

Statutory Notes and Related Subsidiaries**CHANGE OF NAME**

Committee on Education and Labor of House of Representatives changed to Committee on Education and the Workforce of House of Representatives by House Resolution No. 5, One Hundred Eighteenth Congress, Jan. 9, 2023.

§ 5106f-1. Report concerning voluntary reporting system

Not later than April 30, 1993, and annually thereafter, the Secretary of Health and Human Services, acting through the Director of the National Center on Child Abuse and Neglect, shall prepare and submit to the appropriate committees of Congress a report concerning the measures being taken to assist States in implementing a voluntary reporting system for child abuse and neglect. Such reports shall contain information concerning the extent to which the child abuse and neglect reporting systems developed by the States are coordinated with the automated foster care and adoption reporting system required under section 679 of this title.

(Pub. L. 102-295, title I, § 142, May 28, 1992, 106 Stat. 200.)

Editorial Notes**CODIFICATION**

Section was enacted as part of the Child Abuse, Domestic Violence, Adoption and Family Services Act of 1992, and not as part of title I of the Child Abuse Prevention and Treatment Act which comprises this subchapter.

§ 5106g. Definitions**(a) Definitions**

For purposes of this subchapter—

(1) the term “Alaska Native” has the meaning given the term “Native” in section 1602 of title 43;

(2) the term “infant or toddler with a disability” has the meaning given the term in section 1432 of title 20;

(3) the term “Native Hawaiian” has the meaning given the term in section 7517 of title 20;

(4) the term “sexual abuse” includes—

(A) the employment, use, persuasion, inducement, enticement, or coercion of any child to engage in, or assist any other person to engage in, any sexually explicit conduct or simulation of such conduct for the purpose of producing a visual depiction of such conduct; or

(B) the rape, and in cases of caretaker or inter-familial relationships, statutory rape, molestation, prostitution, or other form of sexual exploitation of children, or incest with children; and

(5) the term “withholding of medically indicated treatment” means the failure to respond to the infant’s life-threatening conditions by providing treatment (including appropriate nutrition, hydration, and medication) which, in the treating physician’s or physicians’ reasonable medical judgment, will be most likely to be effective in ameliorating or correcting

all such conditions, except that the term does not include the failure to provide treatment (other than appropriate nutrition, hydration, or medication) to an infant when, in the treating physician’s or physicians’ reasonable medical judgment—

(A) the infant is chronically and irreversibly comatose;

(B) the provision of such treatment would—

(i) merely prolong dying;

(ii) not be effective in ameliorating or correcting all of the infant’s life-threatening conditions; or

(iii) otherwise be futile in terms of the survival of the infant; or

(C) the provision of such treatment would be virtually futile in terms of the survival of the infant and the treatment itself under such circumstances would be inhumane.

(b) Special rule**(1) In general**

For purposes of section 3(2)¹ and subsection (a)(4), a child shall be considered a victim of “child abuse and neglect” and of “sexual abuse” if the child is identified, by a State or local agency employee of the State or locality involved, as being a victim of human trafficking.

(2) State option

Notwithstanding the definition of “child” in section 3(1),¹ a State may elect to define that term for purposes of the application of paragraph (1) to section 3(2)¹ and subsection (a)(4) as a person who has not attained the age of 24.

(Pub. L. 93-247, title I, § 111, formerly § 14, as added Pub. L. 100-294, title I, § 101, Apr. 25, 1988, 102 Stat. 116; renumbered title I, § 113, and amended Pub. L. 101-126, § 3(a)(1), (2), (b)(7), Oct. 25, 1989, 103 Stat. 764, 765; renumbered § 111 and amended Pub. L. 104-235, title I, §§ 110, 113(a)(1)(B), Oct. 3, 1996, 110 Stat. 3078, 3079; Pub. L. 111-320, title I, §§ 119, 142(b), Dec. 20, 2010, 124 Stat. 3477, 3483; Pub. L. 114-22, title VIII, § 802(c)(1), (3), May 29, 2015, 129 Stat. 264; Pub. L. 114-95, title IX, § 9215(o), Dec. 10, 2015, 129 Stat. 2170; Pub. L. 117-348, title I, § 133, Jan. 5, 2023, 136 Stat. 6221.)

Editorial Notes**REFERENCES IN TEXT**

Section 3, referred to in subsec. (b), means section 3 of Pub. L. 93-247, which is set out as a Definitions note under section 5101 of this title.

PRIOR PROVISIONS

A prior section 111 of Pub. L. 93-247 was renumbered section 109 and is classified to section 5106e of this title.

AMENDMENTS

2023—Subsec. (b)(1). Pub. L. 117-348 substituted “a victim of ‘child abuse and neglect’ and of ‘sexual abuse’ if the child is identified, by a State or local agency employee of the State or locality involved, as being a victim of human trafficking.” for “a victim of ‘child abuse and neglect’ and of ‘sexual abuse’ if the child is identified, by a State or local agency employee of the State

¹ See References in Text note below.