

# **Frequently Asked Questions**

## **Act 31 – Child Abuse Recognition and Reporting Requirements**

### **1. What is Act 31 and who is required to comply with the new law?**

Act 31 of 2014 states that the Bureau of Professional and Occupational Affairs (BPOA), in conjunction with the Department of Human Services (DHS) is required to ensure that all persons applying for issuance of an initial license as a health-related licensee or funeral director (mandatory reporters under section 6311 of the Child Protective Services Law (CPSL) (23 P.S. § 6311)) shall be required to complete 3 hours of DHS-approved training in child abuse recognition and reporting requirements as a condition of licensure.

Additionally, effective with the first license renewal after January 1, 2015, all health related licensees and funeral directors applying for the renewal of a license issued by the Board are required to complete at least 2 hours of Board-approved continuing education in child abuse recognition and reporting requirements as a condition of renewal.

Act 31 applies to all health-related licensees (except for licensees of the State Board of Veterinary Medicine), regardless of whether they are subject to the continuing education requirements of the applicable Board. For example, although licensed practical nurses have no independent continuing education requirement at this time, they are required to complete the Act 31 continuing education in child abuse recognition and reporting requirements.

### **2. Where can I obtain a copy of Act 31?**

Act 31 may be viewed at the following link:

<http://www.legis.state.pa.us/cfdocs/Legis/LI/uconsCheck.cfm?txtType=HTM&yr=2014&sessInd=0&smthLwInd=0&act=31>

### **3. Where do I find Act 31 approved training from the Department of Human Service (DHS - formerly Department of Public Welfare) and/or the Department of State?**

A complete list of DOS approved providers can be found on our website at the link entitled, “Mandated Child Abuse Reporter Training Under Act 31.” As additional providers are approved, the Board will update this information at [www.dos.pa.gov](http://www.dos.pa.gov).

A complete list of DHS approved providers can be found on their website <http://keepkidssafe.pa.gov> at the link entitled, “Training for Mandated Reporters.”

The Board has also been informed that the Department of Human Services, in conjunction with University of Pittsburgh and the Pennsylvania Child Welfare Resource Center has developed a 3-hour online training program which is offered free of charge to assist individuals in complying with the training requirements under Act 31.

More information on this subject can be found on the Department of Human Services website at: <http://keepkidssafe.pa.gov> and the Department of State’s website at [www.dos.pa.gov](http://www.dos.pa.gov).

### **4. How do I become an approved training provider by the Department of Human Services (DHS)?**

The procedures to submit a course for DHS approval is set forth in the document entitled “[Submission Procedure to the Department of Human Services Regarding Course Approval for Child Abuse Recognition and Reporting Training for Mandated Reporters](#).” More information regarding DHS’s requirements for approved courses is found in the document entitled “[Department of Human Services Course Approval Outline for Child Abuse Recognition and Reporting Training for Mandated Reporters](#).”

### **5. How do I become an approved training provider by the Department of State (DOS)?**

Those organizations, entities and individuals that are seeking “Board approval” must submit the required course materials to both DHS and the Department of State’s Bureau of Professional and Occupational Affairs as set forth in the attached “[Submission Procedures](#).” Board approved course providers will be provided a secure sFTP site through which to submit attendance/participation records electronically. Thus, the ability to report attendance/participation electronically is a condition of Board approval.

For more information regarding the electronic reporting requirement see the attachment entitled "[Pennsylvania Department of State \(DOS\) Child Abuse Training Vendor Process](#)" and the attached Excel [spreadsheet](#). Technical assistance related to the use of the sFTP site or the DOS standards for submission of the electronic data, applicants may contact the DOS help desk at [st-mylicense-helpdesk@state.pa.us](mailto:st-mylicense-helpdesk@state.pa.us).

**6. How do I determine if a child abuse recognition and reporting course has been approved?**

As courses are approved by the Department of Human Services and/or the Department of State, these courses will be listed on the respective Board website. Unless a course is listed as approved by one or both of these agencies, the course will not be considered acceptable to meet the requirements for initial licensure or renewal.

**7. How many hours of child abuse recognition and reporting training do I need to obtain "initial licensure" from the Department of State?**

Under Act 31, effective January 1, 2015, applicants for licensure by any of the health-related licensure boards and the State Board of Funeral Directors must demonstrate that they have completed 3 hours of DHS-approved training in child abuse recognition and reporting. It is this pre-licensure training that requires only DHS approval. No approval by the Department of State or any of its licensing boards under the Bureau of Professional and Occupational Affairs is required. However, the Bureau has also approved a majority of these courses as well. Applicants will be required to produce documentation evidencing completion of the training as a condition of licensure for any course that has not been approved by the Bureau and for which the .

**8. How many hours of child abuse recognition and reporting continuing education do I need to "renew" or "reactivate" my license with the Department of State?**

Under Act 31 current licensees of the health-related boards and the State Board of Funeral Directors must complete 2 hours of Board-approved continuing education in child abuse recognition and reporting as a condition of renewal of a license after December 31, 2014. The Department of State will accept at least 2 hours of Department of Human Services (DHS) approved training to meet this requirement, as well.

**9. Can I "renew" or "reactivate" my license if I have not completed the required child abuse continuing education?**

No – Until electronic verification is received from the approved course provider and processed by the Department of State to verify that the licensee is in compliance and has completed the 2 hours of DHS/DOS approved child abuse recognition and reporting continuing education, the licensee will not be permitted to renew their license.

**10. Must I complete the child abuse recognition and reporting continuing education every time I renew my license?**

Yes. As a condition of renewal, you must complete 2 hours of Department of State/Board approved continuing education in child abuse recognition and reporting within the required renewal period (24 month period).

**11. Does the 2 hours of child abuse recognition and reporting continuing education have to be completed within the biennial renewal period for which my current license was issued in order to renew the license for the next biennial renewal period?**

Yes. For example, if your license expires on December 31, 2016, you will be required to complete 2 hours of child abuse recognition and reporting continuing education between the two year biennial period for your active license (January 1, 2015 and December 31, 2016).

**12. Are the 2 hours of child abuse recognition and reporting continuing education required in addition to the Board's own continuing education hours or can they be included as part of the Board's total hours required to renew?**

The 2 hours of child abuse recognition and reporting continuing education hours can be part of the total hours required to renew your license. For example: If you are required to complete 100 hours of continuing education in order to renew your license, do you not need to complete 102 hours in order to renew.

However, you cannot substitute the 2 hours of child abuse recognition and reporting continuing education hours for any Board specific continuing education (i.e., ethics, public health, etc.)

**13. Will the 2 hour child abuse recognition and reporting continuing education count towards my Board required biennial renewal continuing education requirements?**

Yes. For example: If you are required to complete 30 hours of Board approved/required continuing education in order to renew your license, the 2 hours of child abuse recognition and reporting will count towards the total 30 hours required to renew your license. However, if you take a 3 hour DHS approved course, the additional 1 hour may or may not be applied towards the 30 hours of Board required continuing education needed to renew/reactivate your license (check with the appropriate board) and cannot be carried over into the next renewal period to meet the child abuse recognition and reporting requirement for that renewal period.

**14. Currently I do not need to complete any Board required continuing education to renew my license. Do I need to complete the requirements under Act 31?**

Act 31 (for both initial licensure and renewal) applies to all health-related licensees and funeral directors, regardless of whether they are subject to the continuing education requirements of their applicable board. Initial licenses will not be issued and a license will not be renewed until the requirements under Act 31 have been met.

**15. In the practice of my profession, I do not come into contact with children. Do I need to complete this training to obtain a license, reactivate or renew my license?**

Yes. The new law applies to all health-related licensees and funeral directors, regardless of whether they feel that they come into contact with children in their profession or not. Applicants and licensees must still complete the requirements under Act 31. Requests for this type of exemption will not be considered a valid reason for exemption.

**16. Can I request an exemption from being required to complete this training/continuing education requirement?**

You can submit an exemption request to the Board; however, prior to submitting a request for an exemption, please review the exemption criteria on the form carefully to determine whether or not you meet the specific criteria that would make you eligible for an exemption. Very few licensees meet the exemption criteria.