

SHB 1098 - H AMD 82

By Representative Walsh

1 On page 6, line 16, after "practitioner," strike "member of the
2 clergy,"

3
4 On page 8, line 17, after "(g)" insert "(i) The reporting
5 requirement in (a) of this subsection also applies to members of the
6 clergy, except with regard to information that a member of the
7 clergy obtains in the member's professional character as a religious
8 or spiritual advisor when the information is obtained solely as a
9 result of a confession made pursuant to the clergy-penitent
10 privilege as provided in RCW 5.60.060(3), and the member of the
11 clergy is authorized to hear such confession, and has a duty under
12 the discipline, tenets, doctrine, or custom of the member's church,
13 religious denomination, religious body, spiritual community, or sect
14 to keep the confession secret. The clergy-penitent privilege does
15 not apply and the member of the clergy shall report child abuse or
16 neglect if the member of the clergy has received the information
17 from any source other than from a confession.

18 (ii) Nothing in this subsection (1)(g) limits a member of the
19 clergy's duty to report child abuse or neglect when the member of
20 the clergy is acting in some other capacity that would otherwise
21 require them to make a report.

22 (h)"

EFFECT: Makes the following changes to the underlying bill:

(1) Allows members of the clergy to not report child abuse or neglect if the information is obtained in the clergy member's professional character as a religious or spiritual advisor when the information is obtained solely as a result of a confession made under clergy-penitent privilege, and the clergy member is authorized

to hear the confession and has a duty under the doctrine or custom of the clergy member's church to keep the confession secret.
(2) Requires that a member of the clergy report child abuse or neglect if the clergy member has received the information from any source other than a confession.

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