

Idaho

Child Abuse and Neglect

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.

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: Idaho Code § 16-1602

'Abused' means any case in which a child has been the victim of conduct or omission resulting in skin bruising, bleeding, malnutrition, burns, fracture of any bone, subdural hematoma, soft tissue swelling, failure to thrive, or death, and such condition or death is not justifiably explained; the history given concerning such condition or death is at variance with the degree or type of such condition or death; or the circumstances indicate that such condition or death may not be the product of an accidental occurrence.

Neglect

Citation: Idaho Code § 16-1602

'Neglected' means a child:

- Who is without proper parental care and control, subsistence, medical, or other care necessary for his or her well-being because of the conduct or omission of his or her parents, guardian, or other custodian, or their neglect or refusal to provide them
- Whose parents, guardian, or other custodian is unable to discharge his or her responsibilities to and for the child and, as a result of such inability, the child lacks the parental care necessary for his or her health, safety, or well-being
- Who has been placed for care or adoption in violation of the law
- Who is without proper education because of the failure to comply with § 33-202

Sexual Abuse/Exploitation Citation: Idaho Code § 16-1602

The term 'abused' applies to any case in which a child has been the victim of sexual conduct, including rape, molestation, incest, prostitution, obscene or pornographic photographing, filming or depiction for commercial purposes, or other similar forms of sexual exploitation that harms or threatens the child's health, welfare, or mental health.

Emotional Abuse

Citation: Idaho Code § 16-1602

'Mental injury' means a substantial impairment in the intellectual or psychological ability of a child to function within a normal range of performance and/or behavior, for short or long terms.

Abandonment

Citation: Idaho Code § 16-1602

'Abandoned' means the failure of the parent to maintain a normal parental relationship with his or her child, including but not limited to reasonable support or regular personal contact. Failure to maintain this relationship without just cause for a period of 1 year shall constitute *prima facie* evidence of abandonment.

Standards for Reporting

Citation: Idaho Code § 16-1605

A report is required when there is reason to believe that a child younger than age 18 has been abused, abandoned, or neglected.

Persons Responsible for the Child

Citation: Idaho Code § 16-1602

'Responsible persons' include the parent, guardian, or other custodian.

Exceptions

Citation: Idaho Code § 16-1602

No child whose parent chooses for the child treatment by prayers through spiritual means in lieu of medical treatment shall be deemed for that reason alone to be neglected. This exception shall not prevent the court from ordering emergency medical treatment when the child's life is endangered.

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: Idaho Code § 16-1605

The following persons are required to report:

- Physicians, residents on hospital staffs, interns, nurses, or coroners
- Teachers or daycare personnel
- Social workers or law enforcement personnel
- Other persons

Reporting by Other Persons

Citation: Idaho Code § 16-1605

Any person who has reason to believe that a child has been abused, abandoned, or neglected is required to report.

Standards for Making a Report

Citation: Idaho Code § 16-1605

A report is required when:

- A person has reason to believe that a child has been abused, abandoned, or neglected.
- A person observes a child being subjected to conditions or circumstances that would reasonably result in abuse, abandonment, or neglect.

Privileged Communications

Citation: Idaho Code §§ 16-1605; 16-1606

Any privilege between a husband and wife and any professional and client, except for the clergy-penitent or attorney-client privilege, shall not be grounds for failure to report.

Any privilege between husband and wife, or between any professional person--except the lawyer-client privilege and including, but not limited to, physicians, counselors, hospitals, clinics, daycare centers, and schools--and their clients shall not be grounds for excluding evidence at any proceeding regarding the abuse, abandonment, or neglect of the child or the cause thereof.

Inclusion of Reporter's Name in Report

Not addressed in statutes reviewed.

Disclosure of Reporter Identity

Not addressed in statutes reviewed.