Child-serving  
15 organizations are encouraged to provide in-person annual  
16 trainings.

17 The mandated reporter training shall be provided through  
18 the Department, through an entity authorized to provide  
19 continuing education for professionals licensed through the  
20 Department of Financial and Professional Regulation, the State  
21 Board of Education, the Illinois Law Enforcement Training  
22 Standards Board, or the Department of State Police, or through  
23 an organization approved by the Department to provide mandated  
24 reporter training. The Department must make available a free  
25 web-based training for reporters.

26 Each mandated reporter shall report to his or her employer

1 and, when applicable, to his or her licensing or certification  
2 board that he or she received the mandated reporter training.  
3 The mandated reporter shall maintain records of completion.

4 Beginning January 1, 2021, if a mandated reporter receives  
5 licensure from the Department of Financial and Professional  
6 Regulation or the State Board of Education, and his or her  
7 profession has continuing education requirements, the training  
8 mandated under this Section shall count toward meeting the  
9 licensee's required continuing education hours.

10 ~~by a provider or agency with expertise in recognizing and~~  
11 ~~reporting child abuse.~~

12 (k) (1) Medical personnel, as listed in paragraph (1) of  
13 subsection (a), who work with children in their professional or  
14 official capacity, must complete mandated reporter training at  
15 least every 6 years. Such medical personnel, if licensed, must  
16 attest at each time of licensure renewal on their renewal form  
17 that they understand they are a mandated reporter of child  
18 abuse and neglect, that they are aware of the process for  
19 making a report, that they know how to respond to a child in a  
20 trauma-informed manner, and that they are aware of the role of  
21 child protective services and the role of a reporter after a  
22 call has been made.

23 (2) In lieu of repeated training, medical personnel, as  
24 listed in paragraph (1) of subsection (a), who do not work with  
25 children in their professional or official capacity, may  
26 instead attest each time at licensure renewal on their renewal

1 form that they understand they are a mandated reporter of child  
2 abuse and neglect, that they are aware of the process for  
3 making a report, that they know how to respond to a child in a  
4 trauma-informed manner, and that they are aware of the role of  
5 child protective services and the role of a reporter after a  
6 call has been made. Nothing in this paragraph precludes medical  
7 personnel from completing mandated reporter training and  
8 receiving continuing education credits for that training.

9 (l) The Department shall provide copies of this Act, upon  
10 request, to all employers employing persons who shall be  
11 required under the provisions of this Section to report under  
12 this Act.

13 (m) Any person who knowingly transmits a false report to  
14 the Department commits the offense of disorderly conduct under  
15 subsection (a) (7) of Section 26-1 of the Criminal Code of 2012.  
16 A violation of this provision is a Class 4 felony.

17 Any person who knowingly and willfully violates any  
18 provision of this Section other than a second or subsequent  
19 violation of transmitting a false report as described in the  
20 preceding paragraph, is guilty of a Class A misdemeanor for a  
21 first violation and a Class 4 felony for a second or subsequent  
22 violation; except that if the person acted as part of a plan or  
23 scheme having as its object the prevention of discovery of an  
24 abused or neglected child by lawful authorities for the purpose  
25 of protecting or insulating any person or entity from arrest or  
26 prosecution, the person is guilty of a Class 4 felony for a

1 first offense and a Class 3 felony for a second or subsequent  
2 offense (regardless of whether the second or subsequent offense  
3 involves any of the same facts or persons as the first or other  
4 prior offense).

5 (n) A child whose parent, guardian or custodian in good  
6 faith selects and depends upon spiritual means through prayer  
7 alone for the treatment or cure of disease or remedial care may  
8 be considered neglected or abused, but not for the sole reason  
9 that his parent, guardian or custodian accepts and practices  
10 such beliefs.

11 (o) A child shall not be considered neglected or abused  
12 solely because the child is not attending school in accordance  
13 with the requirements of Article 26 of the School Code, as  
14 amended.

15 (p) Nothing in this Act prohibits a mandated reporter who  
16 reasonably believes that an animal is being abused or neglected  
17 in violation of the Humane Care for Animals Act from reporting  
18 animal abuse or neglect to the Department of Agriculture's  
19 Bureau of Animal Health and Welfare.

20 (q) A home rule unit may not regulate the reporting of  
21 child abuse or neglect in a manner inconsistent with the  
22 provisions of this Section. This Section is a limitation under  
23 subsection (i) of Section 6 of Article VII of the Illinois  
24 Constitution on the concurrent exercise by home rule units of  
25 powers and functions exercised by the State.

26 (r) For purposes of this Section "child abuse or neglect"

1 includes abuse or neglect of an adult resident as defined in  
2 this Act.

3 (Source: P.A. 100-513, eff. 1-1-18; 100-1071, eff. 1-1-19.)

4 (325 ILCS 5/11.5) (from Ch. 23, par. 2061.5)

5 Sec. 11.5. Public awareness program.

6 (a) No later than 6 months after the effective date of this  
7 amendatory Act of the 101st General Assembly, the Department of  
8 Children and Family Services shall develop culturally  
9 sensitive materials on child abuse and child neglect, the  
10 statewide toll-free telephone number established under Section  
11 7.6, and the process for reporting any reasonable suspicion of  
12 child abuse or child neglect.

13 The Department shall reach out to businesses and  
14 organizations to seek assistance in raising awareness about  
15 child abuse and child neglect and the statewide toll-free  
16 telephone number established under Section 7.6, including  
17 posting notices. The Department shall make a model notice  
18 available for download on the Department's website. The model  
19 notice shall:

20 (1) be available in English, Spanish, and the 2 other  
21 languages most widely spoken in the State;

22 (2) be at least 8 1/2 inches by 11 inches in size and  
23 written in a 16-point font;

24 (3) include the following statement:

25 "Protecting children is a responsibility we all



1           share. It is important for every person to take child  
2           abuse and child neglect seriously, to be able to  
3           recognize when it happens, and to know what to do next.  
4           If you have reason to believe a child you know is being  
5           abused or neglected, call the State's child abuse  
6           hotline; and

7           (4) include the statewide toll-free telephone number  
8           established under Section 7.6, and the Department's  
9           website address where more information about child abuse  
10           and child neglect is available.

11           (b) Within the appropriation available, the Department  
12 shall conduct a continuing education and training program for  
13 State and local staff, persons and officials required to  
14 report, the general public, and other persons engaged in or  
15 intending to engage in the prevention, identification, and  
16 treatment of child abuse and neglect. The program shall be  
17 designed to encourage the fullest degree of reporting of known  
18 and suspected child abuse and neglect, and to improve  
19 communication, cooperation, and coordination among all  
20 agencies in the identification, prevention, and treatment of  
21 child abuse and neglect. The program shall inform the general  
22 public and professionals of the nature and extent of child  
23 abuse and neglect and their responsibilities, obligations,  
24 powers and immunity from liability under this Act. It may  
25 include information on the diagnosis of child abuse and neglect  
26 and the roles and procedures of the Child Protective Service

1 Unit, the Department and central register, the courts and of  
2 the protective, treatment, and ameliorative services available  
3 to children and their families. Such information may also  
4 include special needs of mothers at risk of delivering a child  
5 whose life or development may be threatened by a disabling  
6 condition, to ensure informed consent to treatment of the  
7 condition and understanding of the unique child care  
8 responsibilities required for such a child. The program may  
9 also encourage parents and other persons having responsibility  
10 for the welfare of children to seek assistance on their own in  
11 meeting their child care responsibilities and encourage the  
12 voluntary acceptance of available services when they are  
13 needed. It may also include publicity and dissemination of  
14 information on the existence and number of the 24 hour,  
15 State-wide, toll-free telephone service to assist persons  
16 seeking assistance and to receive reports of known and  
17 suspected abuse and neglect.

18 (c) Within the appropriation available, the Department  
19 also shall conduct a continuing education and training program  
20 for State and local staff involved in investigating reports of  
21 child abuse or neglect made under this Act. The program shall  
22 be designed to train such staff in the necessary and  
23 appropriate procedures to be followed in investigating cases  
24 which it appears may result in civil or criminal charges being  
25 filed against a person. Program subjects shall include but not  
26 be limited to the gathering of evidence with a view toward

1 presenting such evidence in court and the involvement of State  
2 or local law enforcement agencies in the investigation. The  
3 program shall be conducted in cooperation with State or local  
4 law enforcement agencies, State's Attorneys and other  
5 components of the criminal justice system as the Department  
6 deems appropriate.

7 (Source: P.A. 99-143, eff. 7-27-15.)