

Oklahoma

§10A-1-2-101. Establishment of statewide centralized hotline for reporting child abuse or neglect - Hotline requirements - Reporting abuse or neglect - Retaliation by employer - Violations.

A. 1. The Department of Human Services shall establish a statewide centralized hotline for the reporting of child abuse or neglect to the Department.

2. The Department shall provide hotline-specific training including, but not limited to, interviewing skills, customer service skills, narrative writing, necessary computer systems, making case determinations, and identifying priority situations.

3. The Department is authorized to contract with third parties in order to train hotline workers.

4. The Department shall develop a system to track the number of calls received, and of that number:

- a. the number of calls screened out,
- b. the number of referrals assigned, and
- c. the number of calls in which the allegations were later found to be unsubstantiated or ruled out.

B. 1. Every person having reason to believe that a child under the age of eighteen (18) years is a victim of abuse or neglect shall report the matter promptly to the Department of Human Services. Reports shall be made to the hotline provided for in subsection A of this section. Any allegation of abuse or neglect reported in any manner to a county office shall immediately be referred to the hotline by the Department. Provided, however, that in actions for custody by abandonment, provided for in Section 7 of this act, there shall be no reporting requirement.

2. Every physician, surgeon, or other health care professional including doctors of medicine, licensed osteopathic physicians, residents and interns, or any other health care professional attending the birth of a child who tests positive for alcohol or a controlled dangerous substance shall promptly report the matter to the Department.

3. No privilege or contract shall relieve any person from the requirement of reporting pursuant to this section.

4. The reporting obligations under this section are individual, and no employer, supervisor, or administrator shall interfere with the reporting obligations of any employee or other person or in any manner discriminate or retaliate against the employee or other person who in good faith reports suspected child abuse or neglect, or who provides testimony in any proceeding involving child abuse or neglect. Any employer,

supervisor, or administrator who discharges, discriminates or retaliates against the employee or other person shall be liable for damages, costs and attorney fees.

5. Every physician, surgeon, or other health care professional making a report of abuse or neglect as required by this subsection or examining a child to determine the likelihood of abuse or neglect and every hospital or related institution in which the child was examined or treated shall provide, upon request, copies of the results of the examination or copies of the examination on which the report was based and any other clinical notes, x-rays, photographs, and other previous or current records relevant to the case to law enforcement officers conducting a criminal investigation into the case and to employees of the Department of Human Services conducting an investigation of alleged abuse or neglect in the case.

C. Any person who knowingly and willfully fails to promptly report suspected child abuse or neglect or who interferes with the prompt reporting of suspected child abuse or neglect may be reported to local law enforcement for criminal investigation and, upon conviction thereof, shall be guilty of a misdemeanor.

D. 1. Any person who knowingly and willfully makes a false report pursuant to the provisions of this section or a report that the person knows lacks factual foundation may be reported to local law enforcement for criminal investigation and, upon conviction thereof, shall be guilty of a misdemeanor.

2. If a court determines that an accusation of child abuse or neglect made during a child custody proceeding is false and the person making the accusation knew it to be false at the time the accusation was made, the court may impose a fine, not to exceed Five Thousand Dollars (\$5,000.00) and reasonable attorney fees incurred in recovering the sanctions, against the person making the accusation. The remedy provided by this paragraph is in addition to paragraph 1 of this subsection or to any other remedy provided by law.

E. Nothing contained in this section shall be construed to exempt or prohibit any person from reporting any suspected child abuse or neglect pursuant to subsection B of this section.

Added by Laws 1965, c. 43, § 2, emerg. eff. March 18, 1965.

Amended by Laws 1972, c. 236, § 1, emerg. eff. April 7, 1972;

Laws 1975, c. 98, § 2, emerg. eff. April 30, 1975; Laws 1977, c.

172, § 2, eff. Oct. 1, 1977; Laws 1980, c. 107, § 1, eff. Oct.

1, 1980; Laws 1985, c. 66, § 1, eff. Nov. 1, 1985; Laws 1986, c.

263, § 5, operative July 1, 1986; Laws 1987, c. 88, § 2,

operative July 1, 1987; Laws 1987, c. 167, § 1, operative July

1, 1987; Laws 1992, c. 265, § 2, emerg. eff. May 25, 1992; Laws

1993, c. 208, § 4, eff. Sept. 1, 1993; Laws 1994, c. 324, § 1,

eff. Sept. 1, 1994; Laws 1995, c. 353, § 3, eff. Nov. 1, 1995.

Renumbered from § 846 of Title 21 by Laws 1995, c. 353, § 20, eff. Nov. 1, 1995. Amended by Laws 1998, c. 416, § 12, eff. Nov. 1, 1998; Laws 2000, c. 374, § 31, eff. July 1, 2000; Laws 2009, c. 149, § 1, emerg. eff. May 11, 2009; Laws 2009, c. 233, § 79, emerg. eff. May 21, 2009. Renumbered from § 7103 of Title 10 by Laws 2009, c. 233, § 212, emerg. eff. May 21, 2009. Amended by Laws 2009, c. 338, § 10, eff. July 1, 2009; Laws 2010, c. 358, § 2, emerg. eff. June 7, 2010.

§10A-1-2-102. Assessment and investigations - Determinations and referrals by Department of Human Services - Investigations by law enforcement agencies.

A. 1. Upon receipt of a report that a child may be abused or neglected, the Department of Human Services shall conduct a safety analysis.

2. The Department shall forward a report of its assessment or investigation and findings to any district attorney's office which may have jurisdiction to file a petition pursuant to Section 1-4-101 of this title.

B. 1. If, upon receipt of a report alleging abuse or neglect or during the assessment or investigation, the Department determines that:

- a. the alleged perpetrator is someone other than a person responsible for the child's health, safety, or welfare, and
- b. the alleged abuse or neglect of the child does not appear to be attributable to failure on the part of a person responsible for the child's health, safety, or welfare to provide protection for the child,

the Department shall immediately make a referral, either verbally or in writing, to the appropriate local law enforcement agency for the purpose of conducting a possible criminal investigation.

2. After making the referral to the law enforcement agency, the Department shall not be responsible for further investigation unless:

- a. the Department has reason to believe the alleged perpetrator is a parent of another child, not the subject of the criminal investigation, or is otherwise a person responsible for the health, safety, or welfare of another child,
- b. notice is received from a law enforcement agency that it has determined the alleged perpetrator is a parent of or a person responsible for the health, safety, or welfare of another child not the subject of the criminal investigation, or

c. the appropriate law enforcement agency requests the Department, in writing, to participate in the investigation. If funds and personnel are available, as determined by the Director of the Department or a designee, the Department may assist law enforcement in interviewing children alleged to be victims of physical or sexual abuse.

3. If, upon receipt of a report alleging abuse or neglect or during the assessment or investigation, the Department determines that the alleged abuse or neglect of the child involves a child in the custody of the Office of Juvenile Affairs and such child was placed in an Office of Juvenile Affairs secure juvenile facility at the time of the alleged abuse or neglect, the Department shall immediately make a referral, either verbally or in writing, to the appropriate law enforcement agency for the purpose of conducting a possible criminal investigation. After making the referral to the law enforcement agency, the Department shall not be responsible for further investigation.

C. 1. Any law enforcement agency receiving a referral as provided in this section shall provide the Department with a copy of the report of any investigation resulting from a referral from the Department.

2. Whenever, in the course of any criminal investigation, a law enforcement agency determines that there is cause to believe that a child, other than a child in the custody of the Office of Juvenile Affairs and placed in an Office of Juvenile Affairs secure juvenile facility, may be abused or neglected by reason of the acts, omissions, or failures on the part of a person responsible for the health, safety, or welfare of the child, the law enforcement agency shall immediately contact the Department for the purpose of an investigation.

D. If, upon receipt of a report alleging abuse or neglect, the Department determines that the family has been the subject of a deprived petition, the Department shall conduct a thorough investigation of the allegations and shall not limit the evaluation of the circumstances to an assessment. In addition, if the family has been the subject of three or more referrals, the Department shall conduct a thorough investigation of the allegations and shall not limit the evaluation of the circumstances to an assessment.

Added by Laws 1995, c. 352, § 9, eff. July 1, 1995. Amended by Laws 1998, c. 421, § 6, emerg. eff. June 11, 1998; Laws 1999, c. 44, § 1, eff. Nov. 1, 1999; Laws 2000, c. 374, § 8, eff. July 1, 2000; Laws 2009, c. 233, § 17, emerg. eff. May 21, 2009. Renumbered from § 7003-1.1 of Title 10 by Laws 2009, c. 233, § 213, emerg. eff. May 21, 2009. Amended by Laws 2009, c. 338, §

4, eff. July 1, 2009; Laws 2010, c. 220, § 1, eff. May. 6, 2010; Laws 2011, c. 1, § 1, emerg. eff. March 18, 2011; Laws 2011, c. 244, § 1, eff. Nov. 1, 2011.

NOTE: Laws 2010, c. 278, § 1 repealed by Laws 2011, c. 1, § 2, emerg. eff. March 18, 2011.

§10A-1-2-103. Judicial authority to request investigation.

A judge of the district court may request an investigation be conducted by the Oklahoma State Bureau of Investigation or other law enforcement agency in cases where the court reasonably believes that criminally injurious conduct including, but not limited to, physical or sexual abuse of a child has occurred. Added by Laws 2006, c. 205, § 15, eff. Nov. 1, 2006. Amended by Laws 2009, c. 233, § 80, emerg. eff. May 21, 2009. Renumbered from § 7104.1 of Title 10 by Laws 2009, c. 233, § 214, emerg. eff. May 21, 2009.

§10A-1-2-104. Immunity from civil and criminal liability - Presumption.

A. Any person who, in good faith and exercising due care, reports suspected child abuse or neglect, or who allows access to a child by persons authorized to investigate a report concerning the child shall have immunity from any liability, civil or criminal, that might otherwise be incurred or imposed. Any such participant shall have the same immunity with respect to participation in any judicial proceeding resulting from such report.

B. For purposes of any proceeding, civil or criminal, the good faith of any person in making a report pursuant to the provisions of Section 1-2-101 of this title shall be presumed.

C. A child advocacy center that is accredited by the National Children's Alliance, and the employees thereof, who are acting in good faith and exercising due care shall have immunity from civil liability that may be incurred or imposed through participation in the investigation process and any judicial proceeding resulting from the investigation process.

Added by Laws 1965, c. 43, § 3, emerg. eff. March 18, 1965. Amended by Laws 1977, c. 172, § 3, eff. Oct. 1, 1977; Laws 1984, c. 85, § 2, eff. Nov. 1, 1984; Laws 1989, c. 67, § 1, emerg. eff. April 13, 1989; Laws 1995, c. 353, § 5, eff. Nov. 1, 1995. Renumbered from § 847 of Title 21 by Laws 1995, c. 353, § 20, eff. Nov. 1, 1995. Amended by Laws 2000, c. 293, § 1, emerg. eff. June 5, 2000; Laws 2005, c. 184, § 2, emerg. eff. May 17, 2005; Laws 2009, c. 233, § 81, emerg. eff. May 21, 2009. Renumbered from § 7105 of Title 10 by Laws 2009, c. 233, § 215, emerg. eff. May 21, 2009.

§10A-1-2-105. Investigation of child abuse or neglect - Assessment of family - Immediate removal of child - Report - Voluntary services - Temporary restraining order - Investigation by State Bureau of Investigation.

A. 1. Any county office of the Department of Human Services receiving a child abuse or neglect report shall promptly respond to the report by initiating an investigation of the report or an assessment of the family in accordance with priority guidelines established by the Department. The Department may prioritize reports of alleged child abuse or neglect based on the severity and immediacy of the alleged harm to the child. The Department shall adopt a priority system pursuant to rules promulgated by the Commission for Human Services. The primary purpose of the investigation or assessment shall be the protection of the child.

2. If an investigation or assessment conducted by the Department in response to any report of child abuse or neglect shows that the incident reported was the result of the reasonable exercise of parental discipline involving the use of ordinary force, including, but not limited to, spanking, switching, or paddling, the investigation or assessment will proceed no further and all records regarding the incident shall be expunged.

B. 1. The investigation or assessment shall include a visit to the home of the child, unless there is reason to believe that there is an extreme safety risk to the child or worker or it appears that the referral has been made in bad faith. The visit shall include an interview with and examination of the subject child and may be conducted at any reasonable time and at any place including, but not limited to, the child's school. The Department shall notify the person responsible for the health, safety, and welfare of the child that the child has been interviewed at a school. The investigation or assessment may include an interview with the parents of the child or any other person responsible for the health, safety, or welfare of the child and an interview with and examination of any child in the home.

2. The investigation or assessment may include a medical, psychological, or psychiatric examination of any child in the home. If admission to the home, school, or any place where the child may be located cannot be obtained, then the district court having jurisdiction, upon application by the district attorney and upon cause shown, shall order the person responsible for the health, safety, or welfare of the child, or the person in charge of any place where the child may be located, to allow entrance for the interview, the examination, and the investigation or

assessment. If the person responsible for the health, safety, or welfare of the child does not consent to a medical, psychological, or psychiatric examination of the child that is requested by the Department, the district court having jurisdiction, upon application by the district attorney and upon cause shown, shall order the examination to be made at the times and places designated by the court.

3. The investigation or assessment may include an inquiry into the possibility that the child or a person responsible for the health, safety, or welfare of the child has a history of mental illness. If the person responsible for the child's health, safety, or welfare does not allow the Department to have access to behavioral health records or treatment plans requested by the Department, which may be relevant to the alleged abuse or neglect, the district court having jurisdiction, upon application by the district attorney and upon good cause shown, shall by order allow the Department to have access to the records pursuant to terms and conditions prescribed by the court.

4. a. If the court determines that the subject of the behavioral health records is indigent, the court shall appoint an attorney to represent that person at the hearing to obtain behavioral health records.
- b. A person responsible for the health, safety, or welfare of the child is entitled to notice and a hearing when the Department seeks a court order to allow a psychological or psychiatric examination or access to behavioral health records.
- c. Access to behavioral health records does not constitute a waiver of confidentiality.

5. The investigation of a report of sexual abuse or serious physical abuse or both sexual abuse and serious physical abuse shall be conducted, when appropriate and possible, using a multidisciplinary team approach as provided by Section 1-9-102 of this title. Law enforcement and the Department shall exchange investigation information.

C. 1. Every physician, surgeon, or other health care provider making a report of abuse or neglect as required by this section or examining a child to determine the likelihood of abuse or neglect and every hospital or related institution in which the child was examined or treated shall provide copies of the results of the examination or copies of the examination on which the report was based and any other clinical notes, x-rays, photographs, and other previous or current records relevant to the case to law enforcement officers conducting a criminal investigation into the case and to employees of the Department

conducting an assessment or investigation of alleged abuse or neglect in the case.

2. As necessary in the course of conducting an assessment or investigation, the Department may request and obtain, without a court order, copies of all prior medical records of a child including, but not limited to, hospital records, medical, and dental records. The physician-patient privilege shall not constitute grounds for failure to produce such records.

D. If, before the assessment or investigation is complete, the Department determines that immediate removal of the child is necessary to protect the child from further abuse or neglect, the Department shall recommend that the child be taken into custody.

E. The Department shall make a complete written report of the investigation. The investigation report, together with its recommendations, shall be submitted to the appropriate district attorney's office. Reports of assessment recommendations shall be submitted to appropriate district attorneys.

F. The Department, where appropriate and in its discretion, shall identify prevention and intervention-related services available in the community and refer the family to or arrange for such services when an investigation or assessment indicates the family would benefit from such services, or the Department may provide such services directly. The Department shall document in the record its attempts to provide, refer or arrange for the provision of, voluntary services and shall determine within sixty (60) days whether the family has accessed those services directly related to safety of the child. If the family refuses voluntary services or does not access those services directly related to safety of the child, and it is determined by the Department that the child's surroundings endanger the health, safety, or welfare of the child, the Department may recommend that the child be placed in protective or emergency custody or that a petition be filed.

G. If the Department has reason to believe that a person responsible for the health, safety, and welfare of the child may remove the child from the state before the investigation is completed, the Department may request the district attorney to file an application for a temporary restraining order in any district court in the State of Oklahoma without regard to continuing jurisdiction of the child. Upon cause shown, the court may enter a temporary restraining order prohibiting the parent or other person from removing the child from the state pending completion of the assessment or investigation.

H. The Director of the Department or designee may request an investigation be conducted by the Oklahoma State Bureau of Investigation or other law enforcement agency in cases where it

reasonably believes that criminally injurious conduct including, but not limited to, physical or sexual abuse of a child has occurred.

Added by Laws 1995, c. 353, § 6, eff. Nov. 1, 1995. Amended by Laws 1996, c. 200, § 12, eff. Nov. 1, 1996; Laws 1998, c. 416, § 14, eff. Nov. 1, 1998; Laws 1999, c. 425, § 1, eff. Nov. 1, 1999; Laws 2000, c. 374, § 32, eff. July 1, 2000; Laws 2006, c. 205, § 16, eff. Nov. 1, 2006; Laws 2009, c. 233, § 83, emerg. eff. May 21, 2009. Renumbered from § 7106 of Title 10 by Laws 2009, c. 233, § 216, emerg. eff. May 21, 2009. Amended by Laws 2009, c. 338, § 11, eff. July 1, 2009; Laws 2010, c. 278, § 2, eff. Nov. 1, 2010.

§10A-1-2-106. Notice to person being investigated.

At the initial time of contact with a person responsible for the health, safety, or welfare of a child who is the subject of an investigation pursuant to the Oklahoma Children's Code, the Department of Human Services shall advise the person of the specific complaint or allegation made against the person. If the Department is unable to locate the person, as soon as possible after initiating the investigation of the person, the Department shall provide to the person a brief and easily understood written description of the investigation process.

Notice shall include:

1. A statement that the investigation is being undertaken by the Department pursuant to the requirements of the Oklahoma Children's Code in response to a report of child abuse or neglect;

2. A statement that the identity of the person who reported the incident of abuse is confidential and may not even be known to the Department since the report could have been made anonymously;

3. A statement that the investigation is required by law to be conducted in order to enable the Department to identify incidents of abuse or neglect in order to provide protective or preventive social services to families who are in need of such services;

4. A statement that, upon completion of the investigation, a letter will be sent from the Department which will inform the person:

- a. that the Department has found insufficient evidence of abuse or neglect, or
- b. that there appears to be probable cause to suspect the existence of child abuse or neglect in the judgment of the Department;

5. An explanation of the procedures of the Department for conducting an investigation of alleged child abuse or neglect, including:

- a. a description of the circumstances under which the Department would seek to remove the child from the home through the judicial system, and
- b. an explanation that the law requires the Department to refer all reports of child abuse or neglect to a law enforcement agency for a separate determination of whether a criminal violation occurred;

6. The procedures to follow if there is a complaint regarding the actions of the Department or to request a review of the findings made by the Department during or at the conclusion of the investigation;

7. The right of the person to review records filed with the court in the event an action is filed;

8. The right of the person to seek legal counsel;

9. References to the statutory and regulatory provisions governing child abuse and neglect and how the person may obtain copies of those provisions;

10. The process the person may use to acquire visitation with the child if the child is removed from the home; and

11. A statement that a failure to appear for court proceedings may result in the termination of the person's parental rights to the child.

Added by Laws 1995, c. 353, § 8, eff. Nov. 1, 1995. Amended by Laws 1998, c. 416, § 16, eff. Nov. 1, 1998; Laws 2004, c. 435, § 1, eff. Nov. 1, 2004; Laws 2009, c. 233, § 85, emerg. eff. May 21, 2009. Renumbered from § 7108 of Title 10 by Laws 2009, c. 233, § 217, emerg. eff. May 21, 2009.

§10A-1-2-107. Disclosure of information.

A. The Department of Human Services may provide information to a person or agency that provides professional services such as medical examination of or therapeutic intervention with a victim of abuse or neglect. This information may include, but is not limited to:

1. The investigative determination; or
2. The services offered and provided.

B. The Department shall forward to any hospital or any physician, including, but not limited to, doctors of medicine and dentistry, licensed osteopathic physicians, residents and interns, reporting the abuse or neglect of a child pursuant to Section 1-2-101 of this title, information including the investigative determination, the services offered or provided, and such other information deemed necessary by the Department.

The information shall be entered and maintained in the medical records of the child.

Added by Laws 1995, c. 353, § 9, eff. Nov. 1, 1995. Amended by Laws 1996, c. 212, § 2, eff. Nov. 1, 1996; Laws 1998, c. 416, § 17, eff. Nov. 1, 1998; Laws 2009, c. 233, § 86, emerg. eff. May 21, 2009. Renumbered from § 7109 of Title 10 by Laws 2009, c. 233, § 218, emerg. eff. May 21, 2009.

§10A-1-2-108. Central registry for child abuse, sexual abuse and neglect.

A. There is hereby established within the Department of Human Services an information system for the maintenance of all reports of child abuse, sexual abuse, and neglect made pursuant to the provisions of the Oklahoma Children's Code.

B. The Children and Family Services Division of the Department shall be responsible for maintaining a suitably cross-indexed system of all the reports.

C. The records maintained shall contain, but shall not be limited to:

1. All information in the written report required by Section 1-2-101 of this title;

2. A record of the final disposition of the report including services offered and services accepted;

3. The plan for rehabilitative treatment; and

4. Any other relevant information.

D. Data and information maintained and related to individual cases shall be confidential and shall be made available only as authorized by state or federal law.

E. The Commission for Human Services shall promulgate rules governing the availability of such data and information.

F. Rules promulgated by the Commission shall encourage cooperation with other states in exchanging reports in order to effect a national registration system.

G. No person shall allow the data and information maintained to be released except as authorized by Chapter VI of the Oklahoma Children's Code.

H. Records obtained by the Department shall be maintained by the Department until otherwise provided by law.

Added by Laws 1995, c. 353, § 11, eff. Nov. 1, 1995. Amended by Laws 1996, c. 200, § 20, eff. Nov. 1, 1996; Laws 1997, c. 133, § 126, eff. July 1, 1999; Laws 1998, c. 416, § 19, eff. Nov. 1, 1998; Laws 2009, c. 233, § 90, emerg. eff. May 21, 2009. Renumbered from § 7111 of Title 10 by Laws 2009, c. 233, § 219, emerg. eff. May 21, 2009.

NOTE: Laws 1998, 1st Ex.Sess., c. 2, § 23 amended the effective date of Laws 1997, c. 133, § 126 from July 1, 1998, to July 1, 1999.

§10A-1-2-109. Relinquishment of child 7 days of age or younger to medical services provider or child rescuer.

A. A parent subject to the provisions of this act shall not be prosecuted for child abandonment or child neglect under the provisions of any statute which makes child abandonment or child neglect a crime, when the allegations of child abandonment or child neglect are based solely on the relinquishment of a child seven (7) days of age or younger to a medical services provider or a child rescuer as defined in this section.

B. The following entities shall, without a court order, take possession of a child seven (7) days of age or younger if the child is voluntarily delivered to the entity by the parent of the child and the parent did not express an intent to return for the child:

1. A medical services provider; or
2. A child rescuer.

C. Any entity identified in subsection B of this section to which a parent seeks to relinquish a child pursuant to the provisions of this section may:

1. Request, but not demand, any information about the child that the parent is willing to share. The entity is encouraged to ask about, but not demand, the details of any relevant medical history relating to the child or the parents of the child. The entity shall respect the wish of the parent if the parent desires to remain anonymous; and

2. Provide the parent with printed information relating to the rights of the parents, including both parents, with respect to reunification with the child and sources of counseling for the parents, if desired.

D. Once a child has been relinquished to any entity identified in subsection B of this section, the entity receiving the child shall:

1. Perform or provide for the performance of any act necessary to protect the physical health or safety of the child; and

2. Notify the local office of the Department that a parent of a child seven (7) days of age or younger, in the best judgment of the receiving entity, has relinquished such child and that the entity has taken possession of the child.

E. Upon being made aware that a medical services provider or child rescuer has possession of a child under the provisions of this act, the Department of Human Services shall immediately check with law enforcement authorities to determine if a child has been reported missing and whether the missing child could be the relinquished child.

F. The Department shall design and disseminate:

1. A simplified form for the recording of medical or other information that a relinquishing parent wishes to share with the entity to whom the child is being relinquished;

2. Easily understood printed materials that give information about parents' rights with regard to reunification with a child including, but not limited to, information on how a parent can contact the appropriate entity regarding reunification, and information on sources of counseling for relinquishing parents; and

3. Media information, including printed material, that creates public awareness about the provisions of this act.

G. For purposes of this section:

1. "Medical services provider" means a person authorized to practice the healing arts, including a physician's assistant or nurse practitioner, a registered or practical nurse and a nurse aide; and

2. "Child rescuer" means any employee or other designated person on duty at a police station, fire station, child protective services agency, hospital, or other medical facility.

H. A medical services provider or child rescuer with responsibility for performing duties pursuant to this section shall be immune from any criminal liability that might otherwise result from the actions of the entity, if acting in good faith in receiving a relinquished child. In addition, such medical provider or child rescuer shall be immune from any civil liability that might otherwise result from merely receiving a relinquished child.

Added by Laws 2001, c. 143, § 2, eff. July 1, 2001. Amended by Laws 2009, c. 233, § 92, emerg. eff. May 21, 2009. Renumbered from § 7115.1 of Title 10 by Laws 2009, c. 233, § 220, emerg. eff. May 21, 2009.