

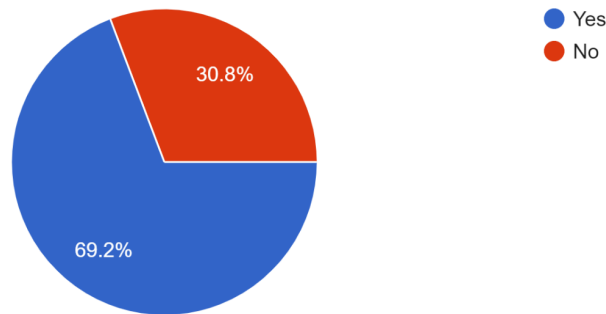
MRTF - Reporting Process Subcommittee Directive Survey Response

Responses Collected at 8 p.m. on May 7, 2024

Directive XII: Reporting process for two or more mandatory reporters who have joint knowledge (Questions 1-4)

Question One: C.R.S. 19-3-304(1)(a) states: "... any person specified in subsection (2) of this section who has reasonable cause to know or suspect that a child has been subjected to abuse or neglect or who has observed the child being subjected to circumstances or conditions that would reasonably result in abuse or neglect shall immediately upon receiving such information report or cause a report to be made of such fact..."

Question One: C.R.S. 19-3-304(1)(a) states: "... any person specified in subsection (2) of this section who has reasonable cause to know or suspect that...re mandatory reporters who have joint knowledge?
13 responses



Additional Comments

Zane Grant

I don't know think the highlighted sentence needs to change. I think a clarifying sentence after it should be added regarding two or more mandatory reporters that have the same information can jointly file a report or something along the lines of relying on one reporter to file the report as long as non-reporting parties retain documentation that the report was adequately filed.

Dawn Alexander

Michelle Dossey

need to better define "cause a report to be made" and what to do if there is more than one RP.

Gina Lopez

"Information learned in a shared or separate instance and pertaining to the same child(ren)/knowledge of abuse". MRs may have learned about the same concerning situation or child in a separate conversation or place than the other MR with joint information. I would want to make sure that the directive is clear that MRs can learn of concerns in separate places and time of the same child(ren) and may have something additional than the other MR. It is important that these folks do not feel discouraged or that info they hold is too duplicative. One MR might have received a disclosure of physical and emotional abuse and the other with joint knowledge has those same disclosures with an additional disclosure of sexual abuse as well. Often times sexual violence is difficult and disclosure likely happens when trust and safety have been established. Also, a critical reason to pair these changes with the training pieces being worked on as well.

Kathi Wells

cause a report "by someone with equal knowledge" to be made...

Michelle Murphy

Cris Menz

Is this specific to while in mandatory reporting role or outside of "role" hours as well

Lori Jenkins

Jennifer Eyl

Add - Where two or more people in the same organization have similar information, the person with the most direct knowledge of the situation shall make the report and provide documentation thereof to any other mandatory reporters involved.

Ashley Chase

...make a report to the child abuse hotline. When two or more persons have joint knowledge of the information required to be reported then the report may be made by one person, so long as the person who reports has the most direct knowledge and was selected by mutual agreement of the reporters involved.

Stephanie Villafuerte

Carlos Castillo

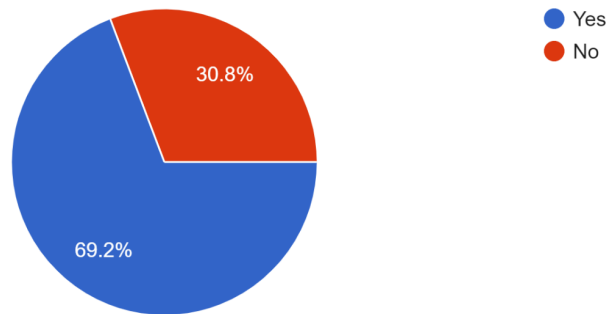
Jill Cohen

If multiple professionals are involved, they should designate someone as the point of contact for causing a report to be made to the appropriate authority.

Question Two: Should there be a required procedure for providing mandatory reporters who report information previously provided to human services or law enforcement with verification of the previous report and a reference number?

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13 responses



Additional Comments

Zane Grant
Dawn Alexander
This seems appropriate. My only question is, is that not searchable by the counties already? (Sorry I missed a meeting due to surgery).
Michelle Dossey
RP's should be able to call and verify a report was made and receive proof they did that, then not be required to still make a report if it is duplicative.
Gina Lopez
For abuse, not reports of neglect. Verifying abuse reports creates a reciprocity that is critical in creating collaborative efforts to get help to the child and their family to safety and resources. It should encourage systems and agencies to communicate with one another to apply the services and programs in their community.
Kathi Wells
Michelle Murphy
Cris Menz
If we could have a -01, 02, 03...beyond the number of times it is reported and by other

parties...maybe not so identifiable, but definitely identifiable to DHS number of times it has been reported by separate people

Lori Jenkins

If we provide this information people may assume something is being taken care of and stop making the reports. Additionally, just because a report comes in from numerous reporters does not mean it is screened in, if we provide this information to reporters without the full understanding to keep watching out for the child, the child may fall through the cracks due to a report or assessment not being assigned.

Jennifer Eyl

This question is confusing. Is it asking if another person, not associated with the previous report, should be given information that a report was previously made? Or is it asking if the person making the report should be given a reference number in order to share that with other mandatory reporters in the same agency? If it is the former, no. If it is the latter, I think it is addressed by the previous question.

Ashley Chase

I think that the reporter can keep their own information/logs unless this addition is not onerous. If it is an easy change then I would support it but I don't think dedicating significant time and resources to building this system for multiple agencies is the best use of time and resources overall.

Stephanie Villafuerte

Carlos Castillo

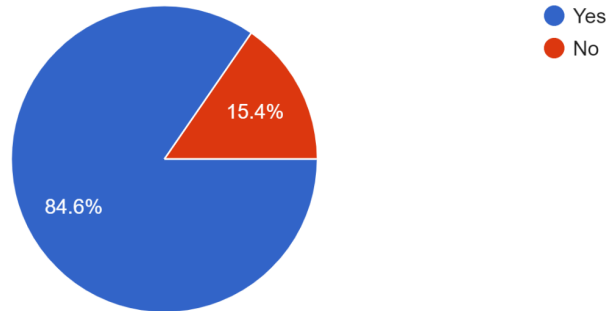
DHS and police departments already generate a referral or report number and adding another report number may be redundant.

Jill Cohen

I think it would make tracking easier for reporters, esp at big agencies like schools and hospitals, but I'm not an expert on this at all.

Question Three: Should the task force issue a recommendation to create a process for human services and law enforcement to utilize when receiving multiple calls regarding the same case, to ensure callers with additional information are not inadvertently turned away?

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13 responses



Additional Comments

Zane Grant
Dawn Alexander If all that are aware are required to report then human services should have to listen to each of those reports and sift out any nuances or additional information.
Michelle Dossey Allow DHS or LE to verify the information they hold is the same or be able to add additional information into the same report if necessary.
Gina Lopez Similar to the MRs with joint knowledge comments but pertaining only about abuse, not neglect. Other callers may have information about additional abuses, escalation of threats or violence, use of firearm, strangulation or those behaviors that are screened to show a risk of lethality. For those critical reasons, additional callers' reports should be recorded, verified and given a reference number as well. I believe reports of neglect with no abuse; those children and families should be navigated to supportive resources.
Kathi Wells
Michelle Murphy
Cris Menz Not sure how to alleviate understanding the information may be different without report being made. Each

person's perception of what happened would be different.

Lori Jenkins

There should be a streamlined process to take ALL reports no matter how many times the report has been made or by how many people. It is our jobs as professionals to ensure that the reports are assessed each and every time.

Jennifer Eyl

If additional reports are coming from other sources, they should absolutely be documented to provide further evidence of the concern and call takers should gather the same information from each reporter. If someone from the same agency calls to report something that was already reported by a colleague, I don't see how DHS can tell them that a report was already made by their coworker without raising confidentiality concerns. They should definitely NOT be turned away!

Ashley Chase

All relevant information should be gathered and reporters should not be turned away (rather, there should be an internal process to vet the incoming information).

Stephanie Villafuerte

Not following this question but support the notion of collaboration and streamlining.

Carlos Castillo

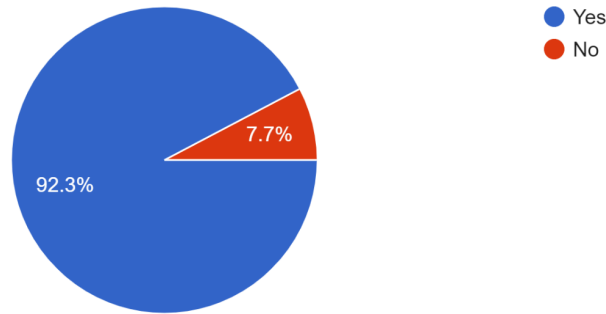
DHS and law enforcement agencies following up on reports should be following up on any and all leads, contacts, reports related to a called in report. Are callers/reporters with additional information being missed on a scale that would necessitate a new process? If so, are there statistics/reports that may reveal this is a problem.

Jill Cohen

Question Four: Should the task force issue a recommendation to develop standardized practices for inter-agency cross reporting concerning multiple reports about the same case? (Including cross reporting for law enforcement and human services.)

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13 responses



Additional Comments

<p>Zane Grant</p> <p>I feel like this is an issue at least locally in my area. I'm not sure that law enforcement and our local DHS departments have much of a collaborative relationship as it relates to reports.</p>
<p>Dawn Alexander</p> <p>When law enforcement shows up without consulting the human service department it is highly disruptive to child care programs. Coordination in an investigation would be far more appropriate especially given the low level of actual findings.</p>
<p>Michelle Dossey</p> <p>We need a standardize process/law on how to report and what those entities will do with that report.</p>
<p>Gina Lopez</p> <p>There are too many different iner-agency practices and policies that critically need to be standardized and clarified so that reported data can be more useful to review and inform inevitable changes.</p>
<p>Kathi Wells</p>
<p>Michelle Murphy</p>
<p>Cris Menz</p>

Solely if agency under same roof. Different agencies should be making separate reports. Guidelines of running it through the single agency should be specific to reporting law and first hand information

Lori Jenkins

By bringing in partner agencies like CAC's and having a Multi-disciplinary approach to all of these cases reports will not fall through the cracks and each agency will be able to fill in the gaps left.

Jennifer Eyl

I'm unclear as to what you mean by inter-agency. What agencies are we talking about? As for DHS and LE, I thought that was already the process.

Ashley Chase

Standardizing these practices will elevate the system - we should seek to standardize where possible.

Stephanie Villafuerte

Carlos Castillo

The assumption is that agencies receiving reports are properly cross reporting. Even if there is some cross reporting, each agency complete their duties in their own manner and part of that process is cross reporting to another related agency when appropriate.

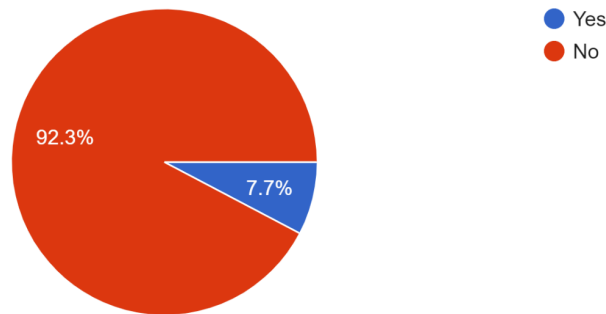
Jill Cohen

Directive XIII: Whether the duty to report may be delegated to another. (Question 5)

Question Five: Should a mandatory reporter be allowed to delegate their individual duty to report concerns of abuse or neglect to another? (Please note, this does not include circumstances of institutional reporting.)

Question Five: Should a mandatory reporter be allowed to delegate their individual duty to report concerns of abuse or neglect to another? (Please no... include circumstances of institutional reporting.)

13 responses



Additional Comments

Zane Grant	I still strongly believe that reporting should be done at the most intimate level of knowledge of the incident and that information should not be from non-observers if at all possible.
Dawn Alexander	That responsibility should not fall to a third party that did not observe the concern.
Michelle Dossey	except maybe in a hospital setting when multiple RPs are together and get the same information.
Gina Lopez	
Kathi Wells	
Michelle Murphy	
Cris Menz	First hand information is about perspective of what happened in their own interpretation.

Lori Jenkins

Absolutely NOT, it is our duty to make these reports ourselves. This is important and should not be left to the discretion of someone else.

Jennifer Eyl

If we ensure that the person with the most direct knowledge is making a report from each agency or institution, the best and most complete information will be collected. I do not believe the obligation should be delegated to a supervisor or someone else who is not a first-hand witness or doesn't have the "best evidence" of whatever is being reported.

Ashley Chase

Overall no, this just leads to confusion and potentially less useful information. I would prefer language that says an institution has to cover the person to allow them to make the report in a timely manner. If there is an exception it should be very narrow.

Stephanie Villafuerte

Carlos Castillo

keeping it simple may be the best solution when there is already a great list of involved agencies and less of bureaucratic process may be best, as opposed to another level or possibly multiple new layers of reporting.

Jill Cohen

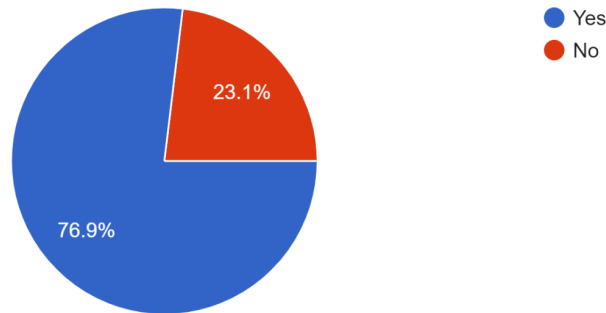
I should be able to defer to my supervisor or colleague to make a call on my behalf and have my contact information be available if necessary.

Directive XIV: Whether institutions may develop internal policies regarding mandatory reports. (Questions 6-10)

Question Six: Should institutions that employ mandatory reporters -- such as schools and hospitals -- be permitted to develop internal policies to assist mandatory reporters in making reports of suspected abuse or neglect?

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13 responses



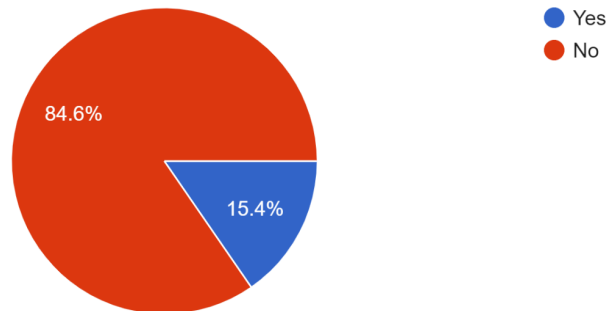
Additional Comments

Zane Grant
A reluctant yes. As long as the internal policies are clear and do not dis-empower employees' actions about reporting.
Dawn Alexander
We need clarity if we do this so that nothing can be construed as impeding an investigation.
Michelle Dossey
Standardize it across all agencies/organizations.
Gina Lopez
I still feel that neglect be removed or a process of directing neglect reports through the supportive resources routes. Also, K-12 struggles with implementing Title IX effectively so I am not confident that extending another way to employ a reporting process for abuse victims in institutions. Especially if that abuse is perpetrated by an employee of the institution.
Kathi Wells
Michelle Murphy

No institutional liability
<p>Cris Menz</p> <p>As long as they are consistent with reporting laws set forth by the state...and a number given to person who reported the incident to reporting officer or other - no liability should be placed on employee following guidelines set by their agency, rather, penalty to agency for not reporting as guidelines are set or under-reporting based on situations...who will own responsibility/retaliation and accountability in a "what if" situation.</p>
<p>Lori Jenkins</p> <p>All mandatory reporters should fall under the State law and each individual agency should not be able to trump those requirements. They may add their own internal policy to be notified but when it comes to making the report it should be the person who is the original source of information.</p>
<p>Jennifer Eyl</p> <p>Yes, assuming that the person with the most direct information makes the report and notifies any other reporters and whoever within the institution oversees those things. Any policy must state that the obligation remains on the mandatory reporter and if they fail to report something that should have been reported, regardless of what a supervisor told them, it's on them. In order for this to work though, we have to continue to provide a "good faith" exception when someone processes with another reporter or supervisor and is told not to report. I think this is a complicated area that we should spend some time on.</p>
<p>Ashley Chase</p> <p>However, if the internal policy can help address bias and overreporting then maybe.</p>
<p>Stephanie Villafuerte</p> <p>Yes, as long as they don't require an employee to delegate their duty to report to a supervisor.</p>
<p>Carlos Castillo</p> <p>The mandatory reporting institutions that I work with already have some basic internal policy on mandatory reporting practice/procedures and they basically mirror part of the mandatory reporting statute. So, I'm not clear on why the task force or future statute would need to give specific permission(s) for institutions to have a policy. There shouldn't be any institutional policy that is in conflict with the statute.</p>
<p>Jill Cohen</p> <p>So long as they are clear and written, they should be able to manage their own staff.</p>

Question Seven: Should the ability to develop internal policies to assist mandatory reporters in making reports of suspected abuse or neglect only be granted to institutions of a certain size? (For instance, those employing 15 or more mandatory reporters)

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13 responses



Additional Comments

Zane Grant
Originally I thought that this was a good idea, but after further discussion, we would have to narrow the definition a little more about who exactly is a mandatory reporter at the institution. Some of our current list of mandatory reporters is very broad - like medical professionals or school personnel. It doesn't specifically name each title or profession so that could be too cumbersome.
Dawn Alexander
An employer is an employer.
Michelle Dossey
I am on the fence about this and could be swayed to say yes with certain caveats.
Gina Lopez
Kathi Wells
Michelle Murphy
No mandates, permissive with resources provided
Cris Menz

Although I think there should be a cap at how many mandatory reporters the agency can have under a single reporter.

Lori Jenkins

Jennifer Eyl

I feel VERY strongly that this should apply to any institution or agency where perhaps a majority of employees are mandatory reporters or some other metric applies. There are many small agencies where multiple people would be required to report if this did not apply to them.

Ashley Chase

If you do this, then it should be for very narrow circumstances.

Stephanie Villafuerte

I think all organizations can make their own internal policies regardless of size, as long as it does not involve delegation of the duty to report to a higher authority.

Carlos Castillo

Not totally clear on the history / relevance of this topic. Is the fear that small agencies will be required to do something that they are not staffed/equipped to handle?

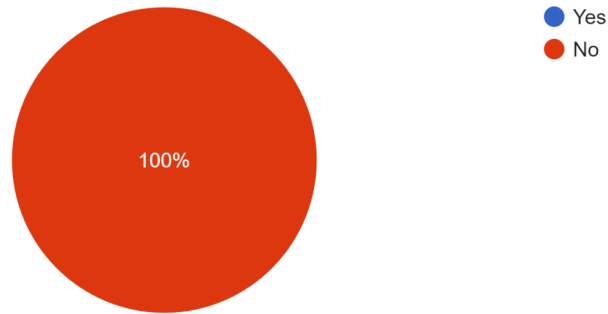
Jill Cohen

I think that complicates things, to have too many asterisks.

Question Eight: If internal policies are permitted, should they allow supervisors to stop a mandatory reporter who have reasonable cause to know or suspect abuse or neglect from making a report?

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13 responses



Additional Comments

Zane Grant
Dawn Alexander State law trumps administrative policies.
Michelle Dossey Absolutely not.
Gina Lopez The supervisor may be the person who is being reported on or may not agree with who the accused abuser is named in the report.
Kathi Wells
Michelle Murphy
Cris Menz If we suspect, we report...clarification that suspect and investigate are not the job of a mandatory reporter
Lori Jenkins
Jennifer Eyl

The person with most direct knowledge should be required to make the report and their obligation is not satisfied by telling a supervisor who says "don't report," when the situation clearly requires a report. However, I think we need to be clear that this is not the same as consulting with a supervisor to determine if a particular situation should be reported. We don't want to discourage that! And similar to question 6, this is complicated and requires further discussion by the subcommittee to ensure that we aren't creating a situation where reporters continue to feel that they must report everything to cover themselves. It's a fine line.

Ashley Chase

Stephanie Villafuerte

Carlos Castillo

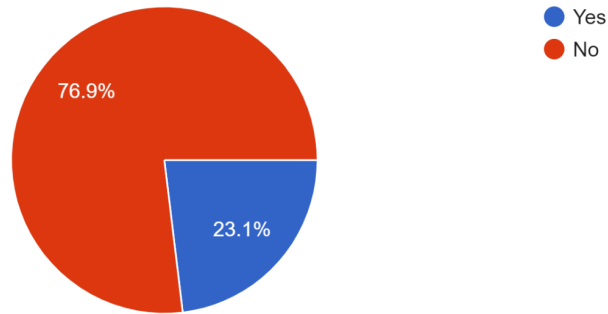
There shouldn't be any institutional policy that is in conflict with the statute or creates barriers for mandatory reporters to make a referral

Jill Cohen

A mandated reporter should be able to make a report if they want to and they are protected under the law in this (no retaliation).

Question Nine: If internal policies are permitted, should they allow a mandatory reporter who has reasonable cause to know or suspect abuse or neglect to delegate their duty to report if they alert their supervisor or administrator of their concern?

Question Nine: If internal policies are permitted, should they allow a mandatory reporter who has reasonable cause to know or suspect abuse or neglect...heir supervisor or administrator of their concern?
13 responses



Additional Comments

Zane Grant
Dawn Alexander
No third party reporting. The supervisor can sit and assist during the call if needed.
Michelle Dossey
Absolutely not.
Gina Lopez
I am strongly against internal policies that presume there is no way a person employed or involved in their organization or institution would or could be the abuser in a report.
Kathi Wells
Michelle Murphy
Cris Menz
They should be able to get a receipt from their admin that they made the report to them...proof to not hold the MR liable if the report is not made

Lori Jenkins
Jennifer Eyl Definitely not! The person with most direct knowledge should make the report and can be required to provide their supervisor with the reference number to show that a report was in fact made. But telling a supervisor shouldn't be a substitute for the person with the most direct knowledge making the report
Ashley Chase Again, you are just diluting information and it doesn't ultimately help the decision maker or the family
Stephanie Villafuerte
Carlos Castillo
Jill Cohen