**MANDATED REPORTING & DUTY TO PROTECT**
**For Interns & Supervisors in Michigan Behavioral Health Settings**

**✅ 1. CHILD ABUSE & NEGLECT (CHILD PROTECTION LAW - MCL 722.621–638)**

**Who Must Report:**

* Licensed professionals (LMSW, LLMSW, LPC, psychologists, teachers, physicians, nurses, etc.)
* *Interns are not legally mandated*, but must **immediately report concerns to their clinical supervisor**, who is responsible for making the report.

**When to Report:**

* When there is "**reasonable cause to suspect**" child abuse or neglect (under age 18)
* You do **not** need proof—only reasonable suspicion based on observation, disclosure, or credible concern.

**How to Report:**

1. **Immediately call or report online** to MDHHS Centralized Intake:
	* **Phone:** (855) 444-3911
	* **Online:** newmibridges.michigan.gov
2. **Within 72 hours** of a phone call, submit written **DHS-3200 Form**.

**Legal Protection:**

* Good faith reporters are **immune from liability**.
* Failure to report is a **misdemeanor**: up to 93 days in jail and/or $500 fine.

**Confidentiality:**

* The reporter's identity is protected except by court order.

**🔒 2. DUTY TO PROTECT OTHERS (MICHIGAN MENTAL HEALTH CODE - MCL 330.1946)**

**When Required:**

* A client makes a **specific threat of physical violence** against an **identifiable person**, and
* The clinician believes the client has the **intent and ability** to carry it out.

**What to Do:**

* Initiate hospitalization (voluntary or involuntary)
* Notify law enforcement and/or the potential victim
* Take **reasonable steps** to prevent harm

**No duty to warn** if threat is vague, lacks intent, or has no identifiable victim.

**Also, third party reports are considered hearsay** and do not elevate to the level of mandated reporting. In the case where a person tells you that someone said something to them or about another person, this is not your responsibility. This person can speak to law enforcement if they still have concerns about the situation.

**🚨 3. DUTY TO ACT ON IMMINENT RISK OF SELF-HARM**

**When Action Is Needed:**

* A client poses a **serious and imminent** risk to their own safety

**Clinician May:**

* Create a safety plan
* Contact emergency services
* Facilitate voluntary or involuntary hospitalization (MCL 330.1401)

**Note:** HIPAA permits breaking confidentiality to prevent serious harm (45 CFR § 164.512(j)).

**🚶️ 4. VULNERABLE ADULTS (MCL 400.11a–11f)**

**Who Is Covered:**

* Adults 18+ who require supervision due to age, disability, or condition

**Who Must Report:**

* Mandated professionals, including social workers

**How to Report:**

* Call **(855) 444-3911** (same as child abuse)

**🔢 SUMMARY TABLE**

|  |  |  |  |
| --- | --- | --- | --- |
| **Scenario** | **Mandated to Report?** | **Report To** | **Timeframe** |
| Suspected child abuse/neglect | Yes | MDHHS | Immediate + 72 hr form |
| Abuse of vulnerable adult | Yes | MDHHS | Immediately |
| Imminent threat to others | Yes (if criteria met) | Police and/or victim | Immediately |
| Imminent threat to self | Clinical duty to act | Hospital, police, crisis team | Immediately |
| Intern observes concern | Report to supervisor | Supervisor = legal reporter | Immediately |

**\*\*When in doubt, consult your supervisor and be sure to thoroughly document your decision-making process.**