



# Mental Health Center of Denver Student Placement Guidelines

## INTRODUCTION

The purpose of the Mental Health Center of Denver's (MHCD) Student Placement program is to provide a quality training experience for students, enhance services provided to MHCD consumers, and increase community awareness of MHCD resources and services. MHCD is committed to ensuring that MHCD Student Placements have exemplary experiences, and MHCD consumers receive high quality services. Student Placements are an important part of our team. The Student Placement program guidelines are designed to provide fair and equal treatment to all Student Placements at MHCD. Failure to comply with these guidelines may result in termination of the Student Placement's placement.

**Please note: You do not need to complete the application unless you are chosen for a placement.**

This packet contains:

1. Student Placement Guidelines
2. Student Placement Application
3. Applicant Authorization and Consent for Release of Information
4. MHCD Disclosure
5. Student Placement Agreement
6. Confidentiality Agreement
7. Drug Free Workplace Policy
8. Dual Relationships Policy
9. Workplace Violence
10. The Mandatory Reporting of Child Abuse and Neglect in Colorado

## THE SELECTION PROCESS

All student placement information is available on the MHCD website, <http://www.mhcd.org/>. If you are interested in a placement, please send an e-mail to Dr. Marcia Middel [marcia.middel@mhcd.org](mailto:marcia.middel@mhcd.org) with the following:

- your statement of interest in a specific student placement
- your resume
- the name of the training supervisor at your school
- a list of your completed class work and experience relevant to the Student Placement

Your statement of interest will be acknowledged and forwarded to Student Placement mentors for review. You will be contacted within two weeks if you are being considered for the Student Placement opportunity.

Once an applicant is selected, he or she must read these guidelines and complete the Student Placement Agreement as well as other relevant forms. These documents should be submitted (via fax - 303-782-0916 or snail mail only- 4141 E. Dickenson Place, Denver, CO 80222) to Melanie Parker. A background check will be completed on all potential Student Placements. Applicants with criminal activity on their record may experience a delay in placement and may not be accepted as a Student Placement at MHCD.

## **JOB ASSIGNMENT AND SUPERVISION**

Each Student Placement will be assigned a supervisor who is responsible for providing training, instructions, supervision, and evaluation of performance. All Student Placements who have clinical responsibility should receive a minimum of one hour of supervision per week, in accordance with most academic programs. Clinical supervision may be completed in a group setting.

In order for the supervisor to prepare work assignments, Student Placement students will be asked to schedule their hours in advance and advise their supervisor of any change in their schedule. Evaluations and feedback on the Student Placement's work should be provided as needed and according to his/her school requirements. Evaluations provide the opportunity to review the Student Placement's work and insure the placement/supervision is meeting their training/experience needs.

## **RECORDING STUDENT PLACEMENT HOURS**

Student Placements are required to record their hours for each time they work at MHCD. It is very important that accurate hours are reported for school requirements and MHCD accounting and personnel records. Student Placements must submit their hours for the previous month via email or interoffice mail to Melanie Parker, by the third day of each month. Blank time sheets are available in Public Folders and from Melanie Parker. It is the supervisor's responsibility to insure that all Student Placements submit the correct number of hours worked per month.

## **TRAINING**

Student Placements are **required** to attend the MHCD trainings relevant to the position within the first 30 days of their placement. MHCD trainings are available at no cost (except where charges are specified) to the Student, and the supervisor may require additional attendance at selected trainings. It is the supervisor's responsibility to provide on-the-job training and to communicate all relevant MHCD communications in a timely manner.

## **PROFESSIONAL CONDUCT**

MHCD Student Placements are an important part of our team, and are asked to conduct themselves in a professional and ethical manner at all times. Due to the confidential nature of our work, each Student Placement will be asked to sign a confidentiality agreement. MHCD, state, and federal confidentiality rules and regulations concerning consumer information govern Student Placements, as well as staff. All files, records, documents, notes, reports, memoranda, or other materials generated by a Student Placement in connection with their work at MHCD are the sole property of MHCD.

Relationships between Student Placements are to be professional in nature. Student Placements should read and adhere to the MHCD Dual Relationship Policy. In addition, no Student Placement will engage in the use of, or be under the influence of, alcohol or drugs while at their placement or while performing tasks on behalf of MHCD. All Student Placements are required to read and sign the MHCD Drug Free Work Place Policy.

## **PROBLEM RESOLUTION**

MHCD is committed to providing excellent experience, supervision, and training for Student Placements. If problems arise with the placement, the supervisor and Student Placement should discuss the problems and possible solutions, and review goals and performance expectations. All problem areas and interventions should be clearly identified and documented as a part of this process.

Occasionally a situation may arise that cannot be resolved. In that event, it may be necessary to discontinue or alter the placement, or supervisory arrangement. Possible grounds for termination of placement may include, but are not limited to, the following: gross misconduct or insubordination, abuse or mistreatment of consumers

or co-workers, working while under the influence of alcohol or drugs, theft of property or misuse of MHCD property or materials, failure to satisfactorily perform assigned duties, and failure to abide by agency policies or procedures. Decisions involving corrective action of a Student Placement may be reviewed for appropriateness. If corrective action is taken, the Student Placement shall be informed of the procedure for expressing their concern or grievance.

### **INSURANCE AND LIABILITY**

All Student Placements who engage in providing services to consumers are covered by MHCD's professional liability insurance. MHCD's worker's compensation and medical benefits do NOT cover Student Placements. Student Placements are required to provide their own medical insurance and to be responsible for payment of medical claims.

### **USE OF PRIVATE VEHICLE**

Student Placements using their own vehicles for MHCD business should utilize their own insurance policy for protection, and are responsible for meeting the deductible required by his/her insurer, if he/she is in an accident. If a Student Placement will be transporting consumers and/or driving as a part of other MHCD business, he/she should:

1. Understand that his/her motor vehicle record report may be requested and reviewed prior to approval of driving privileges. Significant violations on the record may prevent this approval.
2. Provide Melanie Parker with a copy of their current driver's license and insurance card proving coverage.
3. Carry a minimum of \$100,000 per person and \$300,000 per occurrence (or a \$300,000 combined single limit and bodily injury) limit of liability. Provide Melanie Parker with a copy of the policy outlining the appropriate coverage.
4. In the event of an accident while operating his/her vehicle on MHCD business, the Student Placement should notify the supervisor within 24 hours and fill out both an Incident and an Accident Report.
5. Understand that financial loss resulting from damage to a Student Placement's vehicle is not reimbursable by MHCD, his/her passengers, or anyone to whom he/she have given permission to drive his/her vehicle.

### **END OF STUDENT PLACEMENT**

Student Placements should inform their supervisors of an impending departure at least two weeks in advance. The Director of Training and Staff Development may request exit paperwork and/or an exit interview.

### **EMPLOYMENT OPPORTUNITIES FOLLOWING STUDENT PLACEMENT EXPERIENCE**

Many MHCD employees began their tenure at MHCD as Student Placements. Supervisors at each team and/or site post weekly employment opportunities at MHCD. Student Placements are considered for open positions, along with other applicants. MHCD managers often consider hiring Student Placements, particularly once they have a proven work record and relevant training experience.



# Mental Health Center of Denver Student Placement Application

## *An Equal Opportunity Employer*

We do not discriminate on the basis of race, color, religion, national origin, sex, age, disability, veteran status, marriage, or sexual orientation. It is our intention that all qualified applicants be given equal opportunity and that selection decisions be based on job-related factors.

### INSTRUCTIONS

Each question should be fully and accurately answered. **No action can be taken on this application until all questions have been answered.** Use blank paper if you do not have enough room on this application. **PLEASE PRINT**, except for the signature on the back of the application.

Student Placement Position	Location	Supervisor	Team Number	Start Date	End Date
Last Name		First Name	Middle Name	Telephone Number	
Present Street Address		City	State	Zip code	
Email address	Name of School currently attending		Name of Program currently attending		
Name of School Contact		Phone number of school contact			

Is any additional information relative to change of name, use of surname, or nickname necessary to enable us to check your work record?..... Yes  No

If yes, please explain \_\_\_\_\_

Are you 18 years of age or older?.....Yes  No

Have you ever been convicted of any violation of the law (except a minor traffic violation)?.....Yes  No

A "yes" answer does not automatically disqualify you from employment, since the nature of the offense, date, and the job for which you are applying is also considered.

If yes, give details. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Have you had any previous contact with MHCD?..... Yes  No  If yes, when? \_\_\_\_\_

## EDUCATION

List name & address of schools	Course or Major	Number of Years Completed	Diploma/Degree/ Certificate mm/dd/yyyy
High School (or date GED Completed): _____			
College or University: _____			
College or University: _____			

### Licenses/Certification

Professional Licenses: \_\_\_\_\_ License No.: \_\_\_\_\_  
Date Awarded: \_\_\_\_\_ Expiration Date: \_\_\_\_\_

*Please attach a current resume to this application.*

## REFERENCES

Are you presently employed? ..... Yes  No

If yes, whom do you suggest we contact? \_\_\_\_\_

Give three professional references, none of whom are related to you.

Name	Address	Phone	Occupation
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

## APPLICANT'S CERTIFICATION AND ACKNOWLEDGEMENT

*PLEASE READ EACH STATEMENT CAREFULLY BEFORE SIGNING.*

**I certify that all of the information I have provided in this application is true and complete, without omissions of any kind. I understand and agree that if at any time it is discovered that any information provided by me in this application is false, misleading or incomplete, this application will be void, and the Mental Health Center of Denver ("MHCD"), may, in its sole discretion and without liability to me, immediately terminate my placement.**

I authorize all employers, educational institutions and persons named in this application to give any information regarding my previous employment, my character, and my qualifications to MHCD or its authorized representatives. I hereby release these employers, educational institutions and persons from all liability to me for providing this information.

**7.701.8 Perjury Statement—Application Form for Employment with a Child Care Provider [eff 9/3/99]:** Any applicant who knowingly or willfully makes false statement of any material fact or thing in the application is guilty of perjury in the second degree as defined in Section 18-8-503, C.R.S., and upon conviction thereof, shall be punished accordingly.

**I have read, understand, and by my signature consent to these statements.**

**Signature** \_\_\_\_\_ **Date** \_\_\_\_\_

### **Authorization to Conduct Background Check and Consent for Release of Information**

We truly welcome your application with Mental Health Center of Denver (MHCD). As part of the application process, HireRight, Inc. will be verifying the information you provided to MHCD during the pre-placement process and researching background information at our request. Our objective is to complete this process quickly. Please make every effort to accurately provide all of the information requested on the application. It is especially important to provide HireRight an e-mail address, as the background check form is completed on-line. A HireRight associate may contact you for additional information during the verification process. Please return the associate's call or e-mail promptly to help ensure that your application is processed as quickly as possible.

I FURTHER AUTHORIZE ALL PERSONS, EMPLOYERS, SUPERVISORS, COWORKERS, SCHOOLS, COMPANIES, CENTERS, ORGANIZATIONS, CREDIT BUREAUS, COURTS AND ANY GOVERNMENTAL, LAW ENFORCEMENT, LICENSING AND RECORD-KEEPING AGENCIES, AND ANY OTHER SOURCE OF INFORMATION TO PROVIDE ALL INFORMATION REQUESTED WITH RESPECT TO MY BACKGROUND, INCLUDING ANY CRIMINAL RECORDS, TO COMPANY AND/OR ITS AGENT

I hereby voluntarily and knowingly release and discharge MHCD and any source of information from any and all claims, damages, losses, liabilities, costs, and expenses arising from or relating to the retrieving, preparing and reporting of any information, including without limitation any inaccurate or incomplete information, to the fullest extent permitted by law. I certify that I have read and understand this entire document, including the above and i agree that a copy of this document is as valid as the original. My signature further releases all of the above-including the Company and its agent to the fullest extent permitted by law from claims, damages, losses, liabilities, and expenses arising from the retrieving and the reporting of any such information. A copy of this document is as valid as the original.

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Applicant's Printed Name

Applicant's Signature

Date



## Mental Health Center of Denver **Student Placement Agreement**

As a Student Placement with the Mental Health Center of Denver, I \_\_\_\_\_,  
agree to:

- Agree to attend the MHCD trainings relevant to the position within the first 30 days of the placement..
- Accept direction from my assigned supervisor and MHCD team in order to receive proper training and provide the most effective services possible to MHCD consumers.
- Be responsible and accountable for my schedule and my work, and seek out additional information, support, and training as needed.
- Complete monthly time sheets by the 3<sup>rd</sup> day of each month, and submit via email or hard copy to Melanie Parker.
- Advise my supervisor of intent to end the placement, take extended leave or change assignments.

**I understand that failure to abide by the above could result in termination of my placement as a Student Placement. I have received a copy of the Student Placement Guidelines and agree to abide by them in addition to the terms in this agreement. I understand that my placement is contingent upon the results of the application process including interviews and a background check.**

\_\_\_\_\_  
Student Placement

\_\_\_\_\_  
Date



# Mental Health Center of Denver Confidentiality Agreement

The nature of services provided by the Mental Health Center of Denver (MHCD) requires that information be handled in a private, confidential manner.

Information about MHCD consumers, including treatment records, will not be released to people or agencies outside MHCD without written consent of the consumer (or consumer's guardian); the only exceptions to this policy will be to follow legal or emergency guidelines. All memoranda, notes, reports, or other documents compiled about consumer contact will remain a part of the consumer's confidential record at MHCD. I understand that the confidentiality of consumer information is protected by Federal Law 42 CFR part 2 and Colorado Revised Statute § 27-10-120. Copies of these laws are available to me for my review upon request.

If I have access to information that is highly confidential, I understand that I have a legal obligation to safeguard this information. I realize that if I improperly release confidential information, the results could be damaging to the Center, the consumer and to other employees. I promise that I will not release confidential information to people not authorized by the nature of their duties to receive such information. Also, personal or identifying information about MHCD staff (such as names, addresses, phone numbers or salaries) will not be released to people or agencies outside MHCD without the consent of the staff person; the only exceptions to this policy will be to follow legal or emergency guidelines.

I understand that the bond of confidentiality extends even beyond my termination of employment with MHCD.

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Please Check One

Regular Employee

Temporary Employee

Student Placement

Board Member

Visitor

I have read and fully understand the Confidentiality Agreement and agree to follow this agreement. If I have any questions, I will immediately speak to the Guardian of Medical Records or an immediate supervisor regarding the disclosure of information. Failure to comply with this agreement as an employee may lead to Disciplinary action, up to and including immediate termination. Others who fail to follow this policy will be dealt with accordingly.

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Printed Name

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Date

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**Signature**

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Witness

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Date



## **Mental Health Center of Denver Drug-Free Workplace Policy**

In accordance with the **DRUG-FREE WORKPLACE ACT OF 1988**, The Mental Health Center of Denver (MHCD), as a federal contractor/federal grant recipient is required to certify to the contracting/grant agency that we will ensure a drug-free workplace. Failure to comply with this requirement could result in suspension of the contract/grant payments or termination of the contract/grant payments or both. The requirement presents both a necessity and an opportunity to take immediate action to forestall or eliminate drug and alcohol abuse in any of MHCD's work locations. To that end, the following policy is effective immediately.

### **Policy Statement**

It is the policy of MHCD to prohibit the unlawful manufacture, distribution, possession, or use of a controlled substance during work hours or on MHCD premises at any time. In addition, employees are prohibited from reporting for or being at work while under the influence or effects of controlled substances or alcohol. Excluded are prescribed drugs when used in a manner, combination and quantity intended, unless performance is adversely affected. Employees who must use an over-the-counter or prescription drug that causes adverse side effects or may affect ability to perform work in a safe and productive manner must notify their supervisor prior to starting work. The employee's supervisor, along with appropriate MHCD management, after appropriate inquiry, will decide if the employee should remain at work and what work restrictions, if any, are necessary.

### **Drug and Alcohol Awareness Program**

Abuse of drugs and alcohol impairs employee judgement which may result in decreased quality care to consumers and in increased safety risks or employee injuries. The dangers of drug and alcohol abuse in the workplace are increasingly apparent and impact all employees, not just abusers. Drug and alcohol abuse result in lost productivity and increased absenteeism, placing a burden on other employees and the Center. Drug and alcohol abusers create a potentially hazardous working environment, have more on-the-job accidents, disrupt employee morale, and increase costs for medical benefits. Employee theft of support dependency and loss of consumers from poor quality service directly threatens the security of the Center's business and the jobs of all employees.

Educational materials on the dangers of drug abuse in the workplace are available to all employees and can be obtained in the Human Resources Department.

Employees who have a substance dependency problem are strongly encouraged to obtain counseling and treatment. Information can be obtained in the Human Resources Department and all inquiries will be kept completely confidential. In addition, drug and alcohol treatment is covered under MHCD's medical plans. Further information on medical coverage, rehabilitation and counseling resources is available in the Human Resources Department.

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I have received a copy of MHCD's Drug-Free Workplace Policy and understand that in order to continue my employment with MHCD, I must abide by the terms of this policy. I agree to notify MHCD no later than five (5) days after conviction if I am convicted under any criminal drug statute for any violation that occurs in the workplace.

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Employee Signature

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Date



**Policy Name:** **Dual Relationships**

**Responsibility of:** Director of Quality Systems

**Approved by:** Signature on file 4/24/95  
**Roberto Quiroz, Chief Executive Officer** **Date**

**Effective Date:** **April 1, 1995**

**REFERENCE:**

C.R.S § 12-43 Colorado Mental Health Statute; C.R.S. § 12-36 Medical Practice Act; C.R.S. § 12-38 Nursing Practice Act; Colorado State Grievance Board Rule 16, “Supervision of Psychotherapists”, and Rule 14, “Information Required to be Reported to the Board”

**POLICY:** *Dual Relationships*

All MHCD staff shall refrain from improper dual relationships with individuals receiving services from MHCD. A dual relationship is a non-treatment interaction with a consumer that could impair the treating relationship or exploit the individual. Staff should not exploit relationships with consumers for personal advantage, profit or interest. Staff should make every effort to avoid dual relationships which might impair their professional judgment or otherwise increase the risk of consumer exploitation. There, MHCD staff will avoid personal, financial or sexual interactions with individuals receiving services from MHCD.

**PROCEDURES:** *Improper Dual Relationships*

Because of the diverse services provided by MHCD (e.g., residential, case management, home-based, clubhouse), situations may arise where staff may be involved in social interactions that are acceptable within specific job descriptions. However, a staff person who is unsure as to the appropriateness of an activity is responsible for seeking clarification before engaging in the questioned behavior.

Because of the ongoing nature of mental health service needs and the frequent readmission of individuals, MHCD staff will refrain from such interactions with former consumers, as if they are still consumers. This policy does not apply to staff and former consumers who did not know one another while individual was receiving services, and it does not apply when the individual has been out of treatment for two years.

Areas that may lead to improper dual relationships include, but are not limited to:

1. Socializing with a consumer on a personal basis when it is not part of an MHCD program, such as:
  - inviting a consumer to the staff person’s home,
  - going to a social function with a consumer when this is not part of an MHCD-related activity
  - going out to eat or to a movie with a consumer

- giving a consumer the staff person's home phone number, address or other personal information.
2. Maintaining relationships with consumers that are likely to impair the professional judgment or increase the risk of consumer exploitation, such as treating employees, supervisees, close colleagues, or relatives.
  3. Exercising undue influence on the consumer, including the promotion of the sale of service, goods, property, religion, politics, or drugs in such a manner as to exploit the individual for the personal or financial gain of the practitioner or a third party. This may include, but is not limited to:
    - buying something for a consumer that is not part of a clinical program,
    - employing a consumer to do chores or other services for the staff person that is not part of a clinical program, or
    - accepting a gift from a consumer which is of significant monetary value (e.g., cash, jewelry, furniture).

If any of the above situations exist, the staff involved should review this with his/her supervisor. If the supervisor determines that the area of discussion would result in an improper dual relationship, a second supervisory level should be involved. If it is determined that a potential for dual relationship exists, the employee will be advised of the decision and instructed to avoid the dual relationship.

Sexual interaction with consumers is always considered an improper dual relationship. This includes engaging in sexual contact, sexual intrusion, or sexual penetration, as defined in C.R.S. § 18-3-401, with a consumer during the period of time in which a therapeutic relationship exists or for up to two years after the period in which such a relationship exists. Examples of other improper sexual interactions include, but are not limited to:

- touching or hugging a consumer in a way that could be interpreted as sexual,
- making comments to a consumer that could be interpreted as sexual, or
- any kind of sexual contact with a consumer.

Support staff who are personal acquaintances with consumers at their sites (e.g., through churches, social groups, etc.) are to report this to their supervisor, and they will not file clinical records of those individuals. The clinical records will be kept by the clinical supervisor.

### ***Enforcement***

This policy will be fully enforced. Failure of a staff person to abide by the policy may lead to disciplinary measures, up to and including termination. All staff will report improper dual relationships to their immediate supervisor. The supervisor shall report the matter to the appropriate director and/or Human Resources.

In response to an allegation of improper dual relationship, Human Resources will convene a committee which will take the following actions:

- investigate the allegation of improper dual relationship,
- make a determination as to the merit of the allegation, and
- if appropriate, recommend remedial and disciplinary procedures regarding staff involved.

The committee will investigate complaints with the assistance of the Human Resources staff and the Consumer/Human Rights Coordinator. The proceedings of the committee shall be confidential (see C.R.S. § 25-

3-109). The committee shall provide a report to management staff, as the committee deems appropriate. A finding of an improper dual relationship will be recorded in the staff person's personnel file.

Complaints in violation of the Department of Regulatory Agencies statutes and regulations will be reported per established procedures.

## Training

Once accepted as a Student in a MHCD Program, the student will receive a training schedule within a Welcome Packet. The student will be expected to attend these trainings. If there's a conflict in attending these scheduled trainings, the student shall immediately contact Melanie Parker at 303.504.6568 to discuss possible resolutions.



**Policy Name:** Workplace Violence

**Responsibility of:** Director of Human Resources

**Approved by:** Signature on file 12/23/99  
**Roberto Quiroz, Chief Executive Officer** **Date**

**Effective Date:** December 1, 1999

## **Policy:**

MHCD believes employees should work in an environment without intimidation or threats of violence. Violent behavior is inappropriate to the workplace and will not be tolerated.

Such behaviors may include, but are not limited to, physical and/or verbal intimidating, threatening or carrying out violent conduct, vandalism, sabotage, arson, use of weapons and/or carrying weapons into MHCD property.

## **Procedure:**

Employees should immediately report any such occurrences to their supervisor or to the Director of Human Resources. MHCD will investigate all complaints. When employees are found to have engaged in improper conduct, management will take appropriate disciplinary action.

Employees should directly contact law enforcement, security and/or emergency services (including calling 911) if they believe there is an imminent threat or danger to the safety and health of themselves, co-workers, or consumers while on MHCD premises.

For further information, see **Emergency and Safety Procedures**.

## **Reference:**

OSHA does not have a specific standard for workplace violence. However, under the Occupational Safety and Health Act of 1970 (the OSH Act, or the Act), the extent of an employer's obligation to address workplace violence is governed by the General Duty Clause.

Section 5(a)(1) of the OSH Act, or P.L. 91-596 (the "General Duty Clause") provides that: "Each employer shall furnish to each of his employees employment and a place of employment which are free from recognized hazards that are causing or are likely to cause death or serious physical harm to his employees." 29 U.S.C. 654(a)(1)



# Mental Health Center of Denver

## The Mandatory Reporting of Child Abuse and Neglect in Colorado

The General Assembly of the State of Colorado enacted a child abuse bill (H.B. 1482) in the 1974 session. Another act, entitled “The Child Protection Act of 1987” contains Revised Statutes Annotated as 19-3-315.

### **A. What is the Purpose of the Act?**

1. To encourage the complete reporting of child abuse.
2. To protect the best interests of children within the State of Colorado.
3. To provide immediate protective services to prevent future harm.

### **B. What is Child Abuse under Colorado’s Child Protection Act? (19-3-303)**

“Abuse” or “child abuse or neglect” means an act or omission in one of the following categories, which threatens the health or welfare of a child:

1. Any case in which a child exhibits evidence of skin bruising, bleeding, malnutrition, failure to thrive, burns, fracture of any bone, subdural hematoma, soft tissue swelling, or death and either: Such condition or death is not justifiably explained; the history given concerning such condition is a variance with the degree or type of such condition or death; or the circumstances indicated that such condition may not be the product of an accidental occurrence;
2. Any case in which a child is subjected to sexual assault or molestation, sexual exploitation, or prostitution;
3. Any case in which a child is a child in need of services because the child’s parents, legal guardian, or custodian fails to take the same actions to provide adequate food, clothing, shelter, medical care, or supervision that a prudent parent would take. The requirements of this subparagraph shall be subject to the provisions of section 19-3-103.

In all cases, those investigating reports of child abuse shall take into account accepted child rearing practices of the culture in which the child participates. Nothing in this subsection shall refer to acts which could be construed to be a reasonable exercise of parental discipline or to acts reasonably necessary to subdue a child being taken into custody pursuant to section 19-2-201 which are performed by a peace officer, level I, as defined in section 18-1-901 (3) (1), C.R.S., action in the good faith performance of his duties.

### **C. Who Must Report the Child Abuse? (19-3-304)**

1. Physician or surgeon, including a physician in training
  2. Child Health Associate
  3. Medical Examiner or Coroner
  4. Dentist
  5. Osteopath
  6. Optometrist
  7. Chiropractor
  8. Chiropodist or Podiatrist

9. Registered Nurse or Licensed Practical Nurse
10. Hospital personnel engaged in admission, care, or treatment of patients.
11. Christian Science Practitioner
12. Public or private school official or employee
13. Social Worker or worker in family care home or child care center as defined in 26-6-102, C.R.S.
14. Mental Health Professional
15. Dental Hygienist
16. Psychologist
17. Physical Therapist
18. Veterinarian
19. Peace Officer as defined in section 18-1-901 (3) (1), C.R.S.
20. Pharmacist
21. Commercial film and photographic print processor as provided in subsection (2.5) of this section.

**D. Who May Report Child Abuse?**

Any person may and is encouraged to report child abuse under Colorado's new Child Protection Act of 1975.

**E. When Must Reports of Child Abuse be Made?**

1. Any person listed in Section C must immediately report (orally or written form) those cases in which he has reasonable cause to believe or suspect that a child has been abused. (Abuse that must be reported includes those and omissions listed in Section B)
2. Furthermore, any person who is listed in Section C must also report those circumstances or conditions he observes that would reasonably result in child abuse.

**F. What is the Effect of a Willful Failure to Report?**

Any person who is listed in Section C who willfully fails to report a case of child abuse or circumstance or conditions that would reasonably result in child abuse may:

1. Be charged in the criminal court. The penalty is a Class 2 Petty Offense.
2. Be sued in the Civil Courts for damages and injuries suffered by the child following a failure to report. Willful, used in this context, means that a person knew that this was a case of child abuse, but chose not to report.

**G. Can a Person who Report a Case of Suspected Child Abuse be Sued for Making a Good Faith Report?**

No. Any person who reports in good faith is immune from any civil criminal prosecution in the event that the report is determined to be unfounded. For the purposes of the Act, a person who reports a suspected case of child abuse is presumed to be acting in good faith. Good faith, for the purpose of this Act, means a report which is based on the honest belief by the reporter that the child has been abused or is being subjected to circumstances or conditions which would reasonably result in abuse.

**H. To Whom Are Reports of Suspected Abuse Made?**

1. Reports of suspected abuse or reports of conditions or circumstances that would reasonably result in abuse must be made to the **County Department** or local law enforcement agency. County

Department means the county or district department of social services. The local law enforcement agency means a police department in incorporated municipalities or the sheriff's office in unincorporated municipalities.

2. Reports are to be made to the County Department of the local law enforcement agency in the county in which the child and his parents reside. If the child's (and his parents') residence cannot be determined, reports may be made in the county (to the County Department or to the local law enforcement agency) in which the child was abused or is currently being treated.

## **I. What Information Should be Included in the Initial Report of Suspected Abuse?**

To the extent possible, the initial report should include:

1. The name, address, age, sex, and race of the child.
2. The name and address of the responsible person.
3. The nature and extent of the child's injuries, including any evidence of previously known or suspected abuse to the child, or the child's siblings.
4. The name and address of the person responsible for the suspected abuse or neglect.
5. The family composition.
6. The source of the report, the name, address, and the occupation of the person making the report.
7. Any action taken by the reporting source, and
8. Any other information that the person making the report believes may be helpful in furthering the purposes of the Child Protection Act.

## **J. What are the Reporting Procedures? (19-3-307)**

1. Reports of known or suspected child abuse or neglect made pursuant to this article shall be made immediately to the county department or the local enforcement agency and shall be followed promptly by a written report prepared by those person required to report. The county department shall forward a copy of its own report of confirmed child abuse or neglect within sixty days of the receipt of the report to the central registry on forms supplied by the state department.
2. Such reports, when possible, shall include the following information:
  - a. The name, address, age, sex, and race of the child
  - b. The name and address of the person responsible for the suspected abuse or neglect;
  - c. The nature and extent of the child's injuries, including any evidence of previous case of known or suspected abuse or neglect of the child or the child's sibling;
  - d. The names and addresses of the persons responsible for the suspected abuse or neglect, if known;
  - e. The family composition;
  - f. The source of the report and the name, address, and occupation of the person making the report;
  - g. Any action taken by the reporting source;
  - h. Any other information that the person making the report believes may be helpful in furthering the purposes of the part 3.
3. A copy of the report of known or suspected child abuse or neglect shall be transmitted immediately by the county department to the district attorney's office and to the local law enforcement agency.

4. A written report from persons or officials required by this part 3 to report known or suspected child abuse or neglect shall be admissible as evidence in any proceeding relating to child abuse, subject to the limitations of section 19-3-314.

**K. May Color Photographs and/or X-rays be Taken of the Child Suspected of Having Been Abused Without Parental Consent?: (19-3-306)**

Any child health associate, person licensed to practice medicine in this state, registered nurse or licensed practical nurse, hospital personnel engaged in the admission, examination, care, or treatment of patients, medical examiner, coroner, social worker, psychologist, or local law enforcement officer who has before him a child he reasonably believes has been abused or neglected may take or cause to be taken color photographs of the areas of trauma visible on the child. If medically indicated, such person may take or cause to be taken X-rays of the child.

**L. May a Child Who is Suspected of Having Been Abused be Taken into Protective Custody?**

1. Yes. If there is reason to believe that a child has been abused and if there is reason to believe that the child's return to its home would present an immediate danger to the child's life or health, that child may be placed in protective custody.
2. A County Department, a law enforcement agency, an administrator of a hospital, or a physician who has before him a child he reasonably believes may have been abused, may request such protective custody.
3. Each judicial district shall be responsible for making available in each county within its jurisdiction, a person who may authorize a verbal or written protective custody order. The person so authored to make a verbal or written protective custody order must be available at all times.
4. Person who request and persons who assume temporary custody, who act in good faith are immune from any civil and/or criminal liability.

**M. Are Privileged Communications Abrogated in Child Abuse Cases?**

Yes, in a limited sense. The privileged communications between husband and wife and between physician and patient is not a ground for excluding evidence in any judicial proceeding resulting from a report of known or suspected child abuse.

**N. In Cases of Child Abuse, Are Abused Children Provided With Their Own Spokesman?**

1. Yes. In any proceedings initiated pursuant to a report of known or suspected child abuse, the court is mandated to appoint a guardian ad litem to represent the child's interest.
2. The guardian ad litem is charged, in general, with protecting the child's interests. To that end, he must make his own independent investigation.
3. There is no requirement that the person appointed by the court to act as guardian ad litem be an attorney. Since the guardian ad litem's primary responsibility is to protect the child's interest, he should be appointed before any hearing for temporary custody.
4. In the event that a petition is filed in the Juvenile Court with juvenile jurisdiction, on behalf of the child suspected of being abused, the coordinator of the local Child Protection Team must notify the guardian ad litem, the reason for initiating the petition, suggestions for the optimum disposition,

suggested therapeutic treatment and social services which are available within that county and which would benefit the child and his family.

**O. What is the Central Registry?**

1. The central registry is an office in the State Department of Social Services, which maintains a record broken down in alphabetical and chronological order, of all reports of suspected child abuse.
2. The County Department is mandated to forward a copy of all reports of known and suspected child abuse to the central registry. Furthermore, the coordinator of the local Child Protection Team is required to complete and forward to the central registry, within 90 days of the receipt of the initial report of known or suspected child abuse, a follow-up report. The follow-up report must contain (in addition to other information requested by the central registry) any recommendation of the local Child Protection Team and all services that were offered and accepted by the family.
3. The information contained in the central registry may be utilized for the purposes of statistics, diagnosis, and prognosis of child abuse and as a case evaluative tool.
4. Persons having access to the central registry are:
  - a. A law enforcement agency or the department investigating or treating a family suspected of abuse.
  - b. A physician who has before him a child he reasonably suspects may have been abused.
  - c. An agency having legal authorization to care for, treat, or supervise a child who is the subject of a report.
  - d. A parent, guardian, legal custodian or other person who is responsible for the child's health and welfare.
  - e. A guardian ad litem, and
  - f. A court, upon its finding that such reports are necessary to determine an issue specifically before the court.

**P. What is a Child Protection Team?**

1. A Child Protection Team is a multidisciplinary team consisting where possible of:
  - a. Physician
  - b. Representative of the Juvenile Court or District with juvenile jurisdiction
  - c. Representative of a local law enforcement agency
  - d. Representative of a mental health clinic
  - e. Representative of a public health department
  - f. Representative of the County Department
  - g. An Attorney
  - h. Representative of a public school district
  - i. One or more representative of the lay community
  - j. In those counties in which there is a significant racial, ethnic, or linguistic minority, a representative of that racial, ethnic or linguistic minority shall serve as an additional lay member.

Each Child Protection Team shall have no fewer than three members and no more than nine members.

2. Child Protection Teams must be established in each county that reports more than 50 cases of child abuse (as defined in Section B) in any one year. When a county reports more than 50 cases in any one year, the County Director must inaugurate a Child Protection Team in the next following year.

Contiguous rural counties are encouraged to band together and to create their own Child Protection Team.

3. The County Department of social services or his delegate is appointed by law to serve as coordinator of the Child Protection Team (in those counties having a Child Protection Team). It is the responsibility of each coordinator to insure that all relevant data is made available to the team. The coordinator is mandated to complete within 90 days of the receipt of a report of child abuse, a follow-up report to the Central Registry, including any recommendations made by the local Child Protection Team. Furthermore, if either the county Department or the local Child Protection Team files petition to the Juvenile Court on behalf of the abused child, the coordinator is mandated to notify the court-appointed guardian ad litem in accordance with Section N(4).
4. The Child Protection Team is mandated to meet no later than one week after the initial report has been made. At the meeting, the Child Protection Team shall review all materials concerning the reported incident and any action taken by the local department. Each Child Protection Team is available for consultation on diagnosis, prognosis, and suggested treatment. If, for some reason, the Child Protection team disagrees with the disposition reached by the local department, it may file a petition on behalf of the abused child in a court of law.

**Q. What is the Child Abuse Diversion Program?**

1. The Colorado General Assembly has recognized and has noted in the Child Protection Act of 1975, that there is little value in criminally prosecuting and persecuting a parent (or other person) accused of child abuse. If child abuse is to be effectively stopped, it must be treated, and jail offers little chance of treatment.
2. The District Attorney, upon recommendation of the County Department, the local Child Protection Team, or any other person, may choose to withhold the filing of criminal charges against any person accused of child abuse. If charges are to be withheld, the person accused of child abuse must be referred to a non-judicial source of treatment.
3. The period of initial diversion and treatment is for a period not to exceed two years. If the person who is diverted from the criminal system meets the condition set forth by the District Attorney and the County Department, and if the treatment is successful, no criminal charges shall be filed. The District Attorney may extend the initial diversion period for an additional one-year period if necessary.

## **CHILDREN’S CODE: REPORTING CHILD ABUSE**

Please read the attached excerpts from the Child Abuse section of the Colorado Children’s Code:  
Keep these excerpts to refer to in the future. If you have any questions about child abuse reporting, please ask your supervisor. Sign and date this page, then return it with this application to Melanie Parker to be filed.

The information contained in this packet is not all-inclusive. The Children’s Code may be subject to further revision, and can be found at the following website: It is the responsibility of each employee/Student Placement to keep abreast of any future change.

I have read and understand the portion of the Colorado statutes referred to AST The Children’s Code – Child Abuse and I recognize that I have an obligation under the law to report child abuse or neglect. Failure to report may result in criminal prosecution and/or immediate dismissal from employment or association with the Mental Health Center of Denver.

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Signature

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Date