

As Introduced

136th General Assembly

Regular Session

2025-2026

H. B. No. 323

Representative Lorenz

Cosponsor: Representative Brennan

To amend sections 2151.421 and 4113.99 and to enact
section 4113.90 of the Revised Code to require
employers report suspected sexual assault
involving minor employees.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 2151.421 and 4113.99 be amended
and section 4113.90 of the Revised Code be enacted to read as
follows:

Sec. 2151.421. (A) (1) (a) No person described in division
(A) (1) (b) of this section who is acting in an official or
professional capacity and knows, or has reasonable cause to
suspect based on facts that would cause a reasonable person in a
similar position to suspect, that a child under eighteen years
of age, or a person under twenty-one years of age with a
developmental disability or physical impairment, has suffered or
faces a threat of suffering any physical or mental wound,
injury, disability, or condition of a nature that reasonably
indicates abuse or neglect of the child shall fail to
immediately report that knowledge or reasonable cause to suspect
to the entity or persons specified in this division. Except as
otherwise provided in this division or section 5120.173 of the

Revised Code, the person making the report shall make it to the
public children services agency or a peace officer in the county
in which the child resides or in which the abuse or neglect is
occurring or has occurred. If the person making the report is a
peace officer, the officer shall make it to the public children
services agency in the county in which the child resides or in
which the abuse or neglect is occurring or has occurred. In the
circumstances described in section 5120.173 of the Revised Code,
the person making the report shall make it to the entity
specified in that section.

(b) Division (A)(1)(a) of this section applies to any
person who is an attorney; health care professional;
practitioner of a limited branch of medicine as specified in
section 4731.15 of the Revised Code; licensed school
psychologist; independent marriage and family therapist or
marriage and family therapist; coroner; administrator or
employee of a child care center; administrator or employee of a
residential camp, child day camp, or private, nonprofit
therapeutic wilderness camp; administrator or employee of a
certified child care agency or other public or private children
services agency; school teacher; school employee; school
authority; peace officer; humane society agent; dog warden,
deputy dog warden, or other person appointed to act as an animal
control officer for a municipal corporation or township in
accordance with state law, an ordinance, or a resolution;
person, other than a cleric, rendering spiritual treatment
through prayer in accordance with the tenets of a well-
recognized religion; employee of a county department of job and
family services who is a professional and who works with
children and families; superintendent or regional administrator
employed by the department of youth services; superintendent,

board member, or employee of a county board of developmental 52
disabilities; investigative agent contracted with by a county 53
board of developmental disabilities; employee of the department 54
of developmental disabilities; employee of a facility or home 55
that provides respite care in accordance with section 5123.171 56
of the Revised Code; employee of an entity that provides 57
homemaker services; employee of a qualified organization as 58
defined in section 2151.90 of the Revised Code; a host family as 59
defined in section 2151.90 of the Revised Code; foster 60
caregiver; a person performing the duties of an assessor 61
pursuant to Chapter 3107. or 5103. of the Revised Code; third 62
party employed by a public children services agency to assist in 63
providing child or family related services; court appointed 64
special advocate; or guardian ad litem. 65

(c) If two or more health care professionals, after 66
providing health care services to a child, determine or suspect 67
that the child has been or is being abused or neglected, the 68
health care professionals may designate one of the health care 69
professionals to report the abuse or neglect. A single report 70
made under this division shall meet the reporting requirements 71
of division (A)(1) of this section. 72

(d) No employer, as defined in section 4113.90 of the 73
Revised Code, who is acting in an official or professional 74
capacity and knows, or has reasonable cause to suspect based on 75
facts that would cause a reasonable person in a similar position 76
to suspect, that a child under eighteen years of age, or a 77
person under twenty-one years of age with a developmental 78
disability or physical impairment, has suffered or faces a 79
threat of suffering any physical or mental wound, injury, 80
disability, or condition of a nature that reasonably indicates 81
sexual assault of the child shall fail to immediately report 82

that knowledge or reasonable cause to suspect to the entity or 83
persons specified in this division. Except as provided in this 84
division or section 5120.173 of the Revised Code, the employer 85
making the report shall make it within forty-eight hours to the 86
public children services agency or a peace officer in the county 87
in which the child resides or in which the abuse is occurring or 88
has occurred. If the employer making the report is a peace 89
officer, the officer shall make it to the public children 90
services agency in the county in which the child resides or in 91
which the abuse is occurring or has occurred. In the 92
circumstances described in section 5120.173 of the Revised Code, 93
the employer making the report shall make it to the entity 94
specified in that section. 95

(2) Except as provided in division (A) (3) of this section, 96
an attorney, physician, or advanced practice registered nurse is 97
not required to make a report pursuant to division (A) (1) of 98
this section concerning any communication the attorney, 99
physician, or advanced practice registered nurse receives from a 100
client or patient in an attorney-client, physician-patient, or 101
advanced practice registered nurse-patient relationship, if, in 102
accordance with division (A) or (B) of section 2317.02 of the 103
Revised Code, the attorney, physician, or advanced practice 104
registered nurse could not testify with respect to that 105
communication in a civil or criminal proceeding. 106

(3) The client or patient in an attorney-client, 107
physician-patient, or advanced practice registered nurse-patient 108
relationship described in division (A) (2) of this section is 109
deemed to have waived any testimonial privilege under division 110
(A) or (B) of section 2317.02 of the Revised Code with respect 111
to any communication the attorney, physician, or advanced 112
practice registered nurse receives from the client or patient in 113

that relationship, and the attorney, physician, or advanced
practice registered nurse shall make a report pursuant to
division (A)(1) of this section with respect to that
communication, if all of the following apply:

(a) The client or patient, at the time of the
communication, is a child under eighteen years of age or is a
person under twenty-one years of age with a developmental
disability or physical impairment.

(b) The attorney, physician, or advanced practice
registered nurse knows, or has reasonable cause to suspect based
on facts that would cause a reasonable person in similar
position to suspect that the client or patient has suffered or
faces a threat of suffering any physical or mental wound,
injury, disability, or condition of a nature that reasonably
indicates abuse or neglect of the client or patient.

(c) The abuse or neglect does not arise out of the
client's or patient's attempt to have an abortion without the
notification of her parents, guardian, or custodian in
accordance with section 2151.85 of the Revised Code.

(4) (a) No cleric and no person, other than a volunteer,
designated by any church, religious society, or faith acting as
a leader, official, or delegate on behalf of the church,
religious society, or faith who is acting in an official or
professional capacity, who knows, or has reasonable cause to
believe based on facts that would cause a reasonable person in a
similar position to believe, that a child under eighteen years
of age, or a person under twenty-one years of age with a
developmental disability or physical impairment, has suffered or
faces a threat of suffering any physical or mental wound,
injury, disability, or condition of a nature that reasonably

indicates abuse or neglect of the child, and who knows, or has 144
reasonable cause to believe based on facts that would cause a 145
reasonable person in a similar position to believe, that another 146
cleric or another person, other than a volunteer, designated by 147
a church, religious society, or faith acting as a leader, 148
official, or delegate on behalf of the church, religious 149
society, or faith caused, or poses the threat of causing, the 150
wound, injury, disability, or condition that reasonably 151
indicates abuse or neglect shall fail to immediately report that 152
knowledge or reasonable cause to believe to the entity or 153
persons specified in this division. Except as provided in 154
section 5120.173 of the Revised Code, the person making the 155
report shall make it to the public children services agency or a 156
peace officer in the county in which the child resides or in 157
which the abuse or neglect is occurring or has occurred. In the 158
circumstances described in section 5120.173 of the Revised Code, 159
the person making the report shall make it to the entity 160
specified in that section. 161

(b) Except as provided in division (A) (4) (c) of this 162
section, a cleric is not required to make a report pursuant to 163
division (A) (4) (a) of this section concerning any communication 164
the cleric receives from a penitent in a cleric-penitent 165
relationship, if, in accordance with division (C) of section 166
2317.02 of the Revised Code, the cleric could not testify with 167
respect to that communication in a civil or criminal proceeding. 168

(c) The penitent in a cleric-penitent relationship 169
described in division (A) (4) (b) of this section is deemed to 170
have waived any testimonial privilege under division (C) of 171
section 2317.02 of the Revised Code with respect to any 172
communication the cleric receives from the penitent in that 173
cleric-penitent relationship, and the cleric shall make a report 174

pursuant to division (A)(4)(a) of this section with respect to 175
that communication, if all of the following apply: 176

(i) The penitent, at the time of the communication, is a 177
child under eighteen years of age or is a person under twenty- 178
one years of age with a developmental disability or physical 179
impairment. 180

(ii) The cleric knows, or has reasonable cause to believe 181
based on facts that would cause a reasonable person in a similar 182
position to believe, as a result of the communication or any 183
observations made during that communication, the penitent has 184
suffered or faces a threat of suffering any physical or mental 185
wound, injury, disability, or condition of a nature that 186
reasonably indicates abuse or neglect of the penitent. 187

(iii) The abuse or neglect does not arise out of the 188
penitent's attempt to have an abortion performed upon a child 189
under eighteen years of age or upon a person under twenty-one 190
years of age with a developmental disability or physical 191
impairment without the notification of her parents, guardian, or 192
custodian in accordance with section 2151.85 of the Revised 193
Code. 194

(d) Divisions (A)(4)(a) and (c) of this section do not 195
apply in a cleric-penitent relationship when the disclosure of 196
any communication the cleric receives from the penitent is in 197
violation of the sacred trust. 198

(e) As used in divisions (A)(1) and (4) of this section, 199
"cleric" and "sacred trust" have the same meanings as in section 200
2317.02 of the Revised Code. 201

(B) Anyone who knows, or has reasonable cause to suspect 202
based on facts that would cause a reasonable person in similar 203

circumstances to suspect, that a child under eighteen years of 204
age, or a person under twenty-one years of age with a 205
developmental disability or physical impairment, has suffered or 206
faces a threat of suffering any physical or mental wound, 207
injury, disability, or other condition of a nature that 208
reasonably indicates abuse or neglect of the child may report or 209
cause reports to be made of that knowledge or reasonable cause 210
to suspect to the entity or persons specified in this division. 211
Except as provided in section 5120.173 of the Revised Code, a 212
person making a report or causing a report to be made under this 213
division shall make it or cause it to be made to the public 214
children services agency or to a peace officer. In the 215
circumstances described in section 5120.173 of the Revised Code, 216
a person making a report or causing a report to be made under 217
this division shall make it or cause it to be made to the entity 218
specified in that section. 219

(C) Any report made pursuant to division (A) or (B) of 220
this section shall be made forthwith either by telephone, in 221
person, or electronically and shall be followed by a written 222
report, if requested by the receiving agency or officer. The 223
written report shall contain: 224

(1) The names and addresses of the child and the child's 225
parents or the person or persons having custody of the child, if 226
known; 227

(2) The child's age and the nature and extent of the 228
child's injuries, abuse, or neglect that is known or reasonably 229
suspected or believed, as applicable, to have occurred or of the 230
threat of injury, abuse, or neglect that is known or reasonably 231
suspected or believed, as applicable, to exist, including any 232
evidence of previous injuries, abuse, or neglect; 233

(3) Any other information, including, but not limited to, 234
results and reports of any medical examinations, tests, or 235
procedures performed under division (D) of this section, that 236
might be helpful in establishing the cause of the injury, abuse, 237
or neglect that is known or reasonably suspected or believed, as 238
applicable, to have occurred or of the threat of injury, abuse, 239
or neglect that is known or reasonably suspected or believed, as 240
applicable, to exist. 241

(D) (1) Any person, who is required by division (A) of this 242
section to report child abuse or child neglect that is known or 243
reasonably suspected or believed to have occurred, may take or 244
cause to be taken color photographs of areas of trauma visible 245
on a child and, if medically necessary for the purpose of 246
diagnosing or treating injuries that are suspected to have 247
occurred as a result of child abuse or child neglect, perform or 248
cause to be performed radiological examinations and any other 249
medical examinations of, and tests or procedures on, the child. 250

(2) The results and any available reports of examinations, 251
tests, or procedures made under division (D) (1) of this section 252
shall be included in a report made pursuant to division (A) of 253
this section. Any additional reports of examinations, tests, or 254
procedures that become available shall be provided to the public 255
children services agency, upon request. 256

(3) If a health care professional provides health care 257
services in a hospital, children's advocacy center, or emergency 258
medical facility to a child about whom a report has been made 259
under division (A) of this section, the health care professional 260
may take any steps that are reasonably necessary for the release 261
or discharge of the child to an appropriate environment. Before 262
the child's release or discharge, the health care professional 263

may obtain information, or consider information obtained, from 264
other entities or individuals that have knowledge about the 265
child. Nothing in division (D) (3) of this section shall be 266
construed to alter the responsibilities of any person under 267
sections 2151.27 and 2151.31 of the Revised Code. 268

(4) A health care professional may conduct medical 269
examinations, tests, or procedures on the siblings of a child 270
about whom a report has been made under division (A) of this 271
section and on other children who reside in the same home as the 272
child, if the professional determines that the examinations, 273
tests, or procedures are medically necessary to diagnose or 274
treat the siblings or other children in order to determine 275
whether reports under division (A) of this section are warranted 276
with respect to such siblings or other children. The results of 277
the examinations, tests, or procedures on the siblings and other 278
children may be included in a report made pursuant to division 279
(A) of this section. 280

(5) Medical examinations, tests, or procedures conducted 281
under divisions (D) (1) and (4) of this section and decisions 282
regarding the release or discharge of a child under division (D) 283
(3) of this section do not constitute a law enforcement 284
investigation or activity. 285

(E) (1) When a peace officer receives a report made 286
pursuant to division (A) or (B) of this section, upon receipt of 287
the report, the peace officer who receives the report shall 288
refer the report to the appropriate public children services 289
agency, in accordance with requirements specified under division 290
(B) (6) of section 2151.4221 of the Revised Code, unless an 291
arrest is made at the time of the report that results in the 292
appropriate public children services agency being contacted 293

concerning the possible abuse or neglect of a child or the 294
possible threat of abuse or neglect of a child. 295

(2) When a public children services agency receives a 296
report pursuant to this division or division (A) or (B) of this 297
section, upon receipt of the report, the public children 298
services agency shall do all of the following: 299

(a) Comply with section 2151.422 of the Revised Code; 300

(b) If the county served by the agency is also served by a 301
children's advocacy center and the report alleges sexual abuse 302
of a child or another type of abuse of a child that is specified 303
in the memorandum of understanding that creates the center as 304
being within the center's jurisdiction, comply regarding the 305
report with the protocol and procedures for referrals and 306
investigations, with the coordinating activities, and with the 307
authority or responsibility for performing or providing 308
functions, activities, and services stipulated in the 309
interagency agreement entered into under section 2151.428 of the 310
Revised Code relative to that center; 311

(c) Unless an arrest is made at the time of the report 312
that results in the appropriate law enforcement agency being 313
contacted concerning the possible abuse or neglect of a child or 314
the possible threat of abuse or neglect of a child, and in 315
accordance with requirements specified under division (B) (6) of 316
section 2151.4221 of the Revised Code, notify the appropriate 317
law enforcement agency of the report, if the public children 318
services agency received either of the following: 319

(i) A report of abuse of a child; 320

(ii) A report of neglect of a child that alleges a type of 321
neglect identified by the department of children and youth in 322

rules adopted under division (L)(2) of this section. 323

(F) No peace officer shall remove a child about whom a 324
report is made pursuant to this section from the child's 325
parents, stepparents, or guardian or any other persons having 326
custody of the child without consultation with the public 327
children services agency, unless, in the judgment of the 328
officer, and, if the report was made by a physician or advanced 329
practice registered nurse, the physician or nurse, immediate 330
removal is considered essential to protect the child from 331
further abuse or neglect. The agency that must be consulted 332
shall be the agency conducting the investigation of the report 333
as determined pursuant to section 2151.422 of the Revised Code. 334

(G) (1) Except as provided in section 2151.422 of the 335
Revised Code or in an interagency agreement entered into under 336
section 2151.428 of the Revised Code that applies to the 337
particular report, the public children services agency shall 338
investigate, within twenty-four hours, each report of child 339
abuse or child neglect that is known or reasonably suspected or 340
believed to have occurred and of a threat of child abuse or 341
child neglect that is known or reasonably suspected or believed 342
to exist that is referred to it under this section to determine 343
the circumstances surrounding the injuries, abuse, or neglect or 344
the threat of injury, abuse, or neglect, the cause of the 345
injuries, abuse, neglect, or threat, and the person or persons 346
responsible. The investigation shall be made in cooperation with 347
the law enforcement agency and in accordance with the memorandum 348
of understanding prepared under sections 2151.4220 to 2151.4234 349
of the Revised Code. A representative of the public children 350
services agency shall, at the time of initial contact with the 351
person subject to the investigation, inform the person of the 352
specific complaints or allegations made against the person. The 353

information shall be given in a manner that is consistent with 354
division (I)(1) of this section and protects the rights of the 355
person making the report under this section. 356

A failure to make the investigation in accordance with the 357
memorandum is not grounds for, and shall not result in, the 358
dismissal of any charges or complaint arising from the report or 359
the suppression of any evidence obtained as a result of the 360
report and does not give, and shall not be construed as giving, 361
any rights or any grounds for appeal or post-conviction relief 362
to any person. The public children services agency shall report 363
each case to the uniform statewide automated child welfare 364
information system that the department of children and youth 365
shall maintain in accordance with section 5101.13 of the Revised 366
Code. The public children services agency shall submit a report 367
of its investigation, in writing, to the law enforcement agency. 368

(2) The public children services agency shall make any 369
recommendations to the county prosecuting attorney or city 370
director of law that it considers necessary to protect any 371
children that are brought to its attention. 372

(H)(1)(a) Except as provided in divisions (H)(1)(b) and 373
(I)(3) of this section, any person, health care professional, 374
hospital, institution, school, health department, or agency 375
shall be immune from any civil or criminal liability for injury, 376
death, or loss to person or property that otherwise might be 377
incurred or imposed as a result of any of the following: 378

(i) Participating in the making of reports pursuant to 379
division (A) of this section or in the making of reports in good 380
faith, pursuant to division (B) of this section; 381

(ii) Participating in medical examinations, tests, or 382

procedures under division (D) of this section; 383

(iii) Providing information used in a report made pursuant 384
to division (A) of this section or providing information in good 385
faith used in a report made pursuant to division (B) of this 386
section; 387

(iv) Participating in a judicial proceeding resulting from 388
a report made pursuant to division (A) of this section or 389
participating in good faith in a proceeding resulting from a 390
report made pursuant to division (B) of this section. 391

(b) Immunity under division (H) (1) (a) (ii) of this section 392
shall not apply when a health care provider has deviated from 393
the standard of care applicable to the provider's profession. 394

(c) Notwithstanding section 4731.22 of the Revised Code, 395
the physician-patient privilege shall not be a ground for 396
excluding evidence regarding a child's injuries, abuse, or 397
neglect, or the cause of the injuries, abuse, or neglect in any 398
judicial proceeding resulting from a report submitted pursuant 399
to this section. 400

(2) In any civil or criminal action or proceeding in which 401
it is alleged and proved that participation in the making of a 402
report under this section was not in good faith or participation 403
in a judicial proceeding resulting from a report made under this 404
section was not in good faith, the court shall award the 405
prevailing party reasonable attorney's fees and costs and, if a 406
civil action or proceeding is voluntarily dismissed, may award 407
reasonable attorney's fees and costs to the party against whom 408
the civil action or proceeding is brought. 409

(I) (1) Except as provided in divisions (I) (4) and (N) of 410
this section and sections 2151.423 and 2151.4210 of the Revised 411

Code, a report made under this section is confidential. The 412
information provided in a report made pursuant to this section 413
and the name of the person who made the report shall not be 414
released for use, and shall not be used, as evidence in any 415
civil action or proceeding brought against the person who made 416
the report. Nothing in this division shall preclude the use of 417
reports of other incidents of known or suspected abuse or 418
neglect in a civil action or proceeding brought pursuant to 419
division (M) of this section against a person who is alleged to 420
have violated division (A) (1) of this section, provided that any 421
information in a report that would identify the child who is the 422
subject of the report or the maker of the report, if the maker 423
of the report is not the defendant or an agent or employee of 424
the defendant, has been redacted. In a criminal proceeding, the 425
report is admissible in evidence in accordance with the Rules of 426
Evidence and is subject to discovery in accordance with the 427
Rules of Criminal Procedure. 428

(2) (a) Except as provided in division (I) (2) (b) of this 429
section, no person shall permit or encourage the unauthorized 430
dissemination of the contents of any report made under this 431
section. 432

(b) A health care professional that obtains the same 433
information contained in a report made under this section from a 434
source other than the report may disseminate the information, if 435
its dissemination is otherwise permitted by law. 436

(3) A person who knowingly makes or causes another person 437
to make a false report under division (B) of this section that 438
alleges that any person has committed an act or omission that 439
resulted in a child being an abused child or a neglected child 440
is guilty of a violation of section 2921.14 of the Revised Code. 441

(4) If a report is made pursuant to division (A) or (B) of
this section and the child who is the subject of the report dies
for any reason at any time after the report is made, but before
the child attains eighteen years of age, the public children
services agency or peace officer to which the report was made or
referred, on the request of the child fatality review board, the
suicide fatality review committee, or the director of health
pursuant to guidelines established under section 3701.70 of the
Revised Code, shall submit a summary sheet of information
providing a summary of the report to the review board or review
committee of the county in which the deceased child resided at
the time of death or to the director. On the request of the
review board, review committee, or director, the agency or peace
officer may, at its discretion, make the report available to the
review board, review committee, or director. If the county
served by the public children services agency is also served by
a children's advocacy center and the report of alleged sexual
abuse of a child or another type of abuse of a child is
specified in the memorandum of understanding that creates the
center as being within the center's jurisdiction, the agency or
center shall perform the duties and functions specified in this
division in accordance with the interagency agreement entered
into under section 2151.428 of the Revised Code relative to that
advocacy center.

(5) Not later than five business days after the
determination of a disposition, a public children services
agency shall advise a person alleged to have inflicted abuse or
neglect on a child who is the subject of a report made pursuant
to this section, including a report alleging sexual abuse of a
child or another type of abuse of a child referred to a
children's advocacy center pursuant to an interagency agreement

entered into under section 2151.428 of the Revised Code, in 473
writing of the disposition of the investigation. The agency 474
shall not provide to the person any information that identifies 475
the person who made the report, statements of witnesses, or 476
police or other investigative reports. The written notice of 477
disposition shall be made in a form designated by the department 478
of job and family services and shall inform the person of the 479
right to appeal the disposition. 480

(J) Any report that is required by this section, other 481
than a report that is made to the state highway patrol as 482
described in section 5120.173 of the Revised Code, shall result 483
in protective services and emergency supportive services being 484
made available by the public children services agency on behalf 485
of the children about whom the report is made. The agency 486
required to provide the services shall be the agency conducting 487
the investigation of the report pursuant to section 2151.422 of 488
the Revised Code. If a child is determined to be a candidate for 489
prevention services, the agency also shall make efforts to 490
prevent neglect or abuse, to enhance a child's welfare, and to 491
preserve the family unit intact by referring a report for 492
assessment and provision of services to an agency providing 493
prevention services. 494

(K) (1) Except as provided in division (K) (4) or (5) of 495
this section, a person who is required to make a report under 496
division (A) of this section may make a reasonable number of 497
requests of the public children services agency that receives or 498
is referred the report, or of the children's advocacy center 499
that is referred the report if the report is referred to a 500
children's advocacy center pursuant to an interagency agreement 501
entered into under section 2151.428 of the Revised Code, to be 502
provided with the following information: 503

(a) Whether the agency or center has initiated an investigation of the report; 504
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(b) Whether the agency or center is continuing to investigate the report; 506
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(c) Whether the agency or center is otherwise involved with the child who is the subject of the report; 508
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(d) The general status of the health and safety of the child who is the subject of the report; 510
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(e) Whether the report has resulted in the filing of a complaint in juvenile court or of criminal charges in another court. 512
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(2) (a) A person may request the information specified in division (K) (1) of this section only if, at the time the report is made, the person's name, address, and telephone number are provided to the person who receives the report. 515
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(b) When a peace officer or employee of a public children services agency receives a report pursuant to division (A) or (B) of this section the recipient of the report shall inform the person of the right to request the information described in division (K) (1) of this section. The recipient of the report shall include in the initial child abuse or child neglect report that the person making the report was so informed and, if provided at the time of the making of the report, shall include the person's name, address, and telephone number in the report. 519
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(c) If the person making the report provides the person's name and contact information on making the report, the public children services agency that received or was referred the report shall send a written notice via United States mail or electronic mail, in accordance with the person's preference, to 528
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the person not later than seven calendar days after receipt of 533
the report. The notice shall provide the status of the agency's 534
investigation into the report made, who the person may contact 535
at the agency for further information, and a description of the 536
person's rights under division (K) (1) of this section. 537

(d) Each request is subject to verification of the 538
identity of the person making the report. If that person's 539
identity is verified, the agency shall provide the person with 540
the information described in division (K) (1) of this section a 541
reasonable number of times, except that the agency shall not 542
disclose any confidential information regarding the child who is 543
the subject of the report other than the information described 544
in those divisions. 545

(3) A request made pursuant to division (K) (1) of this 546
section is not a substitute for any report required to be made 547
pursuant to division (A) of this section. 548

(4) If an agency other than the agency that received or 549
was referred the report is conducting the investigation of the 550
report pursuant to section 2151.422 of the Revised Code, the 551
agency conducting the investigation shall comply with the 552
requirements of division (K) of this section. 553

(5) A health care professional who made a report under 554
division (A) of this section, or on whose behalf such a report 555
was made as provided in division (A) (1) (c) of this section, may 556
authorize a person to obtain the information described in 557
division (K) (1) of this section if the person requesting the 558
information is associated with or acting on behalf of the health 559
care professional who provided health care services to the child 560
about whom the report was made. 561

(6) If the person making the report provides the person's name and contact information on making the report, the public children services agency that received or was referred the report shall send a written notice via United States mail or electronic mail, in accordance with the person's preference, to the person not later than seven calendar days after the agency closes the investigation into the case reported by the person. The notice shall notify the person that the agency has closed the investigation.

(L) (1) The director of children and youth shall adopt rules in accordance with Chapter 119. of the Revised Code to implement this section. The department of children and youth may enter into a plan of cooperation with any other governmental entity to aid in ensuring that children are protected from abuse and neglect. The department shall make recommendations to the attorney general that the department determines are necessary to protect children from child abuse and child neglect.

(2) The director of children and youth shall adopt rules in accordance with Chapter 119. of the Revised Code to identify the types of neglect of a child that a public children services agency shall be required to notify law enforcement of pursuant to division (E) (2) (c) (ii) of this section.

(M) Whoever violates division (A) of this section is liable for compensatory and exemplary damages to the child who would have been the subject of the report that was not made. A person who brings a civil action or proceeding pursuant to this division against a person who is alleged to have violated division (A) (1) of this section may use in the action or proceeding reports of other incidents of known or suspected abuse or neglect, provided that any information in a report that

would identify the child who is the subject of the report or the 592
maker of the report, if the maker is not the defendant or an 593
agent or employee of the defendant, has been redacted. 594

(N) (1) As used in this division: 595

(a) "Out-of-home care" includes a nonchartered nonpublic 596
school if the alleged child abuse or child neglect, or alleged 597
threat of child abuse or child neglect, described in a report 598
received by a public children services agency allegedly occurred 599
in or involved the nonchartered nonpublic school and the alleged 600
perpetrator named in the report holds a certificate, permit, or 601
license issued by the state board of education under section 602
3301.071 or Chapter 3319. of the Revised Code. 603

(b) "Administrator, director, or other chief 604
administrative officer" means the superintendent of the school 605
district if the out-of-home care entity subject to a report made 606
pursuant to this section is a school operated by the district. 607

(2) No later than the end of the day following the day on 608
which a public children services agency receives a report of 609
alleged child abuse or child neglect, or a report of an alleged 610
threat of child abuse or child neglect, that allegedly occurred 611
in or involved an out-of-home care entity, the agency shall 612
provide written notice of the allegations contained in and the 613
person named as the alleged perpetrator in the report to the 614
administrator, director, or other chief administrative officer 615
of the out-of-home care entity that is the subject of the report 616
unless the administrator, director, or other chief 617
administrative officer is named as an alleged perpetrator in the 618
report. If the administrator, director, or other chief 619
administrative officer of an out-of-home care entity is named as 620
an alleged perpetrator in a report of alleged child abuse or 621

child neglect, or a report of an alleged threat of child abuse 622
or child neglect, that allegedly occurred in or involved the 623
out-of-home care entity, the agency shall provide the written 624
notice to the owner or governing board of the out-of-home care 625
entity that is the subject of the report. The agency shall not 626
provide witness statements or police or other investigative 627
reports. 628

(3) No later than three days after the day on which a 629
public children services agency that conducted the investigation 630
as determined pursuant to section 2151.422 of the Revised Code 631
makes a disposition of an investigation involving a report of 632
alleged child abuse or child neglect, or a report of an alleged 633
threat of child abuse or child neglect, that allegedly occurred 634
in or involved an out-of-home care entity, the agency shall send 635
written notice of the disposition of the investigation to the 636
administrator, director, or other chief administrative officer 637
and the owner or governing board of the out-of-home care entity. 638
The agency shall not provide witness statements or police or 639
other investigative reports. 640

(O) As used in this section: 641

(1) "Children's advocacy center" and "sexual abuse of a 642
child" have the same meanings as in section 2151.425 of the 643
Revised Code. 644

(2) "Health care professional" means an individual who 645
provides health-related services. "Health care professional" 646
includes all of the following: a physician, including a hospital 647
intern or resident; a dentist; a podiatrist; a registered nurse, 648
including such a nurse who is an advanced practice registered 649
nurse; a licensed practical nurse; a home care nurse; a licensed 650
psychologist; a speech-language pathologist; an audiologist; a 651

person engaged in social work or the practice of professional 652
counseling; and an employee of a home health agency. "Health 653
care professional" does not include a practitioner of a limited 654
branch of medicine as specified in section 4731.15 of the 655
Revised Code, licensed school psychologist, independent marriage 656
and family therapist or marriage and family therapist, or 657
coroner. 658

(3) "Investigation" means the public children services 659
agency's response to an accepted report of child abuse or 660
neglect through either an alternative response or a traditional 661
response. 662

(4) "Peace officer" means a sheriff, deputy sheriff, 663
constable, police officer of a township or joint police 664
district, marshal, deputy marshal, municipal police officer, or 665
a state highway patrol trooper. 666

Sec. 4113.90. (A) As used in this section, "employer" 667
means any person who has one or more employees. "Employer" 668
includes an agent of an employer, the state or any agency or 669
instrumentality of the state, and any municipal corporation, 670
county, township, school district, or other political 671
subdivision or any agency or instrumentality thereof. 672

(B) The director of job and family services shall create a 673
one-hour virtual training program to help employers recognize 674
and report sexual assault. The director shall include in the 675
training program penalties for failing to report sexual assault. 676

(C) No employer shall fail to provide the training program 677
pursuant to this section to the employer's employees who begin 678
employment with the employer on or after the effective date of 679
this section. 680

Sec. 4113.99. (A) Whoever violates section 4113.15 of the Revised Code is guilty of a misdemeanor of the first degree.

(B) Whoever violates section 4113.16, 4113.18, or 4113.19 of the Revised Code is guilty of a minor misdemeanor.

(C) Whoever violates section 4113.17 of the Revised Code is guilty of a minor misdemeanor for a first offense; for each subsequent offense such person is guilty of a misdemeanor in the fourth degree.

(D) Whoever violates division (C) of section 4113.90 of the Revised Code is guilty of a misdemeanor in the fourth degree.

Section 2. That existing sections 2151.421 and 4113.99 of the Revised Code are hereby repealed.