# Kentucky General Mandatory Reporting

<table>
<thead>
<tr>
<th>WHAT?</th>
<th>WHO must report?</th>
<th>WHEN?</th>
<th>TO WHOM?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Child Abuse, Dependency, Neglect&lt;sup&gt;1&lt;/sup&gt;</td>
<td>Everyone, except for attorney-client and clergy-penitent for communications made within those relationships</td>
<td>If harm/abuse/neglect is caused or allowed by:</td>
<td>Must report to one of the following:</td>
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<td></td>
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<td>• parent/caregiver</td>
<td>• Cabinet&lt;sup&gt;2&lt;/sup&gt; – Child Protective Services,</td>
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<td></td>
<td></td>
<td>• person in position of authority or special trust</td>
<td>• Local law enforcement,</td>
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<td>• person 21 y.o. or older when victim &lt;16 y.o. for sexual abuse/exploitation</td>
<td>• Kentucky State Police, OR</td>
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<td>• any person for human trafficking (labor and sex)</td>
<td>• County or Commonwealth Attorney</td>
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<tr>
<td>Vulnerable Adult Abuse or Neglect&lt;sup&gt;3&lt;/sup&gt;</td>
<td>Everyone, no exceptions</td>
<td>If any person harms/neglects an individual who is 18 y.o. or older who has a mental or physical disability that limits ability to care and/or protect themselves.</td>
<td>Must report to:</td>
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<td>• Cabinet&lt;sup&gt;4&lt;/sup&gt; – Adult Protective Services</td>
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*The chart above is applicable to the general population, however, there are additional mandates for reporting or providing information based on certain professions. For the KY Profession-Specific Mandatory Information and Reporting Laws chart, please contact KASAP.*

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2. Statewide Abuse Reporting Hotline, 1-877-KYSAFE1 or 1-877-597-2331
4. Statewide Abuse Reporting Hotline, 1-877-KYSAFE1 or 1-877-597-2331
What if I am not sure?

- The law requires reporting when “any person knows or has reasonable cause to believe that a child is dependent, neglected, or abused...” and “any person...having reasonable cause to suspect that an adult has suffered abuse, neglect, or exploitation...” So, you don’t have to be sure.
- Furthermore, “failure to report” is a crime. Therefore, reporting is the safest thing to do if you suspect abuse or neglect.
- Also, if the report was made “in good faith,” the person who reported is immune from legal liability.

Tips for Fulfilling Your Duty to Report

- When reporting is required, it should be done immediately.
- You should not investigate prior to making a report.
- The duty to report abuse overrides most professional “privileges” that generally protect confidential communications. So, when you have a duty to report, you must do so regardless of privilege. The only exception is for child abuse reporting, when the communication is made within the attorney-client or clergy-penitent relationship.
- Since the duty to report applies to individuals, you should make all reports directly to appropriate government officials, even if you are told that a report has already been made. Though your institution’s policies and procedures may require you to tell someone inside your organization, internal reporting does not fulfill your legal duty to report.
- In many cases, it is difficult to "substantiate" reports of abuse, especially sexual abuse. Therefore, it can be critical to file additional reports if you learn of violence that occurred after a report was made. You may also ask to speak directly with a supervisor and/or contact the Office of Ombudsman at 1-800-372-2973.
- Reports can be made anonymously. However, if you do not give your name, it may be especially important to document the reporting in your own records.
- The law requires that the source of a report of abuse, neglect or exploitation is kept confidential unless court ordered to be released.
- Kentucky’s mandatory reporting laws are codified in: KRS 600.020 and KRS 620 for child abuse and KRS 209 for adults with disabilities.

NOTE: DO NOT report all sexual assaults based on the fact that a sexual assault occurred. Reporting sexual assaults follows the same reporting guidelines as above. Remember, reporting without client/patient/victim consent, except where the law requires, is a violation of Kentucky state law as well as federal laws such as HIPAA and VAWA.

*Outside of mandatory reporting, anytime a victim consents to contacting police or others for services, it is best practice to have them sign a consent/release form.

This document is not legal advice and should only be used for guidance.