

WISCONSIN CHILD ABUSE REPORTING REQUIREMENTS FOR CAREGIVING ENTITIES

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Question	Answer
How is an entity defined?	• “Entity” means a facility, organization or service that is licensed or certified by or registered with the Department of Health Services to provide direct care or treatment services to clients; or an agency that employs or contracts with an individual to provide personal care services. Wis. Stat. § 50.065(1)(c). • “Entity” includes a hospital, a personal care worker agency, a supportive home care service agency, a temporary employment agency that provides caregivers to another entity, and the board on aging and long-term care. (See section B below for a complete list of entities covered by the law.) Wis. Stat. § 50.065(1)(c). • “Entity” does NOT include any of the following. Wis. Stat. § 50.065(1)(c)1-6.: a. Licensed or certified childcare; b. Kinship care under Wis. Stat. § 48.57(3m), or long-term kinship care under Wis. Stat. § 48.57(3n); c. A person certified as a medical assistance provider, as defined in Wis. Stat. § 49.43(10), who is not otherwise approved under Wis. Stat. § 50.065(1)(cm), licensed or certified by or registered with the Department of Health Services; d. An entity, as defined in Wis. Stat. § 48.685(1)(b), that provide services for <i>children</i>; e. A public health dispensary established under Wis. Stat. § 252.10.

Question	Answer
What is an entity required to do if it receives a report of child abuse?	• An entity shall report immediately by telephone or personally to the county department of social services or human services or the sheriff or city, village or town police department the facts and circumstances contributing to a suspicion the child abuse or neglect has occurred or to a belief that child abuse or neglect will occur. • The entity shall notify the Department of Health Services in writing or by phone within seven calendar days that the report had been made; notice that the report has been made should be emailed to DHSCaregiverIntake@dhs.wisconsin.gov. Wis. Code. § DHS 13.05(3)(c). Administrative Rule, Effective 7/1/99; Wis. Stat. § 48.981.
What are the penalties for failure by a person employed by or under contract with the entity to report child abuse?	• Intentional failure by any person employed by or under contract with the entity to report any misconduct subjects the entity to no more than a \$1,000 fine and the entity is subject to any of the following: a. Submission and implementation of a plan of correction for approval by WI DHS. b. Implementation by the entity of a department imposed plan of correction. c. Any regulatory limitations or conditions imposed by WI DHS. d. Suspension or revocation of licensure, certification, or other approval for not more than 5 years. e. Notification in a local newspaper of the act and, if applicable, any forfeiture imposed. Wis. Code. § DHS 13.05(3)(e).
What are the child abuse reporting requirements of entities?	• Wisconsin law requires entities as defined by Wis. Stat. § 50.065(1)(c) to report any suspicions or concerns that child abuse, neglect, or the threat of abuse or neglect has occurred or will occur. Individual mandatory reporters are listed in Wis. Stat. § 48.981(2).