

Change Your Informed Consent Forms or Privacy Notices

As readers know from previous articles in the *Pennsylvania Psychologist*, changes to the Child Protective Services Law will go into effect on December 31, 2014. One of the important changes in the law is that mandated reporters do not have to see the child in their professional capacity in order to make a report. As a result of these changes, a psychologist may be a mandated reporter if anyone aged 14 or older discloses that he or she engaged in child abuse, even if the abuse occurred many years ago and no child is currently in danger. In addition, psychologists will have a duty to report suspected child abuse if any patient or collateral contact discloses that he or she knows of a child who is currently being abused.

Psychologists will need to modify their HIPAA Privacy Notice or informed consent agreements with patients to reflect these changes. Here is suggested language that will accurately reflect the changes in the child-abuse reporting requirement:

If I have reason to suspect, on the basis of my professional judgment, that a child is or has been abused, I am required to report my suspicions to the authority or government agency vested to conduct child abuse investigations. I am required to make such reports even if I do not see the child in my professional capacity.

I am mandated to report suspected child abuse if anyone aged 14 or older tells me that he or she committed child abuse, even if the victim is no longer in danger.

I am also mandated to report suspected child abuse if anyone tells me that he or she knows of any child who is currently being abused.

In addition to including this information in the privacy notice or the informed consent agreement, we recommend that psychologists review the information verbally with their patients at the start of treatment or as soon as feasible. It may also be necessary to remind patients of the reporting requirements periodically during the course of therapy.