

Effective 5/8/2018

Superseded 6/29/2020

62A-4a-403 Reporting requirements.

- (1)
 - (a) Except as provided in Subsection (2), when any individual, including an individual licensed under Title 58, Chapter 31b, Nurse Practice Act, or Title 58, Chapter 67, Utah Medical Practice Act, has reason to believe that a child has been subjected to abuse or neglect, or observes a child being subjected to conditions or circumstances that would reasonably result in abuse or neglect, that individual shall immediately report the alleged abuse or neglect to the nearest peace officer, law enforcement agency, or office of the division.
 - (b) Upon receipt of a report described in Subsection (1)(a), the peace officer or law enforcement agency shall immediately notify the nearest office of the division. If an initial report of abuse or neglect is made to the division, the division shall immediately notify the appropriate local law enforcement agency.
 - (c) The division shall, in addition to its own investigation, comply with and lend support to investigations by law enforcement undertaken to investigate a report described in Subsection (1)(a).
- (2) Subject to Subsection (3), the notification requirement described in Subsection (1)(a) does not apply to a member of the clergy, with regard to any confession made to the member of the clergy while functioning in the ministerial capacity of the member of the clergy and without the consent of the individual making the confession, if:
 - (a) the perpetrator made the confession directly to the member of the clergy; and
 - (b) the member of the clergy is, under canon law or church doctrine or practice, bound to maintain the confidentiality of that confession.
- (3)
 - (a) When a member of the clergy receives information about abuse or neglect from any source other than confession of the perpetrator, the member of the clergy is required to report that information even though the member of the clergy may have also received information about abuse or neglect from the confession of the perpetrator.
 - (b) Exemption of the reporting requirement for a member of the clergy does not exempt the member of the clergy from any other efforts required by law to prevent further abuse or neglect by the perpetrator.