

Application of Child Abuse Reporting Laws to Ministers and Lay Church Workers

Church Law & Tax Report, May/June 2010

IOWA

Statute	What is reportable “abuse”	Mandatory reporters	Where to report	Clergy privilege
Code §§ 232.67 et seq. (2008)	Physical, sexual, or mental abuse by “a person responsible for the care of a child” (includes a parent, guardian, foster parent, relative, or any other person with whom the child resides and who assumes care or supervision of the child without reference to the length of time or continuity of such residence, an employee of any facility providing care for a child, or any person providing care for a child but with whom the child does not reside, without reference to the duration of the care)	Includes employees of a licensed child care center, counselors, or mental health professionals, who “in the scope of professional practice or in their employment responsibilities, examines, attends, counsels, or treats a child and reasonably believes a child has suffered abuse.”	Department of Human Services	“Any rule of evidence which excludes or makes privileged the testimony of a husband or wife against the other or the testimony of a health practitioner of mental health professional as to confidential communications, do not apply to evidence regarding a child’s injuries or the cause of the injuries in any judicial proceeding, civil or criminal, resulting from a report pursuant to this chapter or relating to the subject matter of such a report” [232.74]