

No. 299

AN ACT

HB 2263

Amending the act of August 14, 1967 (P.L.239), entitled "An act relating to gross physical neglect of, or injury to, children under eighteen years of age; requiring reports in such cases by examining physicians or heads of institutions to county public child welfare agencies; imposing powers and duties on county public child welfare agencies based on such reports; and providing penalties," further providing for reports and imposing further duties on the county public child welfare agency.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Sections 3, 5 and 7, act of August 14, 1967 (P.L.239), entitled "An act relating to gross physical neglect of, or injury to, children under eighteen years of age; requiring reports in such cases by examining physicians or heads of institutions to county public child welfare agencies; imposing powers and duties on county public child welfare agencies based on such reports; and providing penalties," are amended to read:

Section 3. Reports by **[Physicians] Whom Made**.—Any physician *or school nurse*, whose examination of a child less than eighteen years of age *or any school teacher whose observation of a child less than eighteen years of age* discloses evidence of gross physical neglect or injury not explained by the available medical history as being accidental in nature, or suffering from any wound or other injury inflicted by his own act or by the act of another by means of a knife, gun, pistol or other deadly weapon, shall immediately report in accordance with the provisions of this act. If such physician has examined the child pursuant to services as a member of the staff of an institution, he shall notify the person in charge of the institution, who shall make such report or cause it to be made. *Any other adult individual who has reason to believe that a child less than eighteen years of age is suffering from gross physical neglect or intentionally caused serious injury may make a report in accordance with the provisions of this act.*

Section 5. Action by Child Welfare Agency on Receipt of Report.—*Immediately upon the receipt of the oral report required in section 4 of this act, the county public child welfare agency shall notify the appropriate law enforcement agency of such oral report and shall make available to such agency, a copy of the written report.* Within forty-eight hours the county public child welfare agency shall investigate the circumstances of the neglect or injury and the home in which the child lives. It shall provide such child welfare services as are designed to protect the child and to preserve the family. When further action is required to protect the child, the county public child welfare agency shall file a petition with the Juvenile Court. **[If it appears that a criminal act has been**

committed, the county public child welfare agency shall so advise the appropriate law enforcement agency.]

Section 7. Immunity from Liability.—Any [physician or other] person who *makes or* participates in the making of a report *required or authorized* pursuant to this act shall be immune from any liability, civil or criminal.

Section 2. This act shall take effect immediately.

APPROVED—The 30th day of December, A. D. 1970.

RAYMOND P. SHAFER

The foregoing is a true and correct copy of Act of the General Assembly No. 299.

A handwritten signature in cursive script, appearing to read "Joseph P. Kelly".

Secretary of the Commonwealth.