

260E.06 MALTREATMENT REPORTING.

Subdivision 1. **Mandatory reporters.** (a) A person who knows or has reason to believe a child is being maltreated, as defined in section 260E.03, or has been maltreated within the preceding three years shall immediately report the information to the local welfare agency, agency responsible for assessing or investigating the report, police department, county sheriff, tribal social services agency, or tribal police department if the person is:

(1) a professional or professional's delegate who is engaged in the practice of the healing arts, social services, hospital administration, psychological or psychiatric treatment, child care, education, correctional supervision, probation and correctional services, or law enforcement; or

(2) employed as a member of the clergy and received the information while engaged in ministerial duties, provided that a member of the clergy is not required by this subdivision to report information that is otherwise privileged under section 595.02, subdivision 1, paragraph (c).

(b) "Practice of social services" for the purposes of this subdivision includes but is not limited to employee assistance counseling and the provision of guardian ad litem and parenting time expeditor services.

(c) A corporation, school, nonprofit organization, religious organization, facility as defined in section 260E.03, subdivision 6, or similar entity must not have any policies, written or otherwise, that prevent or discourage a mandatory or voluntary reporter from reporting suspected or alleged maltreatment of a child in accordance with this section.

Subd. 2. **Voluntary reporters.** Any person may voluntarily report to the local welfare agency, agency responsible for assessing or investigating the report, police department, county sheriff, tribal social services agency, or tribal police department if the person knows, has reason to believe, or suspects a child is being or has been maltreated.

Subd. 3. **Reporting in cases where selection of spiritual means or prayer for treatment or care may cause serious danger to child's health.** If the child's parent, guardian, or other person responsible for the child's care in good faith selects and depends upon spiritual means or prayer for treatment or care of disease or remedial care of the child in lieu of medical care, the parent, guardian, or caretaker or a person mandated to report pursuant to subdivision 1, has a duty to report if a lack of medical care may cause serious danger to the child's health.

Subd. 4. **Licensing board duty to report.** A board or other entity whose licensees perform work within a school facility, upon receiving a complaint of alleged maltreatment, shall report the alleged maltreatment to the commissioner of education.

History: *ISp2020 c 2 art 7 s 6; 2024 c 123 art 4 s 6*