Kansas

Child Abuse and Neglect

Definitions of Child Abuse and Neglect
To better understand this issue and to view it across States, download the PDF (587 KB) of this publication.

Physical Abuse
Citation: Ann. Stat. § 38-2202
‘Physical, mental, or emotional abuse’ means the infliction of physical, mental, or emotional harm, or the causing of a deterioration of a child, and may include, but shall not be limited to, maltreatment or exploiting a child to the extent that the child's health or emotional well-being is endangered.

Neglect
Citation: Ann. Stat. § 38-2202
‘Neglect’ means acts or omissions by a parent, guardian, or person responsible for the care of a child that results in harm to a child or presents a likelihood of harm, and the acts or omissions are not due solely to the lack of financial means of the child's parents or other custodian. Neglect may include but shall not be limited to:

- Failure to provide the child with food, clothing, or shelter necessary to sustain life or health
- Failure to provide adequate supervision of a child or to remove a child from a situation that requires judgment or actions beyond the child's level of maturity, physical condition, or mental abilities and that results in bodily injury or a likelihood of harm to the child
- Failure to use resources available to treat a diagnosed medical condition if such treatment will make a child substantially more comfortable, reduce pain and suffering, or correct or substantially diminish a crippling condition from worsening

Sexual Abuse/Exploitation
Citation: Ann. Stat. § 38-2202
'Sexual abuse' means any contact or interaction with a child in which the child is being used for the sexual stimulation of the perpetrator, the child, or another person. Sexual abuse includes allowing, permitting, or encouraging a child to engage in prostitution or to be photographed, filmed, or depicted in pornographic material.

Emotional Abuse
Citation: Ann. Stat. § 38-2202
The term ‘physical, mental, or emotional abuse’ includes the infliction of physical, mental, or emotional harm or the causing of a deterioration of a child and may include, but is not limited to, maltreatment or exploiting a child to the extent that the child's health or emotional well-being is endangered.

Abandonment
Citation: Ann. Stat. § 38-2202
'Abandon' or 'abandonment' means to forsake, desert, or cease providing care for the child without making appropriate provisions for substitute care.

Standards for Reporting
Citation: Ann. Stat. § 38-2223
A report is required when there is reason to suspect that a child has been harmed as a result of physical, mental, or emotional abuse or neglect or sexual abuse.

This is summary information, not the full statutory text. Be sure to check your state's statutes for the most current and complete information for mandated reporters in your state.
Persons Responsible for the Child
Citation: Ann. Stat. § 38-2202
'Parent,' when used in relation to a child or children, includes a guardian and every person who is by law liable to maintain, care for, or support the child.

Exceptions
Citation: Ann. Stat. § 38-2202
A parent legitimately practicing religious beliefs who does not provide specified medical treatment for a child because of religious beliefs shall not for that reason be considered a negligent parent. This exception shall not preclude a court from ordering medical treatment for the child.

Mandatory Reporters of Child Abuse and Neglect
To better understand this issue and to view it across States, download the PDF (763 KB) of this publication.

Professionals Required to Report
Citation: Ann. Stat. § 38-2223
The following persons are required to report:

- Persons providing medical care or treatment, including persons licensed to practice the healing arts, dentistry, and optometry; persons engaged in postgraduate training programs approved by the State Board of Healing Arts; licensed professional or practical nurses; and chief administrative officers of medical care facilities
- Persons licensed by the State to provide mental health services, including psychologists, clinical psychotherapists, social workers, marriage and family therapists, professional counselors, and registered alcohol and drug abuse counselors
- Teachers, school administrators, or other employees of an educational institution that the child is attending
- Licensed child care providers or their employees at the place where the child care services are being provided to the child
- Firefighters, emergency medical services personnel, law enforcement officers, juvenile intake and assessment workers, court services officers, community corrections officers, case managers, and mediators
- Employees or volunteers for any organization, whether for profit or not-for-profit, that provides social services to pregnant teenagers, including, but not limited to, counseling, adoption services, and pregnancy education and maintenance

Reporting by Other Persons
Citation: Ann. Stat. § 38-2223
Any person who has reason to suspect that a child may be a child in need of care may report.

Institutional Responsibility to Report
Citation: Ann. Stat. § 38-2223
Reports of child abuse or neglect occurring in an institution operated by the Department of Social and Rehabilitation Services or the Department of Juvenile Justice shall be made to the attorney general. All other reports of child abuse or neglect by persons employed by or of children of persons employed by the Department of Social and Rehabilitation Services shall be made to the appropriate law enforcement agency.
Standards for Making a Report
Citation: Ann. Stat. § 38-2223
A report is required when a reporter has reason to suspect that a child has been harmed as a result of physical, mental, or emotional abuse or neglect or sexual abuse.

Privileged Communications
Citation: Ann. Stat. § 38-2249
In all proceedings under this code, the rules of evidence of the code of civil procedure shall apply, except that no evidence relating to the condition of a child shall be excluded solely on the ground that the matter is or may be the subject of a physician-patient privilege, psychologist-client privilege, or social worker-client privilege.

Inclusion of Reporter’s Name in Report
Not addressed in statutes reviewed.

Disclosure of Reporter Identity Citation: Ann. Stat. § 38-2213
Information authorized to be disclosed in this subsection shall not contain information that identifies a reporter of a child alleged or adjudicated to be a child in need of care.