

Senate Bill 320

Published
November 9, 1965.

CHAPTER 333

AN ACT to repeal 325.21 (2); to amend 325.21 (1) (f); and to create 48.981 of the statutes, relating to reports by physicians, surgeons, nurses, social workers and school administrators of other than accidental injuries to children, to county child welfare agencies or the sheriff of the county, and providing a penalty.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 48.981 of the statutes is created to read:

48.981 REPORTS ON ABUSED OR INJURED CHILDREN. (1) A physician or surgeon being of the opinion as specified in s. 325.21 (1) (f), or a nurse, social worker or school administrator having reasonable cause to believe that a child brought to him or coming before him has had physical injury or other abuse inflicted upon him by another, other than by accidental means, shall orally report the same and the facts and circumstances forming the opinion. The report shall be made immediately by tele-

phone or otherwise, and followed by a report in writing to a county child welfare agency specified in s. 48.56 (1) or the sheriff of the county. The recipient of the report shall notify the other receiver of reports within 48 hours. When the recipient of the report is the sheriff of the county, he shall make an investigation consistent with the facts and circumstances described in the report and take whatever emergency action is necessary for the protection of the child. If the sheriff determines that legal action is necessary he shall refer the case to the district attorney for criminal prosecution. The county child welfare agency specified in s. 48.56 (1) shall investigate each report and act in accordance with its powers and duties as set forth in s. 48.57.

(2) Anyone, in good faith, participating in the making of a report pursuant to this section or participating in a judicial proceeding resulting therefrom shall in so doing be immune from any criminal liability, that might otherwise be incurred or imposed.

(3) Anyone knowingly and wilfully violating this section by failing to file a report as required, may be fined not more than \$100 or imprisoned not more than 6 months or both.

SECTION 2. 325.21 (1) (f) of the statutes is amended to read:

325.21 (1) (f) In situations where the examination of an abused or injured ~~minor~~ child creates a reasonable ground for an opinion of the physician or surgeon that the condition was ~~intentionally other than accidentally~~ caused or inflicted by another and the child is ~~unable or unwilling to disclose the facts and circumstances and the name of such another.~~

SECTION 3. 325.21 (2) of the statutes is repealed.

Approved November 3, 1965
