

**As Introduced**

**136th General Assembly  
Regular Session  
2025-2026**

**H. B. No. 896**

**Representative Brewer  
Cosponsor: Representative Lett**

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To amend sections 2151.314, 2151.419, 2151.4116, 1  
and 2151.421 and to enact sections 2151.317, 2  
2151.318, and 2151.4123 of the Revised Code 3  
regarding parents' rights in child welfare 4  
cases. 5

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

**Section 1.** That sections 2151.314, 2151.419, 2151.4116, 6  
and 2151.421 be amended and sections 2151.317, 2151.318, and 7  
2151.4123 of the Revised Code be enacted to read as follows: 8

**Sec. 2151.314.** (A) When a child is brought before the 9  
court or delivered to a place of detention or shelter care 10  
designated by the court, the intake or other authorized officer 11  
of the court shall immediately make an investigation and shall 12  
release the child unless it appears that the child's detention 13  
or shelter care is warranted or required under section 2151.31 14  
of the Revised Code. 15

If the child is not so released, a complaint under section 16  
2151.27 or 2152.021 or an information under section 2152.13 of 17  
the Revised Code shall be filed or an indictment under division 18  
(B) of section 2152.13 of the Revised Code shall be sought and 19

an informal detention or shelter care hearing held promptly, not 20  
later than seventy-two hours after the child is placed in 21  
detention or shelter care, to determine whether detention or 22  
shelter care is required. Reasonable oral or written notice of 23  
the time, place, and purpose of the detention or shelter care 24  
hearing shall be given to the child and, if they can be found, 25  
to the child's parents, guardian, or custodian. In cases in 26  
which the complaint alleges a child to be an abused, neglected, 27  
or dependent child, the notice given the parents, guardian, or 28  
custodian shall inform them that a case plan may be prepared for 29  
the child, the general requirements usually contained in case 30  
plans, and the possible consequences of the failure to comply 31  
with a journalized case plan. 32

Prior to the hearing, the court shall inform the parties 33  
of their right to counsel and to appointed counsel or to the 34  
services of the county public defender or joint county public 35  
defender, if they are indigent, of the child's right to remain 36  
silent with respect to any allegation of delinquency, and of the 37  
name and telephone number of a court employee who can be 38  
contacted during the normal business hours of the court to 39  
arrange for the prompt appointment of counsel for any party who 40  
is indigent. Unless it appears from the hearing that the child's 41  
detention or shelter care is required under the provisions of 42  
section 2151.31 of the Revised Code, the court shall order the 43  
child's release as provided by section 2151.311 of the Revised 44  
Code. If a parent, guardian, or custodian has not been so 45  
notified and did not appear or waive appearance at the hearing, 46  
upon the filing of an affidavit stating these facts, the court 47  
shall rehear the matter without unnecessary delay. 48

(B) When the court conducts a hearing pursuant to division 49  
(A) of this section, all of the following apply: 50

(1) The court shall determine whether an alleged abused, 51  
neglected, or dependent child should remain or be placed in 52  
shelter care; 53

(2) The court shall determine whether there are any 54  
relatives of the child who are willing to be temporary 55  
custodians of the child. If any relative is willing to be a 56  
temporary custodian, the child would otherwise be placed or 57  
retained in shelter care, and the appointment is appropriate, 58  
the court shall appoint the relative as temporary custodian of 59  
the child, unless the court appoints another relative as 60  
temporary custodian. If it determines that the appointment of a 61  
relative as custodian would not be appropriate, it shall issue a 62  
written opinion setting forth the reasons for its determination 63  
and give a copy of the opinion to all parties and to the 64  
guardian ad litem of the child. 65

The court's consideration of a relative for appointment as 66  
a temporary custodian does not make that relative a party to the 67  
proceedings. 68

(3) The court shall comply with section 2151.419 of the 69  
Revised Code. 70

(4) The court shall verify that the parent, guardian, or 71  
custodian of the child who is the subject of the hearing has 72  
received the information described in division (G) (2) (b) (ii) of 73  
section 2151.421 of the Revised Code. 74

(C) If a child is in shelter care following the filing of 75  
a complaint pursuant to section 2151.27 or 2152.021 of the 76  
Revised Code, the filing of an information, or the obtaining of 77  
an indictment or following a hearing held pursuant to division 78  
(A) of this section, any party, including the public children 79

services agency, and the guardian ad litem of the child may file 80  
a motion with the court requesting that the child be released 81  
from shelter care. The motion shall state the reasons why the 82  
child should be released from shelter care and, if a hearing has 83  
been held pursuant to division (A) of this section, any changes 84  
in the situation of the child or the parents, guardian, or 85  
custodian of the child that have occurred since that hearing and 86  
that justify the release of the child from shelter care. Upon 87  
the filing of the motion, the court shall hold a hearing in the 88  
same manner as under division (A) of this section. 89

(D) Each juvenile court shall designate at least one court 90  
employee to assist persons who are indigent in obtaining 91  
appointed counsel. The court shall include in each notice given 92  
pursuant to division (A) or (C) of this section and in each 93  
summons served upon a party pursuant to this chapter, the name 94  
and telephone number at which each designated employee can be 95  
contacted during the normal business hours of the court to 96  
arrange for prompt appointment of counsel for indigent persons. 97

Sec. 2151.317. The parent, guardian, or custodian of a 98  
child who is the subject of an investigation under section 99  
2151.421 or 2151.422 of the Revised Code may choose a support 100  
person to attend any meetings regarding the child's welfare and 101  
case plan, except that the court, for good cause shown, may 102  
restrict or prohibit the attendance of the support person. 103

Sec. 2151.318. The department of children and youth shall 104  
develop and distribute a parents' bill of rights pamphlet to 105  
public children services agencies and private child placing 106  
agencies. The pamphlet shall be written in plain language and 107  
translated into the ten most commonly spoken languages in this 108  
state. The pamphlet shall include all of the following: 109

<u>(A) Information on all of the following:</u>	110
<u>(1) Notification requirements under division (G) (2) (b) of section 2151.421 of the Revised Code;</u>	111
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<u>(2) Kinship notification requirements under sections 2151.4115 to 2151.4122 of the Revised Code;</u>	113
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<u>(3) The right to a support person under section 2151.317 of the Revised Code;</u>	115
	116
<u>(4) The right to receive a plain language reasonable efforts statement under division (D) of section 2151.419 of the Revised Code.</u>	117
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<u>(B) An explanation of the timelines and judicial proceedings for abuse, neglect, and dependency cases.</u>	120
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<u>(C) Contact information for legal aid services and the state public defender's office.</u>	122
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<b>Sec. 2151.419.</b> (A) (1) Except as provided in division (A) (2) of this section, at any hearing held pursuant to section 2151.28, division (E) of section 2151.31, or section 2151.314, 2151.33, or 2151.353 of the Revised Code at which the court removes a child from the child's home or continues the removal of a child from the child's home, the court shall determine whether the public children services agency or private child placing agency that filed the complaint in the case, removed the child from home, has custody of the child, or will be given custody of the child has made reasonable efforts to prevent the removal of the child from the child's home, to eliminate the continued removal of the child from the child's home, or to make it possible for the child to return safely home. The agency shall have the burden of proving that it has made those reasonable efforts. If the agency removed the child from home	124
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during an emergency in which the child could not safely remain 139  
at home and the agency did not have prior contact with the 140  
child, the court is not prohibited, solely because the agency 141  
did not make reasonable efforts during the emergency to prevent 142  
the removal of the child, from determining that the agency made 143  
those reasonable efforts. In determining whether reasonable 144  
efforts were made, the child's health and safety shall be 145  
paramount. 146

(2) If any of the following apply, the court shall make a 147  
determination that the agency is not required to make reasonable 148  
efforts to prevent the removal of the child from the child's 149  
home, eliminate the continued removal of the child from the 150  
child's home, and return the child to the child's home: 151

(a) The parent from whom the child was removed has been 152  
convicted of or pleaded guilty to one of the following: 153

(i) An offense under section 2903.01, 2903.02, or 2903.03 154  
of the Revised Code or under an existing or former law of this 155  
state, any other state, or the United States that is 156  
substantially equivalent to an offense described in those 157  
sections and the victim of the offense was a sibling of the 158  
child or the victim was another child who lived in the parent's 159  
household at the time of the offense; 160

(ii) An offense under section 2903.11, 2903.12, or 2903.13 161  
of the Revised Code or under an existing or former law of this 162  
state, any other state, or the United States that is 163  
substantially equivalent to an offense described in those 164  
sections and the victim of the offense is the child, a sibling 165  
of the child, or another child who lived in the parent's 166  
household at the time of the offense; 167

(iii) An offense under division (B) (2) of section 2919.22 168  
of the Revised Code or under an existing or former law of this 169  
state, any other state, or the United States that is 170  
substantially equivalent to the offense described in that 171  
section and the child, a sibling of the child, or another child 172  
who lived in the parent's household at the time of the offense 173  
is the victim of the offense; 174

(iv) An offense under section 2907.02, 2907.03, 2907.04, 175  
2907.05, or 2907.06 of the Revised Code or under an existing or 176  
former law of this state, any other state, or the United States 177  
that is substantially equivalent to an offense described in 178  
those sections and the victim of the offense is the child, a 179  
sibling of the child, or another child who lived in the parent's 180  
household at the time of the offense; 181

(v) An offense under section 2905.32, 2907.21, or 2907.22 182  
of the Revised Code or under an existing or former law of this 183  
state, any other state, or the United States that is 184  
substantially equivalent to the offense described in those 185  
sections and the victim of the offense is the child, a sibling 186  
of the child, or another child who lived in the parent's 187  
household at the time of the offense; 188

(vi) A conspiracy or attempt to commit, or complicity in 189  
committing, an offense described in division (A) (2) (a) (i), (iv), 190  
or (v) of this section. 191

(b) The parent from whom the child was removed has 192  
repeatedly withheld medical treatment or food from the child 193  
when the parent has the means to provide the treatment or food. 194  
If the parent has withheld medical treatment in order to treat 195  
the physical or mental illness or defect of the child by 196  
spiritual means through prayer alone, in accordance with the 197

tenets of a recognized religious body, the court or agency shall 198  
comply with the requirements of division (A)(1) of this section. 199

(c) The parent from whom the child was removed has placed 200  
the child at substantial risk of harm two or more times due to 201  
alcohol or drug abuse and has rejected treatment two or more 202  
times or refused to participate in further treatment two or more 203  
times after a case plan issued pursuant to section 2151.412 of 204  
the Revised Code requiring treatment of the parent was 205  
journalized as part of a dispositional order issued with respect 206  
to the child or an order was issued by any other court requiring 207  
such treatment of the parent. 208

(d) The parent from whom the child was removed has 209  
abandoned the child. 210

(e) The parent from whom the child was removed has had 211  
parental rights involuntarily terminated with respect to a 212  
sibling of the child pursuant to section 2151.353, 2151.414, or 213  
2151.415 of the Revised Code or under an existing or former law 214  
of this state, any other state, or the United States that is 215  
substantially equivalent to those sections. 216

(3) At any hearing in which the court determines whether 217  
to return a child to the child's home, the court may issue an 218  
order that returns the child in situations in which the 219  
conditions described in divisions (A)(2)(a) to (e) of this 220  
section are present. 221

(B)(1) A court that is required to make a determination as 222  
described in division (A)(1) or (2) of this section shall issue 223  
written findings of fact setting forth the reasons supporting 224  
its determination. If the court makes a written determination 225  
under division (A)(1) of this section, it shall briefly describe 226

in the findings of fact the relevant services provided by the 227  
agency to the family of the child and why those services did not 228  
prevent the removal of the child from the child's home or enable 229  
the child to return safely home. 230

(2) If a court issues an order that returns the child to 231  
the child's home in situations in which division (A) (2) (a), (b), 232  
(c), (d), or (e) of this section applies, the court shall issue 233  
written findings of fact setting forth the reasons supporting 234  
its determination. 235

(C) If the court makes a determination pursuant to 236  
division (A) (2) of this section, the court shall conduct a 237  
review hearing pursuant to section 2151.417 of the Revised Code 238  
to approve a permanency plan with respect to the child, unless 239  
the court issues an order returning the child home pursuant to 240  
division (A) (3) of this section. The hearing to approve the 241  
permanency plan may be held immediately following the court's 242  
determination pursuant to division (A) (2) of this section and 243  
shall be held no later than thirty days following that 244  
determination. 245

(D) At any hearing at which the court is required pursuant 246  
to this section to make a determination whether the agency has 247  
made reasonable efforts to prevent the removal of the child, to 248  
eliminate the continued removal of the child, or to make it 249  
possible for the child to return safely home, the agency shall 250  
file with the court and provide to all parties a plain language 251  
reasonable efforts statement. If the agency fails to file a 252  
reasonable efforts statement, the court shall not make a finding 253  
under this section and may order a continuance or remediation 254  
order. 255

The plain language reasonable efforts statement shall 256

<u>explain, in clear and simple language, all of the following:</u>	257
<u>(1) The services that the child's family has been offered</u>	258
<u>and provided by the agency;</u>	259
<u>(2) The dates, intensity, and duration of the services</u>	260
<u>provided;</u>	261
<u>(3) The family's progress and the outcomes of the</u>	262
<u>services;</u>	263
<u>(4) Any barriers to the family's participation in the</u>	264
<u>services and the agency's response.</u>	265
<b>Sec. 2151.4116.</b> <u>A—Not later than seven days after removal</u>	266
<u>of a child, a public children services agency or private child</u>	267
<u>placing agency shall <del>make</del> initiate intensive efforts to identify</u>	268
<u>and engage an appropriate and willing kinship caregiver for the</u>	269
<u>care of a child who is in one of following:</u>	270
(A) Temporary custody of the agency;	271
(B) A planned permanent living arrangement with the	272
agency.	273
<b>Sec. 2151.4123.</b> <u>(A) A public children services agency</u>	274
<u>shall request that the department of children and youth search</u>	275
<u>the putative father registry to determine whether a man is</u>	276
<u>registered as the putative father of a child who is taken into</u>	277
<u>custody under section 2151.31 of the Revised Code. The request</u>	278
<u>shall include the mother's name. On receipt of the request, the</u>	279
<u>department shall search the registry. If the department</u>	280
<u>determines that a man is registered as the child's putative</u>	281
<u>father, it shall provide the agency a certified copy of the</u>	282
<u>man's registration form. If the department determines that no</u>	283
<u>man is registered as the minor's putative father, it shall</u>	284

provide the agency a certified written statement to that effect. 285  
The department shall specify in the statement the date the 286  
search was conducted. No fee shall be charged for searching the 287  
registry. 288

Division (B) of section 3107.17 of the Revised Code does 289  
not apply to this section. 290

(B) If the department of children and youth provides a 291  
certified copy of a putative father's registration form pursuant 292  
to division (A) of this section, the department also shall 293  
provide written notice to the putative father of the following: 294

(1) That he may be the father of the child he claims as 295  
his child on the registration form; 296

(2) That the child is the subject of an investigation 297  
under section 2151.421 or 2151.422 of the Revised Code; 298

(3) That he has a right to receive notice of all hearings, 299  
administrative reviews, and other proceedings involving the 300  
child. 301

(C) The department shall provide the notice under division 302  
(B) of this section not later than ten business days after the 303  
date it provides the agency the certified copy of the 304  
registration form pursuant to division (A) of this section. 305

(D) The court shall give the putative father notice of all 306  
hearings, administrative reviews, and other proceedings in the 307  
same manner as notice is given to parties to the action. 308

**Sec. 2151.421.** (A) (1) (a) No person described in division 309  
(A) (1) (b) of this section who is acting in an official or 310  
professional capacity and knows, or has reasonable cause to 311  
suspect based on facts that would cause a reasonable person in a 312

similar position to suspect, that a child under eighteen years 313  
of age, or a person under twenty-one years of age with a 314  
developmental disability or physical impairment, has suffered or 315  
faces a threat of suffering any physical or mental wound, 316  
injury, disability, or condition of a nature that reasonably 317  
indicates abuse or neglect of the child shall fail to 318  
immediately report that knowledge or reasonable cause to suspect 319  
to the entity or persons specified in this division. Except as 320  
otherwise provided in this division or section 5120.173 of the 321  
Revised Code, the person making the report shall make it to the 322  
public children services agency or a peace officer in the county 323  
in which the child resides or in which the abuse or neglect is 324  
occurring or has occurred. If the person making the report is a 325  
peace officer, the officer shall make it to the public children 326  
services agency in the county in which the child resides or in 327  
which the abuse or neglect is occurring or has occurred. In the 328  
circumstances described in section 5120.173 of the Revised Code, 329  
the person making the report shall make it to the entity 330  
specified in that section. 331

(b) Division (A) (1) (a) of this section applies to any 332  
person who is an attorney; health care professional; 333  
practitioner of a limited branch of medicine as specified in 334  
section 4731.15 of the Revised Code; licensed school 335  
psychologist; independent marriage and family therapist or 336  
marriage and family therapist; coroner; administrator or 337  
employee of a child care center; administrator or employee of a 338  
residential camp, child day camp, or private, nonprofit 339  
therapeutic wilderness camp; administrator or employee of a 340  
certified child care agency or other public or private children 341  
services agency; school teacher; school employee; school 342  
authority; peace officer; humane society agent; dog warden, 343

deputy dog warden, or other person appointed to act as an animal 344  
control officer for a municipal corporation or township in 345  
accordance with state law, an ordinance, or a resolution; 346  
person, other than a cleric, rendering spiritual treatment 347  
through prayer in accordance with the tenets of a well- 348  
recognized religion; employee of a county department of job and 349  
family services who is a professional and who works with 350  
children and families; employee of an entity that provides home 351  
visiting services under the help me grow program established by 352  
the department of children and youth pursuant to section 5180.21 353  
of the Revised Code; superintendent or regional administrator 354  
employed by the department of youth services; superintendent, 355  
board member, or employee of a county board of developmental 356  
disabilities; investigative agent contracted with by a county 357  
board of developmental disabilities; employee of the department 358  
of developmental disabilities; employee of a facility or home 359  
that provides respite care in accordance with section 5123.171 360  
of the Revised Code; employee of an entity that provides 361  
homemaker services; employee of a qualified organization as 362  
defined in section 2151.90 of the Revised Code; a host family as 363  
defined in section 2151.90 of the Revised Code; foster 364  
caregiver; a person performing the duties of an assessor 365  
pursuant to Chapter 3107. or 5103. of the Revised Code; third 366  
party employed by a public children services agency to assist in 367  
providing child or family related services; court appointed 368  
special advocate; or guardian ad litem. 369

(c) If two or more health care professionals, after 370  
providing health care services to a child, determine or suspect 371  
that the child has been or is being abused or neglected, the 372  
health care professionals may designate one of the health care 373  
professionals to report the abuse or neglect. A single report 374

made under this division shall meet the reporting requirements 375  
of division (A) (1) of this section. 376

(2) Except as provided in division (A) (3) of this section, 377  
an attorney, physician, or advanced practice registered nurse is 378  
not required to make a report pursuant to division (A) (1) of 379  
this section concerning any communication the attorney, 380  
physician, or advanced practice registered nurse receives from a 381  
client or patient in an attorney-client, physician-patient, or 382  
advanced practice registered nurse-patient relationship, if, in 383  
accordance with division (A) or (B) of section 2317.02 of the 384  
Revised Code, the attorney, physician, or advanced practice 385  
registered nurse could not testify with respect to that 386  
communication in a civil or criminal proceeding. 387

(3) The client or patient in an attorney-client, 388  
physician-patient, or advanced practice registered nurse-patient 389  
relationship described in division (A) (2) of this section is 390  
deemed to have waived any testimonial privilege under division 391  
(A) or (B) of section 2317.02 of the Revised Code with respect 392  
to any communication the attorney, physician, or advanced 393  
practice registered nurse receives from the client or patient in 394  
that relationship, and the attorney, physician, or advanced 395  
practice registered nurse shall make a report pursuant to 396  
division (A) (1) of this section with respect to that 397  
communication, if all of the following apply: 398

(a) The client or patient, at the time of the 399  
communication, is a child under eighteen years of age or is a 400  
person under twenty-one years of age with a developmental 401  
disability or physical impairment. 402

(b) The attorney, physician, or advanced practice 403  
registered nurse knows, or has reasonable cause to suspect based 404

on facts that would cause a reasonable person in similar 405  
position to suspect that the client or patient has suffered or 406  
faces a threat of suffering any physical or mental wound, 407  
injury, disability, or condition of a nature that reasonably 408  
indicates abuse or neglect of the client or patient. 409

(c) The abuse or neglect does not arise out of the 410  
client's or patient's attempt to have an abortion without the 411  
notification of her parents, guardian, or custodian in 412  
accordance with section 2151.85 of the Revised Code. 413

(4) (a) No cleric and no person, other than a volunteer, 414  
designated by any church, religious society, or faith acting as 415  
a leader, official, or delegate on behalf of the church, 416  
religious society, or faith who is acting in an official or 417  
professional capacity, who knows, or has reasonable cause to 418  
believe based on facts that would cause a reasonable person in a 419  
similar position to believe, that a child under eighteen years 420  
of age, or a person under twenty-one years of age with a 421  
developmental disability or physical impairment, has suffered or 422  
faces a threat of suffering any physical or mental wound, 423  
injury, disability, or condition of a nature that reasonably 424  
indicates abuse or neglect of the child, and who knows, or has 425  
reasonable cause to believe based on facts that would cause a 426  
reasonable person in a similar position to believe, that another 427  
cleric or another person, other than a volunteer, designated by 428  
a church, religious society, or faith acting as a leader, 429  
official, or delegate on behalf of the church, religious 430  
society, or faith caused, or poses the threat of causing, the 431  
wound, injury, disability, or condition that reasonably 432  
indicates abuse or neglect shall fail to immediately report that 433  
knowledge or reasonable cause to believe to the entity or 434  
persons specified in this division. Except as provided in 435

section 5120.173 of the Revised Code, the person making the 436  
report shall make it to the public children services agency or a 437  
peace officer in the county in which the child resides or in 438  
which the abuse or neglect is occurring or has occurred. In the 439  
circumstances described in section 5120.173 of the Revised Code, 440  
the person making the report shall make it to the entity 441  
specified in that section. 442

(b) Except as provided in division (A) (4) (c) of this 443  
section, a cleric is not required to make a report pursuant to 444  
division (A) (4) (a) of this section concerning any communication 445  
the cleric receives from a penitent in a cleric-penitent 446  
relationship, if, in accordance with division (C) of section 447  
2317.02 of the Revised Code, the cleric could not testify with 448  
respect to that communication in a civil or criminal proceeding. 449

(c) The penitent in a cleric-penitent relationship 450  
described in division (A) (4) (b) of this section is deemed to 451  
have waived any testimonial privilege under division (C) of 452  
section 2317.02 of the Revised Code with respect to any 453  
communication the cleric receives from the penitent in that 454  
cleric-penitent relationship, and the cleric shall make a report 455  
pursuant to division (A) (4) (a) of this section with respect to 456  
that communication, if all of the following apply: 457

(i) The penitent, at the time of the communication, is a 458  
child under eighteen years of age or is a person under twenty- 459  
one years of age with a developmental disability or physical 460  
impairment. 461

(ii) The cleric knows, or has reasonable cause to believe 462  
based on facts that would cause a reasonable person in a similar 463  
position to believe, as a result of the communication or any 464  
observations made during that communication, the penitent has 465

suffered or faces a threat of suffering any physical or mental 466  
wound, injury, disability, or condition of a nature that 467  
reasonably indicates abuse or neglect of the penitent. 468

(iii) The abuse or neglect does not arise out of the 469  
penitent's attempt to have an abortion performed upon a child 470  
under eighteen years of age or upon a person under twenty-one 471  
years of age with a developmental disability or physical 472  
impairment without the notification of her parents, guardian, or 473  
custodian in accordance with section 2151.85 of the Revised 474  
Code. 475

(d) Divisions (A)(4)(a) and (c) of this section do not 476  
apply in a cleric-penitent relationship when the disclosure of 477  
any communication the cleric receives from the penitent is in 478  
violation of the sacred trust. 479

(e) As used in divisions (A)(1) and (4) of this section, 480  
"cleric" and "sacred trust" have the same meanings as in section 481  
2317.02 of the Revised Code. 482

(B) Anyone who knows, or has reasonable cause to suspect 483  
based on facts that would cause a reasonable person in similar 484  
circumstances to suspect, that a child under eighteen years of 485  
age, or a person under twenty-one years of age with a 486  
developmental disability or physical impairment, has suffered or 487  
faces a threat of suffering any physical or mental wound, 488  
injury, disability, or other condition of a nature that 489  
reasonably indicates abuse or neglect of the child may report or 490  
cause reports to be made of that knowledge or reasonable cause 491  
to suspect to the entity or persons specified in this division. 492  
Except as provided in section 5120.173 of the Revised Code, a 493  
person making a report or causing a report to be made under this 494  
division shall make it or cause it to be made to the public 495

children services agency or to a peace officer. In the 496  
circumstances described in section 5120.173 of the Revised Code, 497  
a person making a report or causing a report to be made under 498  
this division shall make it or cause it to be made to the entity 499  
specified in that section. 500

(C) Any report made pursuant to division (A) or (B) of 501  
this section shall be made forthwith either by telephone, in 502  
person, or electronically and shall be followed by a written 503  
report, if requested by the receiving agency or officer. The 504  
written report shall contain: 505

(1) The names and addresses of the child and the child's 506  
parents or the person or persons having custody of the child, if 507  
known; 508

(2) The child's age and the nature and extent of the 509  
child's injuries, abuse, or neglect that is known or reasonably 510  
suspected or believed, as applicable, to have occurred or of the 511  
threat of injury, abuse, or neglect that is known or reasonably 512  
suspected or believed, as applicable, to exist, including any 513  
evidence of previous injuries, abuse, or neglect; 514

(3) Any other information, including, but not limited to, 515  
results and reports of any medical examinations, tests, or 516  
procedures performed under division (D) of this section, that 517  
might be helpful in establishing the cause of the injury, abuse, 518  
or neglect that is known or reasonably suspected or believed, as 519  
applicable, to have occurred or of the threat of injury, abuse, 520  
or neglect that is known or reasonably suspected or believed, as 521  
applicable, to exist. 522

(D) (1) Any person, who is required by division (A) of this 523  
section to report child abuse or child neglect that is known or 524

reasonably suspected or believed to have occurred, may take or 525  
cause to be taken color photographs of areas of trauma visible 526  
on a child and, if medically necessary for the purpose of 527  
diagnosing or treating injuries that are suspected to have 528  
occurred as a result of child abuse or child neglect, perform or 529  
cause to be performed radiological examinations and any other 530  
medical examinations of, and tests or procedures on, the child. 531

(2) The results and any available reports of examinations, 532  
tests, or procedures made under division (D) (1) of this section 533  
shall be included in a report made pursuant to division (A) of 534  
this section. Any additional reports of examinations, tests, or 535  
procedures that become available shall be provided to the public 536  
children services agency, upon request. 537

(3) If a health care professional provides health care 538  
services in a hospital, children's advocacy center, or emergency 539  
medical facility to a child about whom a report has been made 540  
under division (A) of this section, the health care professional 541  
may take any steps that are reasonably necessary for the release 542  
or discharge of the child to an appropriate environment. Before 543  
the child's release or discharge, the health care professional 544  
may obtain information, or consider information obtained, from 545  
other entities or individuals that have knowledge about the 546  
child. Nothing in division (D) (3) of this section shall be 547  
construed to alter the responsibilities of any person under 548  
sections 2151.27 and 2151.31 of the Revised Code. 549

(4) A health care professional may conduct medical 550  
examinations, tests, or procedures on the siblings of a child 551  
about whom a report has been made under division (A) of this 552  
section and on other children who reside in the same home as the 553  
child, if the professional determines that the examinations, 554

tests, or procedures are medically necessary to diagnose or 555  
treat the siblings or other children in order to determine 556  
whether reports under division (A) of this section are warranted 557  
with respect to such siblings or other children. The results of 558  
the examinations, tests, or procedures on the siblings and other 559  
children may be included in a report made pursuant to division 560  
(A) of this section. 561

(5) Medical examinations, tests, or procedures conducted 562  
under divisions (D) (1) and (4) of this section and decisions 563  
regarding the release or discharge of a child under division (D) 564  
(3) of this section do not constitute a law enforcement 565  
investigation or activity. 566

(E) (1) When a peace officer receives a report made 567  
pursuant to division (A) or (B) of this section, upon receipt of 568  
the report, the peace officer who receives the report shall 569  
refer the report to the appropriate public children services 570  
agency, in accordance with requirements specified under division 571  
(B) (6) of section 2151.4221 of the Revised Code, unless an 572  
arrest is made at the time of the report that results in the 573  
appropriate public children services agency being contacted 574  
concerning the possible abuse or neglect of a child or the 575  
possible threat of abuse or neglect of a child. 576

(2) When a public children services agency receives a 577  
report pursuant to this division or division (A) or (B) of this 578  
section, upon receipt of the report, the public children 579  
services agency shall do all of the following: 580

(a) Comply with section 2151.422 of the Revised Code; 581

(b) If the county served by the agency is also served by a 582  
children's advocacy center and the report alleges sexual abuse 583

of a child or another type of abuse of a child that is specified 584  
in the memorandum of understanding that creates the center as 585  
being within the center's jurisdiction, comply regarding the 586  
report with the protocol and procedures for referrals and 587  
investigations, with the coordinating activities, and with the 588  
authority or responsibility for performing or providing 589  
functions, activities, and services stipulated in the 590  
interagency agreement entered into under section 2151.428 of the 591  
Revised Code relative to that center; 592

(c) Unless an arrest is made at the time of the report 593  
that results in the appropriate law enforcement agency being 594  
contacted concerning the possible abuse or neglect of a child or 595  
the possible threat of abuse or neglect of a child, and in 596  
accordance with requirements specified under division (B) (6) of 597  
section 2151.4221 of the Revised Code, notify the appropriate 598  
law enforcement agency of the report, if the public children 599  
services agency received either of the following: 600

(i) A report of abuse of a child; 601

(ii) A report of neglect of a child that alleges a type of 602  
neglect identified by the department of children and youth in 603  
rules adopted under division (L) (2) of this section. 604

(F) No peace officer shall remove a child about whom a 605  
report is made pursuant to this section from the child's 606  
parents, stepparents, or guardian or any other persons having 607  
custody of the child without consultation with the public 608  
children services agency, unless, in the judgment of the 609  
officer, and, if the report was made by a physician or advanced 610  
practice registered nurse, the physician or nurse, immediate 611  
removal is considered essential to protect the child from 612  
further abuse or neglect. The agency that must be consulted 613

shall be the agency conducting the investigation of the report 614  
as determined pursuant to section 2151.422 of the Revised Code. 615

(G) (1) Except as provided in section 2151.422 of the 616  
Revised Code or in an interagency agreement entered into under 617  
section 2151.428 of the Revised Code that applies to the 618  
particular report, the public children services agency shall 619  
investigate, within twenty-four hours, each report of child 620  
abuse or child neglect that is known or reasonably suspected or 621  
believed to have occurred and of a threat of child abuse or 622  
child neglect that is known or reasonably suspected or believed 623  
to exist that is referred to it under this section to determine 624  
the circumstances surrounding the injuries, abuse, or neglect or 625  
the threat of injury, abuse, or neglect, the cause of the 626  
injuries, abuse, neglect, or threat, and the person or persons 627  
responsible. The investigation shall be made in cooperation with 628  
the law enforcement agency and in accordance with the memorandum 629  
of understanding prepared under sections 2151.4220 to 2151.4234 630  
of the Revised Code. 631

(2) (a) A representative of the public children services 632  
agency shall, at the time of initial contact with the person 633  
subject to the investigation, inform the person of the specific 634  
complaints or allegations made against the person. 635

(b) If a child is taken into custody pursuant to section 636  
2151.31 of the Revised Code, a representative of the public 637  
children services agency shall do both of the following: 638

(i) Immediately verbally inform the child's parent, 639  
guardian, or custodian of the specific complaints or allegations 640  
that resulted in the child being taken into custody and the 641  
date, time, and location of the informal detention or shelter 642  
care hearing held pursuant to section 2151.314 of the Revised 643

Code; 644

(ii) Not later than twenty-four hours after the child is 645  
taken into custody, provide written notice to the child's 646  
parent, guardian, or custodian that includes the allegations 647  
against the parent, guardian, or custodian; a copy of the 648  
complaint, petition, and affidavit supporting the removal of the 649  
child; and a copy of the parents' bill of rights pamphlet 650  
created in accordance with section 2151.318 of the Revised Code. 651

(c) The information described in division (G) (2) of this 652  
section shall be given in a manner that is consistent with 653  
division (I) (1) of this section and protects the rights of the 654  
person making the report under this section. 655

(3) A failure to make the investigation in accordance with 656  
the memorandum is not grounds for, and shall not result in, the 657  
dismissal of any charges or complaint arising from the report or 658  
the suppression of any evidence obtained as a result of the 659  
report and does not give, and shall not be construed as giving, 660  
any rights or any grounds for appeal or post-conviction relief 661  
to any person. The public children services agency shall report 662  
each case to the uniform statewide automated child welfare 663  
information system that the department of children and youth 664  
shall maintain in accordance with section 5180.40 of the Revised 665  
Code. The public children services agency shall submit a report 666  
of its investigation, in writing, to the law enforcement agency. 667

~~(2)~~(4) The public children services agency shall make any 668  
recommendations to the county prosecuting attorney or city 669  
director of law that it considers necessary to protect any 670  
children that are brought to its attention. 671

(H) (1) (a) Except as provided in divisions (H) (1) (b) and 672

(I) (3) of this section, any person, health care professional, 673  
hospital, institution, school, health department, or agency 674  
shall be immune from any civil or criminal liability for injury, 675  
death, or loss to person or property that otherwise might be 676  
incurred or imposed as a result of any of the following: 677

(i) Participating in the making of reports pursuant to 678  
division (A) of this section or in the making of reports in good 679  
faith, pursuant to division (B) of this section; 680

(ii) Participating in medical examinations, tests, or 681  
procedures under division (D) of this section; 682

(iii) Providing information used in a report made pursuant 683  
to division (A) of this section or providing information in good 684  
faith used in a report made pursuant to division (B) of this 685  
section; 686

(iv) Participating in a judicial proceeding resulting from 687  
a report made pursuant to division (A) of this section or 688  
participating in good faith in a proceeding resulting from a 689  
report made pursuant to division (B) of this section. 690

(b) Immunity under division (H) (1) (a) (ii) of this section 691  
shall not apply when a health care provider has deviated from 692  
the standard of care applicable to the provider's profession. 693

(c) Notwithstanding section 4731.22 of the Revised Code, 694  
the physician-patient privilege shall not be a ground for 695  
excluding evidence regarding a child's injuries, abuse, or 696  
neglect, or the cause of the injuries, abuse, or neglect in any 697  
judicial proceeding resulting from a report submitted pursuant 698  
to this section. 699

(2) In any civil or criminal action or proceeding in which 700  
it is alleged and proved that participation in the making of a 701

report under this section was not in good faith or participation 702  
in a judicial proceeding resulting from a report made under this 703  
section was not in good faith, the court shall award the 704  
prevailing party reasonable attorney's fees and costs and, if a 705  
civil action or proceeding is voluntarily dismissed, may award 706  
reasonable attorney's fees and costs to the party against whom 707  
the civil action or proceeding is brought. 708

(I) (1) Except as provided in divisions (I) (4) and (N) of 709  
this section and sections 2151.423 and 2151.4210 of the Revised 710  
Code, a report made under this section is confidential. The 711  
information provided in a report made pursuant to this section 712  
and the name of the person who made the report shall not be 713  
released for use, and shall not be used, as evidence in any 714  
civil action or proceeding brought against the person who made 715  
the report. Nothing in this division shall preclude the use of 716  
reports of other incidents of known or suspected abuse or 717  
neglect in a civil action or proceeding brought pursuant to 718  
division (M) of this section against a person who is alleged to 719  
have violated division (A) (1) of this section, provided that any 720  
information in a report that would identify the child who is the 721  
subject of the report or the maker of the report, if the maker 722  
of the report is not the defendant or an agent or employee of 723  
the defendant, has been redacted. In a criminal proceeding, the 724  
report is admissible in evidence in accordance with the Rules of 725  
Evidence and is subject to discovery in accordance with the 726  
Rules of Criminal Procedure. 727

(2) (a) Except as provided in division (I) (2) (b) of this 728  
section, no person shall permit or encourage the unauthorized 729  
dissemination of the contents of any report made under this 730  
section. 731

(b) A health care professional that obtains the same 732  
information contained in a report made under this section from a 733  
source other than the report may disseminate the information, if 734  
its dissemination is otherwise permitted by law. 735

(3) A person who knowingly makes or causes another person 736  
to make a false report under division (B) of this section that 737  
alleges that any person has committed an act or omission that 738  
resulted in a child being an abused child or a neglected child 739  
is guilty of a violation of section 2921.14 of the Revised Code. 740

(4) If a report is made pursuant to division (A) or (B) of 741  
this section and the child who is the subject of the report dies 742  
for any reason at any time after the report is made, but before 743  
the child attains eighteen years of age, the public children 744  
services agency or peace officer to which the report was made or 745  
referred, on the request of the child fatality review board, the 746  
suicide fatality review committee, or the director of health 747  
pursuant to guidelines established under section 3701.70 of the 748  
Revised Code, shall submit a summary sheet of information 749  
providing a summary of the report to the review board or review 750  
committee of the county in which the deceased child resided at 751  
the time of death or to the director. On the request of the 752  
review board, review committee, or director, the agency or peace 753  
officer may, at its discretion, make the report available to the 754  
review board, review committee, or director. If the county 755  
served by the public children services agency is also served by 756  
a children's advocacy center and the report of alleged sexual 757  
abuse of a child or another type of abuse of a child is 758  
specified in the memorandum of understanding that creates the 759  
center as being within the center's jurisdiction, the agency or 760  
center shall perform the duties and functions specified in this 761  
division in accordance with the interagency agreement entered 762

into under section 2151.428 of the Revised Code relative to that 763  
advocacy center. 764

(5) Not later than five business days after the 765  
determination of a disposition, a public children services 766  
agency shall advise a person alleged to have inflicted abuse or 767  
neglect on a child who is the subject of a report made pursuant 768  
to this section, including a report alleging sexual abuse of a 769  
child or another type of abuse of a child referred to a 770  
children's advocacy center pursuant to an interagency agreement 771  
entered into under section 2151.428 of the Revised Code, in 772  
writing of the disposition of the investigation. The agency 773  
shall not provide to the person any information that identifies 774  
the person who made the report, statements of witnesses, or 775  
police or other investigative reports. The written notice of 776  
disposition shall be made in a form designated by the department 777  
of children and youth and shall inform the person of the right 778  
to appeal the disposition. 779

(J) Any report that is required by this section, other 780  
than a report that is made to the state highway patrol as 781  
described in section 5120.173 of the Revised Code, shall result 782  
in protective services and emergency supportive services being 783  
made available by the public children services agency on behalf 784  
of the children about whom the report is made. The agency 785  
required to provide the services shall be the agency conducting 786  
the investigation of the report pursuant to section 2151.422 of 787  
the Revised Code. If a family is determined to benefit from 788  
prevention services, the agency also may make efforts to prevent 789  
neglect or abuse, to enhance a child's welfare, and to preserve 790  
the family unit intact by referring a report for assessment and 791  
provision of services to an agency providing prevention 792  
services, if appropriate prevention services are available from 793

a local provider or other reasonable source.	794
(K) (1) Except as provided in division (K) (4) or (5) of this section, a person who is required to make a report under division (A) of this section may make a reasonable number of requests of the public children services agency that receives or is referred the report, or of the children's advocacy center that is referred the report if the report is referred to a children's advocacy center pursuant to an interagency agreement entered into under section 2151.428 of the Revised Code, to be provided with the following information:	795 796 797 798 799 800 801 802 803
(a) Whether the agency or center has initiated an investigation of the report;	804 805
(b) Whether the agency or center is continuing to investigate the report;	806 807
(c) Whether the agency or center is otherwise involved with the child who is the subject of the report;	808 809
(d) The general status of the health and safety of the child who is the subject of the report;	810 811
(e) Whether the report has resulted in the filing of a complaint in juvenile court or of criminal charges in another court.	812 813 814
(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.	815 816 817 818
(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	819 820 821

person of the right to request the information described in 822  
division (K) (1) of this section. The recipient of the report 823  
shall include in the initial child abuse or child neglect report 824  
that the person making the report was so informed and, if 825  
provided at the time of the making of the report, shall include 826  
the person's name, address, and telephone number in the report. 827

(c) If the person making the report provides the person's 828  
name and contact information on making the report, the public 829  
children services agency that received or was referred the 830  
report shall send a written notice via United States mail or 831  
electronic mail, in accordance with the person's preference, to 832  
the person not later than seven calendar days after receipt of 833  
the report. The notice shall provide the status of the agency's 834  
investigation into the report made, who the person may contact 835  
at the agency for further information, and a description of the 836  
person's rights under division (K) (1) of this section. 837

(d) Each request is subject to verification of the 838  
identity of the person making the report. If that person's 839  
identity is verified, the agency shall provide the person with 840  
the information described in division (K) (1) of this section a 841  
reasonable number of times, except that the agency shall not 842  
disclose any confidential information regarding the child who is 843  
the subject of the report other than the information described 844  
in those divisions. 845

(3) A request made pursuant to division (K) (1) of this 846  
section is not a substitute for any report required to be made 847  
pursuant to division (A) of this section. 848

(4) If an agency other than the agency that received or 849  
was referred the report is conducting the investigation of the 850  
report pursuant to section 2151.422 of the Revised Code, the 851

agency conducting the investigation shall comply with the 852  
requirements of division (K) of this section. 853

(5) A health care professional who made a report under 854  
division (A) of this section, or on whose behalf such a report 855  
was made as provided in division (A)(1)(c) of this section, may 856  
authorize a person to obtain the information described in 857  
division (K)(1) of this section if the person requesting the 858  
information is associated with or acting on behalf of the health 859  
care professional who provided health care services to the child 860  
about whom the report was made. 861

(6) If the person making the report provides the person's 862  
name and contact information on making the report, the public 863  
children services agency that received or was referred the 864  
report shall send a written notice via United States mail or 865  
electronic mail, in accordance with the person's preference, to 866  
the person not later than seven calendar days after the agency 867  
closes the investigation into the case reported by the person. 868  
The notice shall notify the person that the agency has closed 869  
the investigation. 870

(L)(1) The director of children and youth shall adopt 871  
rules in accordance with Chapter 119. of the Revised Code to 872  
implement this section. The department of children and youth may 873  
enter into a plan of cooperation with any other governmental 874  
entity to aid in ensuring that children are protected from abuse 875  
and neglect. The department shall make recommendations to the 876  
attorney general that the department determines are necessary to 877  
protect children from child abuse and child neglect. 878

(2) The director of children and youth shall adopt rules 879  
in accordance with Chapter 119. of the Revised Code to identify 880  
the types of neglect of a child that a public children services 881

agency shall be required to notify law enforcement of pursuant 882  
to division (E) (2) (c) (ii) of this section. 883

(M) Whoever violates division (A) of this section is 884  
liable for compensatory and exemplary damages to the child who 885  
would have been the subject of the report that was not made. A 886  
person who brings a civil action or proceeding pursuant to this 887  
division against a person who is alleged to have violated 888  
division (A) (1) of this section may use in the action or 889  
proceeding reports of other incidents of known or suspected 890  
abuse or neglect, provided that any information in a report that 891  
would identify the child who is the subject of the report or the 892  
maker of the report, if the maker is not the defendant or an 893  
agent or employee of the defendant, has been redacted. 894

(N) (1) As used in this division: 895

(a) "Out-of-home care" includes a nonchartered nonpublic 896  
school if the alleged child abuse or child neglect, or alleged 897  
threat of child abuse or child neglect, described in a report 898  
received by a public children services agency allegedly occurred 899  
in or involved the nonchartered nonpublic school and the alleged 900  
perpetrator named in the report holds a certificate, permit, or 901  
license issued by the state board of education under section 902  
3301.071 or Chapter 3319. of the Revised Code. 903

(b) "Administrator, director, or other chief 904  
administrative officer" means the superintendent of the school 905  
district if the out-of-home care entity subject to a report made 906  
pursuant to this section is a school operated by the district. 907

(2) No later than the end of the day following the day on 908  
which a public children services agency receives a report of 909  
alleged child abuse or child neglect, or a report of an alleged 910

threat of child abuse or child neglect, that allegedly occurred 911  
in or involved an out-of-home care entity, the agency shall 912  
provide written notice of the allegations contained in and the 913  
person named as the alleged perpetrator in the report to the 914  
administrator, director, or other chief administrative officer 915  
of the out-of-home care entity that is the subject of the report 916  
unless the administrator, director, or other chief 917  
administrative officer is named as an alleged perpetrator in the 918  
report. If the administrator, director, or other chief 919  
administrative officer of an out-of-home care entity is named as 920  
an alleged perpetrator in a report of alleged child abuse or 921  
child neglect, or a report of an alleged threat of child abuse 922  
or child neglect, that allegedly occurred in or involved the 923  
out-of-home care entity, the agency shall provide the written 924  
notice to the owner or governing board of the out-of-home care 925  
entity that is the subject of the report. The agency shall not 926  
provide witness statements or police or other investigative 927  
reports. 928

(3) No later than three days after the day on which a 929  
public children services agency that conducted the investigation 930  
as determined pursuant to section 2151.422 of the Revised Code 931  
makes a disposition of an investigation involving a report of 932  
alleged child abuse or child neglect, or a report of an alleged 933  
threat of child abuse or child neglect, that allegedly occurred 934  
in or involved an out-of-home care entity, the agency shall send 935  
written notice of the disposition of the investigation to the 936  
administrator, director, or other chief administrative officer 937  
and the owner or governing board of the out-of-home care entity. 938  
The agency shall not provide witness statements or police or 939  
other investigative reports. 940

(0) As used in this section: 941

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

(2) "Health care professional" means an individual who provides health-related services. "Health care professional" includes all of the following: a physician, including a hospital intern or resident; a dentist; a podiatrist; a registered nurse, including such a nurse who is an advanced practice registered nurse; a licensed practical nurse; a home care nurse; a licensed psychologist; a speech-language pathologist; an audiologist; a person engaged in social work or the practice of professional counseling; and an employee of a home health agency. "Health care professional" does not include a 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, or coroner.

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

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

**Section 2.** That existing sections 2151.314, 2151.419, 2151.4116, and 2151.421 of the Revised Code are hereby repealed.