

**As Reported by the House Families, Aging, and Human Services  
Committee**

**134th General Assembly**

**Regular Session  
2021-2022**

**Am. H. B. No. 92**

**Representatives Abrams, Loychik**

**Cosponsors: Representatives Grendell, Miller, A., Seitz, Kick, Riedel, Gross,  
Stoltzfus, Merrin, LaRe, Lampton, Richardson, Troy, Weinstein, Carruthers, Ginter,  
Sheehy, Cutrona, Liston, Click, Edwards, John**

**A BILL**

To amend sections 2151.421 and 2151.423 and to 1  
enact section 2151.4210 of the Revised Code to 2  
require public children services agencies to 3  
report child abuse or neglect in military 4  
families to the appropriate military 5  
authorities. 6

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

**Section 1.** That sections 2151.421 and 2151.423 be amended 7  
and section 2151.4210 of the Revised Code be enacted to read as 8  
follows: 9

**Sec. 2151.421.** (A) (1) (a) No person described in division 10  
(A) (1) (b) of this section who is acting in an official or 11  
professional capacity and knows, or has reasonable cause to 12  
suspect based on facts that would cause a reasonable person in a 13  
similar position to suspect, that a child under eighteen years 14  
of age, or a person under twenty-one years of age with a 15  
developmental disability or physical impairment, has suffered or 16  
faces a threat of suffering any physical or mental wound, 17

injury, disability, or condition of a nature that reasonably 18  
indicates abuse or neglect of the child shall fail to 19  
immediately report that knowledge or reasonable cause to suspect 20  
to the entity or persons specified in this division. Except as 21  
otherwise provided in this division or section 5120.173 of the 22  
Revised Code, the person making the report shall make it to the 23  
public children services agency or a peace officer in the county 24  
in which the child resides or in which the abuse or neglect is 25  
occurring or has occurred. If the person making the report is a 26  
peace officer, the officer shall make it to the public children 27  
services agency in the county in which the child resides or in 28  
which the abuse or neglect is occurring or has occurred. In the 29  
circumstances described in section 5120.173 of the Revised Code, 30  
the person making the report shall make it to the entity 31  
specified in that section. 32

(b) Division (A) (1) (a) of this section applies to any 33  
person who is an attorney; health care professional; 34  
practitioner of a limited branch of medicine as specified in 35  
section 4731.15 of the Revised Code; licensed school 36  
psychologist; independent marriage and family therapist or 37  
marriage and family therapist; coroner; administrator or 38  
employee of a child day-care center; administrator or employee 39  
of a residential camp, child day camp, or private, nonprofit 40  
therapeutic wilderness camp; administrator or employee of a 41  
certified child care agency or other public or private children 42  
services agency; school teacher; school employee; school 43  
authority; peace officer; humane society agent; dog warden, 44  
deputy dog warden, or other person appointed to act as an animal 45  
control officer for a municipal corporation or township in 46  
accordance with state law, an ordinance, or a resolution; 47  
person, other than a cleric, rendering spiritual treatment 48

through prayer in accordance with the tenets of a well- 49  
recognized religion; employee of a county department of job and 50  
family services who is a professional and who works with 51  
children and families; superintendent or regional administrator 52  
employed by the department of youth services; superintendent, 53  
board member, or employee of a county board of developmental 54  
disabilities; investigative agent contracted with by a county 55  
board of developmental disabilities; employee of the department 56  
of developmental disabilities; employee of a facility or home 57  
that provides respite care in accordance with section 5123.171 58  
of the Revised Code; employee of an entity that provides 59  
homemaker services; employee of a qualified organization as 60  
defined in section 2151.90 of the Revised Code; a host family as 61  
defined in section 2151.90 of the Revised Code; foster 62  
caregiver; a person performing the duties of an assessor 63  
pursuant to Chapter 3107. or 5103. of the Revised Code; third 64  
party employed by a public children services agency to assist in 65  
providing child or family related services; court appointed 66  
special advocate; or guardian ad litem. 67

(c) If two or more health care professionals, after 68  
providing health care services to a child, determine or suspect 69  
that the child has been or is being abused or neglected, the 70  
health care professionals may designate one of the health care 71  
professionals to report the abuse or neglect. A single report 72  
made under this division shall meet the reporting requirements 73  
of division (A) (1) of this section. 74

(2) Except as provided in division (A) (3) of this section, 75  
an attorney or a physician is not required to make a report 76  
pursuant to division (A) (1) of this section concerning any 77  
communication the attorney or physician receives from a client 78  
or patient in an attorney-client or physician-patient 79

relationship, if, in accordance with division (A) or (B) of 80  
section 2317.02 of the Revised Code, the attorney or physician 81  
could not testify with respect to that communication in a civil 82  
or criminal proceeding. 83

(3) The client or patient in an attorney-client or 84  
physician-patient relationship described in division (A)(2) of 85  
this section is deemed to have waived any testimonial privilege 86  
under division (A) or (B) of section 2317.02 of the Revised Code 87  
with respect to any communication the attorney or physician 88  
receives from the client or patient in that attorney-client or 89  
physician-patient relationship, and the attorney or physician 90  
shall make a report pursuant to division (A)(1) of this section 91  
with respect to that communication, if all of the following 92  
apply: 93

(a) The client or patient, at the time of the 94  
communication, is a child under eighteen years of age or is a 95  
person under twenty-one years of age with a developmental 96  
disability or physical impairment. 97

(b) The attorney or physician knows, or has reasonable 98  
cause to suspect based on facts that would cause a reasonable 99  
person in similar position to suspect that the client or patient 100  
has suffered or faces a threat of suffering any physical or 101  
mental wound, injury, disability, or condition of a nature that 102  
reasonably indicates abuse or neglect of the client or patient. 103

(c) The abuse or neglect does not arise out of the 104  
client's or patient's attempt to have an abortion without the 105  
notification of her parents, guardian, or custodian in 106  
accordance with section 2151.85 of the Revised Code. 107

(4) (a) No cleric and no person, other than a volunteer, 108

designated by any church, religious society, or faith acting as 109  
a leader, official, or delegate on behalf of the church, 110  
religious society, or faith who is acting in an official or 111  
professional capacity, who knows, or has reasonable cause to 112  
believe based on facts that would cause a reasonable person in a 113  
similar position to believe, that a child under eighteen years 114  
of age, or a person under twenty-one years of age with a 115  
developmental disability or physical impairment, has suffered or 116  
faces a threat of suffering any physical or mental wound, 117  
injury, disability, or condition of a nature that reasonably 118  
indicates abuse or neglect of the child, and who knows, or has 119  
reasonable cause to believe based on facts that would cause a 120  
reasonable person in a similar position to believe, that another 121  
cleric or another person, other than a volunteer, designated by 122  
a church, religious society, or faith acting as a leader, 123  
official, or delegate on behalf of the church, religious 124  
society, or faith caused, or poses the threat of causing, the 125  
wound, injury, disability, or condition that reasonably 126  
indicates abuse or neglect shall fail to immediately report that 127  
knowledge or reasonable cause to believe to the entity or 128  
persons specified in this division. Except as provided in 129  
section 5120.173 of the Revised Code, the person making the 130  
report shall make it to the public children services agency or a 131  
peace officer in the county in which the child resides or in 132  
which the abuse or neglect is occurring or has occurred. In the 133  
circumstances described in section 5120.173 of the Revised Code, 134  
the person making the report shall make it to the entity 135  
specified in that section. 136

(b) Except as provided in division (A) (4) (c) of this 137  
section, a cleric is not required to make a report pursuant to 138  
division (A) (4) (a) of this section concerning any communication 139

the cleric receives from a penitent in a cleric-penitent 140  
relationship, if, in accordance with division (C) of section 141  
2317.02 of the Revised Code, the cleric could not testify with 142  
respect to that communication in a civil or criminal proceeding. 143

(c) The penitent in a cleric-penitent relationship 144  
described in division (A) (4) (b) of this section is deemed to 145  
have waived any testimonial privilege under division (C) of 146  
section 2317.02 of the Revised Code with respect to any 147  
communication the cleric receives from the penitent in that 148  
cleric-penitent relationship, and the cleric shall make a report 149  
pursuant to division (A) (4) (a) of this section with respect to 150  
that communication, if all of the following apply: 151

(i) The penitent, at the time of the communication, is a 152  
child under eighteen years of age or is a person under twenty- 153  
one years of age with a developmental disability or physical 154  
impairment. 155

(ii) The cleric knows, or has reasonable cause to believe 156  
based on facts that would cause a reasonable person in a similar 157  
position to believe, as a result of the communication or any 158  
observations made during that communication, the penitent has 159  
suffered or faces a threat of suffering any physical or mental 160  
wound, injury, disability, or condition of a nature that 161  
reasonably indicates abuse or neglect of the penitent. 162

(iii) The abuse or neglect does not arise out of the 163  
penitent's attempt to have an abortion performed upon a child 164  
under eighteen years of age or upon a person under twenty-one 165  
years of age with a developmental disability or physical 166  
impairment without the notification of her parents, guardian, or 167  
custodian in accordance with section 2151.85 of the Revised 168  
Code. 169

(d) Divisions (A)(4)(a) and (c) of this section do not 170  
apply in a cleric-penitent relationship when the disclosure of 171  
any communication the cleric receives from the penitent is in 172  
violation of the sacred trust. 173

(e) As used in divisions (A)(1) and (4) of this section, 174  
"cleric" and "sacred trust" have the same meanings as in section 175  
2317.02 of the Revised Code. 176

(B) Anyone who knows, or has reasonable cause to suspect 177  
based on facts that would cause a reasonable person in similar 178  
circumstances to suspect, that a child under eighteen years of 179  
age, or a person under twenty-one years of age with a 180  
developmental disability or physical impairment, has suffered or 181  
faces a threat of suffering any physical or mental wound, 182  
injury, disability, or other condition of a nature that 183  
reasonably indicates abuse or neglect of the child may report or 184  
cause reports to be made of that knowledge or reasonable cause 185  
to suspect to the entity or persons specified in this division. 186  
Except as provided in section 5120.173 of the Revised Code, a 187  
person making a report or causing a report to be made under this 188  
division shall make it or cause it to be made to the public 189  
children services agency or to a peace officer. In the 190  
circumstances described in section 5120.173 of the Revised Code, 191  
a person making a report or causing a report to be made under 192  
this division shall make it or cause it to be made to the entity 193  
specified in that section. 194

(C) Any report made pursuant to division (A) or (B) of 195  
this section shall be made forthwith either by telephone or in 196  
person and shall be followed by a written report, if requested 197  
by the receiving agency or officer. The written report shall 198  
contain: 199

(1) The names and addresses of the child and the child's 200  
parents or the person or persons having custody of the child, if 201  
known; 202

(2) The child's age and the nature and extent of the 203  
child's injuries, abuse, or neglect that is known or reasonably 204  
suspected or believed, as applicable, to have occurred or of the 205  
threat of injury, abuse, or neglect that is known or reasonably 206  
suspected or believed, as applicable, to exist, including any 207  
evidence of previous injuries, abuse, or neglect; 208

(3) Any other information, including, but not limited to, 209  
results and reports of any medical examinations, tests, or 210  
procedures performed under division (D) of this section, that 211  
might be helpful in establishing the cause of the injury, abuse, 212  
or neglect that is known or reasonably suspected or believed, as 213  
applicable, to have occurred or of the threat of injury, abuse, 214  
or neglect that is known or reasonably suspected or believed, as 215  
applicable, to exist. 216

(D) (1) Any person, who is required by division (A) of this 217  
section to report child abuse or child neglect that is known or 218  
reasonably suspected or believed to have occurred, may take or 219  
cause to be taken color photographs of areas of trauma visible 220  
on a child and, if medically necessary for the purpose of 221  
diagnosing or treating injuries that are suspected to have 222  
occurred as a result of child abuse or child neglect, perform or 223  
cause to be performed radiological examinations and any other 224  
medical examinations of, and tests or procedures on, the child. 225

(2) The results and any available reports of examinations, 226  
tests, or procedures made under division (D) (1) of this section 227  
shall be included in a report made pursuant to division (A) of 228  
this section. Any additional reports of examinations, tests, or 229



procedures that become available shall be provided to the public	230
children services agency, upon request.	231
(3) If a health care professional provides health care	232
services in a hospital, children's advocacy center, or emergency	233
medical facility to a child about whom a report has been made	234
under division (A) of this section, the health care professional	235
may take any steps that are reasonably necessary for the release	236
or discharge of the child to an appropriate environment. Before	237
the child's release or discharge, the health care professional	238
may obtain information, or consider information obtained, from	239
other entities or individuals that have knowledge about the	240
child. Nothing in division (D) (3) of this section shall be	241
construed to alter the responsibilities of any person under	242
sections 2151.27 and 2151.31 of the Revised Code.	243
(4) A health care professional may conduct medical	244
examinations, tests, or procedures on the siblings of a child	245
about whom a report has been made under division (A) of this	246
section and on other children who reside in the same home as the	247
child, if the professional determines that the examinations,	248
tests, or procedures are medically necessary to diagnose or	249
treat the siblings or other children in order to determine	250
whether reports under division (A) of this section are warranted	251
with respect to such siblings or other children. The results of	252
the examinations, tests, or procedures on the siblings and other	253
children may be included in a report made pursuant to division	254
(A) of this section.	255
(5) Medical examinations, tests, or procedures conducted	256
under divisions (D) (1) and (4) of this section and decisions	257
regarding the release or discharge of a child under division (D)	258
(3) of this section do not constitute a law enforcement	259

investigation or activity. 260

(E) (1) When a peace officer receives a report made 261  
pursuant to division (A) or (B) of this section, upon receipt of 262  
the report, the peace officer who receives the report shall 263  
refer the report to the appropriate public children services 264  
agency, unless an arrest is made at the time of the report that 265  
results in the appropriate public children services agency being 266  
contacted concerning the possible abuse or neglect of a child or 267  
the possible threat of abuse or neglect of a child. 268

(2) When a public children services agency receives a 269  
report pursuant to this division or division (A) or (B) of this 270  
section, upon receipt of the report, the public children 271  
services agency shall do both of the following: 272

(a) Comply with section 2151.422 of the Revised Code; 273

(b) If the county served by the agency is also served by a 274  
children's advocacy center and the report alleges sexual abuse 275  
of a child or another type of abuse of a child that is specified 276  
in the memorandum of understanding that creates the center as 277  
being within the center's jurisdiction, comply regarding the 278  
report with the protocol and procedures for referrals and 279  
investigations, with the coordinating activities, and with the 280  
authority or responsibility for performing or providing 281  
functions, activities, and services stipulated in the 282  
interagency agreement entered into under section 2151.428 of the 283  
Revised Code relative to that center. 284

(F) No peace officer shall remove a child about whom a 285  
report is made pursuant to this section from the child's 286  
parents, stepparents, or guardian or any other persons having 287  
custody of the child without consultation with the public 288

children services agency, unless, in the judgment of the 289  
officer, and, if the report was made by physician, the 290  
physician, immediate removal is considered essential to protect 291  
the child from further abuse or neglect. The agency that must be 292  
consulted shall be the agency conducting the investigation of 293  
the report as determined pursuant to section 2151.422 of the 294  
Revised Code. 295

(G) (1) Except as provided in section 2151.422 of the 296  
Revised Code or in an interagency agreement entered into under 297  
section 2151.428 of the Revised Code that applies to the 298  
particular report, the public children services agency shall 299  
investigate, within twenty-four hours, each report of child 300  
abuse or child neglect that is known or reasonably suspected or 301  
believed to have occurred and of a threat of child abuse or 302  
child neglect that is known or reasonably suspected or believed 303  
to exist that is referred to it under this section to determine 304  
the circumstances surrounding the injuries, abuse, or neglect or 305  
the threat of injury, abuse, or neglect, the cause of the 306  
injuries, abuse, neglect, or threat, and the person or persons 307  
responsible. The investigation shall be made in cooperation with 308  
the law enforcement agency and in accordance with the memorandum 309  
of understanding prepared under division (K) of this section. A 310  
representative of the public children services agency shall, at 311  
the time of initial contact with the person subject to the 312  
investigation, inform the person of the specific complaints or 313  
allegations made against the person. The information shall be 314  
given in a manner that is consistent with division (I) (1) of 315  
this section and protects the rights of the person making the 316  
report under this section. 317

A failure to make the investigation in accordance with the 318  
memorandum is not grounds for, and shall not result in, the 319

dismissal of any charges or complaint arising from the report or 320  
the suppression of any evidence obtained as a result of the 321  
report and does not give, and shall not be construed as giving, 322  
any rights or any grounds for appeal or post-conviction relief 323  
to any person. The public children services agency shall report 324  
each case to the uniform statewide automated child welfare 325  
information system that the department of job and family 326  
services shall maintain in accordance with section 5101.13 of 327  
the Revised Code. The public children services agency shall 328  
submit a report of its investigation, in writing, to the law 329  
enforcement agency. 330

(2) The public children services agency shall make any 331  
recommendations to the county prosecuting attorney or city 332  
director of law that it considers necessary to protect any 333  
children that are brought to its attention. 334

(H) (1) (a) Except as provided in divisions (H) (1) (b) and 335  
(I) (3) of this section, any person, health care professional, 336  
hospital, institution, school, health department, or agency 337  
shall be immune from any civil or criminal liability for injury, 338  
death, or loss to person or property that otherwise might be 339  
incurred or imposed as a result of any of the following: 340

(i) Participating in the making of reports pursuant to 341  
division (A) of this section or in the making of reports in good 342  
faith, pursuant to division (B) of this section; 343

(ii) Participating in medical examinations, tests, or 344  
procedures under division (D) of this section; 345

(iii) Providing information used in a report made pursuant 346  
to division (A) of this section or providing information in good 347  
faith used in a report made pursuant to division (B) of this 348

section; 349

(iv) Participating in a judicial proceeding resulting from 350  
a report made pursuant to division (A) of this section or 351  
participating in good faith in a proceeding resulting from a 352  
report made pursuant to division (B) of this section. 353

(b) Immunity under division (H)(1)(a)(ii) of this section 354  
shall not apply when a health care provider has deviated from 355  
the standard of care applicable to the provider's profession. 356

(c) Notwithstanding section 4731.22 of the Revised Code, 357  
the physician-patient privilege shall not be a ground for 358  
excluding evidence regarding a child's injuries, abuse, or 359  
neglect, or the cause of the injuries, abuse, or neglect in any 360  
judicial proceeding resulting from a report submitted pursuant 361  
to this section. 362

(2) In any civil or criminal action or proceeding in which 363  
it is alleged and proved that participation in the making of a 364  
report under this section was not in good faith or participation 365  
in a judicial proceeding resulting from a report made under this 366  
section was not in good faith, the court shall award the 367  
prevailing party reasonable attorney's fees and costs and, if a 368  
civil action or proceeding is voluntarily dismissed, may award 369  
reasonable attorney's fees and costs to the party against whom 370  
the civil action or proceeding is brought. 371

(I)(1) Except as provided in divisions (I)(4) and (O) of 372  
this section and sections 2151.423 and 2151.4210 of the Revised 373  
Code, a report made under this section is confidential. The 374  
information provided in a report made pursuant to this section 375  
and the name of the person who made the report shall not be 376  
released for use, and shall not be used, as evidence in any 377

civil action or proceeding brought against the person who made 378  
the report. Nothing in this division shall preclude the use of 379  
reports of other incidents of known or suspected abuse or 380  
neglect in a civil action or proceeding brought pursuant to 381  
division (N) of this section against a person who is alleged to 382  
have violated division (A)(1) of this section, provided that any 383  
information in a report that would identify the child who is the 384  
subject of the report or the maker of the report, if the maker 385  
of the report is not the defendant or an agent or employee of 386  
the defendant, has been redacted. In a criminal proceeding, the 387  
report is admissible in evidence in accordance with the Rules of 388  
Evidence and is subject to discovery in accordance with the 389  
Rules of Criminal Procedure. 390

(2) (a) Except as provided in division (I)(2)(b) of this 391  
section, no person shall permit or encourage the unauthorized 392  
dissemination of the contents of any report made under this 393  
section. 394

(b) A health care professional that obtains the same 395  
information contained in a report made under this section from a 396  
source other than the report may disseminate the information, if 397  
its dissemination is otherwise permitted by law. 398

(3) A person who knowingly makes or causes another person 399  
to make a false report under division (B) of this section that 400  
alleges that any person has committed an act or omission that 401  
resulted in a child being an abused child or a neglected child 402  
is guilty of a violation of section 2921.14 of the Revised Code. 403

(4) If a report is made pursuant to division (A) or (B) of 404  
this section and the child who is the subject of the report dies 405  
for any reason at any time after the report is made, but before 406  
the child attains eighteen years of age, the public children 407

services agency or peace officer to which the report was made or 408  
referred, on the request of the child fatality review board or 409  
the director of health pursuant to guidelines established under 410  
section 3701.70 of the Revised Code, shall submit a summary 411  
sheet of information providing a summary of the report to the 412  
review board of the county in which the deceased child resided 413  
at the time of death or to the director. On the request of the 414  
review board or director, the agency or peace officer may, at 415  
its discretion, make the report available to the review board or 416  
director. If the county served by the public children services 417  
agency is also served by a children's advocacy center and the 418  
report of alleged sexual abuse of a child or another type of 419  
abuse of a child is specified in the memorandum of understanding 420  
that creates the center as being within the center's 421  
jurisdiction, the agency or center shall perform the duties and 422  
functions specified in this division in accordance with the 423  
interagency agreement entered into under section 2151.428 of the 424  
Revised Code relative to that advocacy center. 425

(5) A public children services agency shall advise a 426  
person alleged to have inflicted abuse or neglect on a child who 427  
is the subject of a report made pursuant to this section, 428  
including a report alleging sexual abuse of a child or another 429  
type of abuse of a child referred to a children's advocacy 430  
center pursuant to an interagency agreement entered into under 431  
section 2151.428 of the Revised Code, in writing of the 432  
disposition of the investigation. The agency shall not provide 433  
to the person any information that identifies the person who 434  
made the report, statements of witnesses, or police or other 435  
investigative reports. 436

(J) Any report that is required by this section, other 437  
than a report that is made to the state highway patrol as 438

described in section 5120.173 of the Revised Code, shall result 439  
in protective services and emergency supportive services being 440  
made available by the public children services agency on behalf 441  
of the children about whom the report is made, in an effort to 442  
prevent further neglect or abuse, to enhance their welfare, and, 443  
whenever possible, to preserve the family unit intact. The 444  
agency required to provide the services shall be the agency 445  
conducting the investigation of the report pursuant to section 446  
2151.422 of the Revised Code. 447

(K) (1) Each public children services agency shall prepare 448  
a memorandum of understanding that is signed by all of the 449  
following: 450

(a) If there is only one juvenile judge in the county, the 451  
juvenile judge of the county or the juvenile judge's 452  
representative; 453

(b) If there is more than one juvenile judge in the 454  
county, a juvenile judge or the juvenile judges' representative 455  
selected by the juvenile judges or, if they are unable to do so 456  
for any reason, the juvenile judge who is senior in point of 457  
service or the senior juvenile judge's representative; 458

(c) The county peace officer; 459

(d) All chief municipal peace officers within the county; 460

(e) Other law enforcement officers handling child abuse 461  
and neglect cases in the county; 462

(f) The prosecuting attorney of the county; 463

(g) If the public children services agency is not the 464  
county department of job and family services, the county 465  
department of job and family services; 466



(h) The county humane society; 467

(i) If the public children services agency participated in 468  
the execution of a memorandum of understanding under section 469  
2151.426 of the Revised Code establishing a children's advocacy 470  
center, each participating member of the children's advocacy 471  
center established by the memorandum. 472

(2) A memorandum of understanding shall set forth the 473  
normal operating procedure to be employed by all concerned 474  
officials in the execution of their respective responsibilities 475  
under this section and division (C) of section 2919.21, division 476  
(B) (1) of section 2919.22, division (B) of section 2919.23, and 477  
section 2919.24 of the Revised Code and shall have as two of its 478  
primary goals the elimination of all unnecessary interviews of 479  
children who are the subject of reports made pursuant to 480  
division (A) or (B) of this section and, when feasible, 481  
providing for only one interview of a child who is the subject 482  
of any report made pursuant to division (A) or (B) of this 483  
section. A failure to follow the procedure set forth in the 484  
memorandum by the concerned officials is not grounds for, and 485  
shall not result in, the dismissal of any charges or complaint 486  
arising from any reported case of abuse or neglect or the 487  
suppression of any evidence obtained as a result of any reported 488  
child abuse or child neglect and does not give, and shall not be 489  
construed as giving, any rights or any grounds for appeal or 490  
post-conviction relief to any person. 491

(3) A memorandum of understanding shall include all of the 492  
following: 493

(a) The roles and responsibilities for handling emergency 494  
and nonemergency cases of abuse and neglect; 495

(b) Standards and procedures to be used in handling and 496  
coordinating investigations of reported cases of child abuse and 497  
reported cases of child neglect, methods to be used in 498  
interviewing the child who is the subject of the report and who 499  
allegedly was abused or neglected, and standards and procedures 500  
addressing the categories of persons who may interview the child 501  
who is the subject of the report and who allegedly was abused or 502  
neglected. 503

(4) If a public children services agency participated in 504  
the execution of a memorandum of understanding under section 505  
2151.426 of the Revised Code establishing a children's advocacy 506  
center, the agency shall incorporate the contents of that 507  
memorandum in the memorandum prepared pursuant to this section. 508

(5) The clerk of the court of common pleas in the county 509  
may sign the memorandum of understanding prepared under division 510  
(K)(1) of this section. If the clerk signs the memorandum of 511  
understanding, the clerk shall execute all relevant 512  
responsibilities as required of officials specified in the 513  
memorandum. 514

(L)(1) Except as provided in division (L)(4) or (5) of 515  
this section, a person who is required to make a report pursuant 516  
to division (A) of this section may make a reasonable number of 517  
requests of the public children services agency that receives or 518  
is referred the report, or of the children's advocacy center 519  
that is referred the report if the report is referred to a 520  
children's advocacy center pursuant to an interagency agreement 521  
entered into under section 2151.428 of the Revised Code, to be 522  
provided with the following information: 523

(a) Whether the agency or center has initiated an 524  
investigation of the report; 525

(b) Whether the agency or center is continuing to investigate the report;	526 527
(c) Whether the agency or center is otherwise involved with the child who is the subject of the report;	528 529
(d) The general status of the health and safety of the child who is the subject of the report;	530 531
(e) Whether the report has resulted in the filing of a complaint in juvenile court or of criminal charges in another court.	532 533 534
(2) A person may request the information specified in division (L)(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.	535 536 537 538
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 (L)(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.	539 540 541 542 543 544 545 546 547
Each request is subject to verification of the identity of the person making the report. If that person's identity is verified, the agency shall provide the person with the information described in division (L)(1) of this section a reasonable number of times, except that the agency shall not disclose any confidential information regarding the child who is the subject of the report other than the information described	548 549 550 551 552 553 554

in those divisions. 555

(3) A request made pursuant to division (L)(1) of this 556  
section is not a substitute for any report required to be made 557  
pursuant to division (A) of this section. 558

(4) If an agency other than the agency that received or 559  
was referred the report is conducting the investigation of the 560  
report pursuant to section 2151.422 of the Revised Code, the 561  
agency conducting the investigation shall comply with the 562  
requirements of division (L) of this section. 563

(5) A health care professional who made a report under 564  
division (A) of this section, or on whose behalf such a report 565  
was made as provided in division (A)(1)(c) of this section, may 566  
authorize a person to obtain the information described in 567  
division (L)(1) of this section if the person requesting the 568  
information is associated with or acting on behalf of the health 569  
care professional who provided health care services to the child 570  
about whom the report was made. 571

(M) The director of job and family services shall adopt 572  
rules in accordance with Chapter 119. of the Revised Code to 573  
implement this section. The department of job and family 574  
services may enter into a plan of cooperation with any other 575  
governmental entity to aid in ensuring that children are 576  
protected from abuse and neglect. The department shall make 577  
recommendations to the attorney general that the department 578  
determines are necessary to protect children from child abuse 579  
and child neglect. 580

(N) Whoever violates division (A) of this section is 581  
liable for compensatory and exemplary damages to the child who 582  
would have been the subject of the report that was not made. A 583

person who brings a civil action or proceeding pursuant to this 584  
division against a person who is alleged to have violated 585  
division (A) (1) of this section may use in the action or 586  
proceeding reports of other incidents of known or suspected 587  
abuse or neglect, provided that any information in a report that 588  
would identify the child who is the subject of the report or the 589  
maker of the report, if the maker is not the defendant or an 590  
agent or employee of the defendant, has been redacted. 591

(O) (1) As used in this division: 592

(a) "Out-of-home care" includes a nonchartered nonpublic 593  
school if the alleged child abuse or child neglect, or alleged 594  
threat of child abuse or child neglect, described in a report 595  
received by a public children services agency allegedly occurred 596  
in or involved the nonchartered nonpublic school and the alleged 597  
perpetrator named in the report holds a certificate, permit, or 598  
license issued by the state board of education under section 599  
3301.071 or Chapter 3319. of the Revised Code. 600

(b) "Administrator, director, or other chief 601  
administrative officer" means the superintendent of the school 602  
district if the out-of-home care entity subject to a report made 603  
pursuant to this section is a school operated by the district. 604

(2) No later than the end of the day following the day on 605  
which a public children services agency receives a report of 606  
alleged child abuse or child neglect, or a report of an alleged 607  
threat of child abuse or child neglect, that allegedly occurred 608  
in or involved an out-of-home care entity, the agency shall 609  
provide written notice of the allegations contained in and the 610  
person named as the alleged perpetrator in the report to the 611  
administrator, director, or other chief administrative officer 612  
of the out-of-home care entity that is the subject of the report 613

unless the administrator, director, or other chief 614  
administrative officer is named as an alleged perpetrator in the 615  
report. If the administrator, director, or other chief 616  
administrative officer of an out-of-home care entity is named as 617  
an alleged perpetrator in a report of alleged child abuse or 618  
child neglect, or a report of an alleged threat of child abuse 619  
or child neglect, that allegedly occurred in or involved the 620  
out-of-home care entity, the agency shall provide the written 621  
notice to the owner or governing board of the out-of-home care 622  
entity that is the subject of the report. The agency shall not 623  
provide witness statements or police or other investigative 624  
reports. 625

(3) No later than three days after the day on which a 626  
public children services agency that conducted the investigation 627  
as determined pursuant to section 2151.422 of the Revised Code 628  
makes a disposition of an investigation involving a report of 629  
alleged child abuse or child neglect, or a report of an alleged 630  
threat of child abuse or child neglect, that allegedly occurred 631  
in or involved an out-of-home care entity, the agency shall send 632  
written notice of the disposition of the investigation to the 633  
administrator, director, or other chief administrative officer 634  
and the owner or governing board of the out-of-home care entity. 635  
The agency shall not provide witness statements or police or 636  
other investigative reports. 637

(P) As used in this section: 638

(1) "Children's advocacy center" and "sexual abuse of a 639  
child" have the same meanings as in section 2151.425 of the 640  
Revised Code. 641

(2) "Health care professional" means an individual who 642  
provides health-related services including a physician, hospital 643

intern or resident, dentist, podiatrist, registered nurse, 644  
licensed practical nurse, visiting nurse, licensed psychologist, 645  
speech pathologist, audiologist, person engaged in social work 646  
or the practice of professional counseling, and employee of a 647  
home health agency. "Health care professional" does not include 648  
a practitioner of a limited branch of medicine as specified in 649  
section 4731.15 of the Revised Code, licensed school 650  
psychologist, independent marriage and family therapist or 651  
marriage and family therapist, or coroner. 652

(3) "Investigation" means the public children services 653  
agency's response to an accepted report of child abuse or 654  
neglect through either an alternative response or a traditional 655  
response. 656

(4) "Peace officer" means a sheriff, deputy sheriff, 657  
constable, police officer of a township or joint police 658  
district, marshal, deputy marshal, municipal police officer, or 659  
a state highway patrol trooper. 660

**Sec. 2151.423.** A public children services agency shall 661  
disclose confidential information discovered during an 662  
investigation conducted pursuant to section 2151.421 or 2151.422 663  
of the Revised Code to any federal, state, or local government 664  
entity, including any appropriate military authority, that needs 665  
the information to carry out its responsibilities to protect 666  
children from abuse or neglect. 667

Information disclosed pursuant to this section is 668  
confidential and is not subject to disclosure pursuant to 669  
section 149.43 or 1347.08 of the Revised Code by the agency to 670  
whom the information was disclosed. The agency receiving the 671  
information shall maintain the confidentiality of information 672  
disclosed pursuant to this section. 673

Sec. 2151.4210. (A) A public children services agency shall determine as soon as practicable if a parent, guardian, or custodian of a child who is subject to an investigation under section 2151.421 or 2151.422 of the Revised Code is in the armed forces. 674  
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(B) If the agency determines that the parent, guardian, or custodian is in the armed forces, the agency shall notify the appropriate authority of that armed force in which the parent, guardian, or custodian serves, in accordance with the memorandum of understanding established by that authority, that an investigation is being made of a report of child abuse or neglect that relates to the parent, guardian, or custodian. 679  
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(C) As used in this section, "armed forces" has the same meaning as in 10 U.S.C. 101. 686  
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**Section 2.** That existing sections 2151.421 and 2151.423 of the Revised Code are hereby repealed. 688  
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**Section 3.** Section 2151.421 of the Revised Code is presented in this act as a composite of the section as amended by H.B. 24, H.B. 33, and H.B. 166, all of the 133rd General Assembly. The General Assembly, applying the principle stated in division (B) of section 1.52 of the Revised Code that amendments are to be harmonized if reasonably capable of simultaneous operation, finds that the composite is the resulting version of the section in effect prior to the effective date of the section as presented in this act. 690  
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