

Amendment to HB 243-FN

1 Amend the title of the bill by replacing it with the following:

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3 AN ACT relative to actions and penalties for false reports of suspected abuse and neglect
4 made to the division for children, youth, and families.

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6 Amend RSA 169-C:30 as inserted by section 1 of the bill by replacing it with the following:

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8 169-C:30 Nature and Content of Report. An oral report shall be made immediately by telephone
9 or otherwise, and followed within 48 hours by a report in writing, if so requested, to the department.
10 Such report shall, if known, contain the name and address of the child suspected of being neglected
11 or abused and the person responsible for the child's welfare, the specific information indicating
12 neglect or the nature and extent of the child's injuries (including any evidence of previous injuries),
13 the identity of the person or persons suspected of being responsible for such neglect or abuse, and
14 any other information that might be helpful in establishing neglect or abuse or that may be required
15 by the department. ***Reports made to the department may include the name, address, or
16 phone number of the person or persons making the report of suspected abuse or neglect of a
17 child under this chapter.***

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19 Amend RSA 169-C:31, II as inserted by section 1 of the bill by replacing it with the following:

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21 ***II. Nothing in this section shall provide civil or criminal immunity for a
22 professional mandatory reporter who knowingly fails to make a report of suspected abuse
23 or neglect under RSA 169-C:29 or for a person who knowingly files a false report of abuse or
24 neglect.***

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26 Amend RSA 169-C:31-a as inserted by section 2 of the bill by replacing it with the following:

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28 169-C:31-a Intentional False Report of Abuse or Neglect. A person is guilty of a misdemeanor if
29 he or she knowingly provides false information or causes another to provide false information of
30 suspected child abuse or neglect as defined by RSA 169-C:3 to the department or to any professional
31 mandatory reporter of suspected child abuse identified in RSA 169-C:29.

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1 Amend RSA 169-C:31-b as inserted by section 2 of the bill by replacing it with the following:

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3 169-C:31-b Civil Liability. Any person harmed by the intentional submission of a false report of
4 abuse or neglect under RSA 169-C:31-a may bring a civil action against the responsible party for
5 monetary damages and other appropriate relief.

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AMENDED ANALYSIS

This bill provides that reports of suspected abuse and neglect may include the name of the person making the report and that a person who makes a false report maliciously or with the intent to cause harm shall be guilty of a misdemeanor. This bill also creates a private right of action for civil damages against a person who makes a false report of suspected abuse or neglect.