

MR-02

Children: Maltreatment Reporting under Chapter 260E

Participant Guide

72-Hour Maltreatment Reporting · Audience: DSPs · PCAs · CNAs · HHAs · 245D Direct Support Staff · CE Hours: 0.5

Maltreatment Reporting for Children under Chapter 260E

Minn. Stat. 245D.09, subd. 4(5), requires your orientation to cover maltreatment reporting for children as well as vulnerable adults. Chapter 260E governs the maltreatment of minors, and it differs from the Vulnerable Adults Act in ways that matter when you are the one making the call — including where the report goes, and a written follow-up the adult process does not require.

Learning Objectives — by the end of this module you will be able to:

- Explain why staff in adult programs are mandated reporters for children
- List the categories of maltreatment under Minn. Stat. Chapter 260E
- Route a child report correctly — licensed facility versus other settings
- Describe the immediate oral report and the 72-hour written follow-up
- Recognize threatened injury and mental injury, and know both are reportable

Section 1: Why This Applies to You

Two reasons this applies to you. First, the statute says so: Minn. Stat. 245D.09, subd. 4(5), names Chapter 260E in your required orientation topics. Second, and more practically, children are present in the settings you work in — a client's grandchild, a neighbor's child — and 245D services themselves can be provided to people under 18. Your duty as a mandated reporter is not limited to the adults on your caseload.

Section 2: Minor or Vulnerable Adult? The Age Line

The line is age 18. Under 18, Chapter 260E applies. Eighteen and over, if the person meets the vulnerable adult definition from MR-01, the Vulnerable Adults Act applies. Both statutes require promptness, and delay is the thing neither of them forgives.

Genuinely unsure of someone's age?

Report through both routes rather than delaying while you find out.

Section 3: The Eight Categories of Maltreatment

Minn. Stat. 260E.03, subd. 12, defines eight categories of maltreatment: egregious harm, neglect, physical abuse, sexual abuse, substantial child endangerment, threatened injury, mental injury, and maltreatment of a child in a facility — the one most likely to concern a licensed program. You are not expected to categorize correctly before you report. You are expected to recognize that something you have seen may fall into one of these, and to report it.

Section 4: Two Categories People Miss

Threatened injury (Minn. Stat. 260E.03, subd. 23) is a statement, an overt act, a condition, or a status that represents a substantial risk of physical or sexual abuse or mental injury. Note what it does not require: a pattern, a repeat, or any harm having happened yet — a single statement or condition can be enough.

Mental injury (Minn. Stat. 260E.03, subd. 13) is an injury to a child's psychological capacity or emotional stability, shown by an observable or substantial impairment in their ability to function within a normal range. Harm that leaves no mark is still harm, and it is still reportable.

Section 5: Sexual Abuse — What the Statute Actually Says

The statutory definition of sexual abuse is narrower and more technical than people assume. Minn. Stat. 260E.03, subd. 20, ties it to the relationship of the person involved — someone responsible for the child's care, someone with a significant relationship to them, or someone in a current or recent position of authority — and to acts that violate Minnesota's criminal sexual conduct statutes.

You are not asked to apply this test

Applying the statutory test is the investigator's job. You are asked to report what you reasonably suspect, and let the people whose job it is decide.

Section 6: Where the Report Goes

Minn. Stat. 260E.11, subd. 1, says that a mandated reporter who suspects child maltreatment occurring inside a licensed facility reports to the agency responsible for licensing that facility — and Chapter 245D is named in that list. For a program licensed by the Department of Human Services, that is DHS Licensing maltreatment intake: 651-431-6600. For maltreatment anywhere else — in a family, in the community — you report to the local welfare agency, the police department, or the county sheriff where the child lives.

Do not call MAARC for a child

MAARC is the common entry point for vulnerable adults, not for children. Getting this routing wrong sends a report nowhere.

Section 7: Timing — Oral, Then Written

Chapter 260E defines immediately the same way the adult statute does: as soon as possible, and in no event longer than 24 hours (Minn. Stat. 260E.03, subd. 9). That is the oral report. Chapter 260E then adds something the adult process does not have: a written report, submitted within 72 hours of the oral report, excluding weekends and holidays. If you make a report about a child, ask your supervisor about the written follow-up — it is a legal requirement, not paperwork.

Section 8: What to Include

A child report contains the child's identity and where they can be found; who you believe caused the maltreatment, if known; the nature and extent of what happened; any prior incidents you are aware of; and your name and contact details. As with adults: facts, not conclusions. Report what you saw, heard, or were told.

Vulnerable Adults and Minors, Side by Side

Topic	Vulnerable adult (626.557)	Minor (Chapter 260E)
Report to	MAARC — 1-844-880-1574	In a licensed program: the licensing agency (DHS 651-431-6600). Elsewhere: county welfare, police, or sheriff.

Topic	Vulnerable adult (626.557)	Minor (Chapter 260E)
Timing	Immediate — outer limit 24 hours	Immediate oral (24-hour outer limit), plus a written report within 72 hours
Written follow-up	Not required of you	Required, within 72 hours of the oral report
Internal reporting	May satisfy the duty, if your agency's procedure qualifies	Not a substitute — report as described above

Section 9: The Same Protections Apply

Everything you learned in MR-01 about your position still holds. Report in good faith and you are protected from retaliation. You report suspicion, not proof — you do not investigate, confront, or gather evidence. And failing to report as the law requires carries consequences here too. The law asks the same thing of you for a child as for an adult; it just asks you to call a different number.

Key Terms

Term	What it means
Minor	Anyone under 18. Chapter 260E applies instead of the Vulnerable Adults Act.
Threatened injury	A statement, act, condition, or status representing a substantial risk of abuse or mental injury — no pattern or actual harm required.
Mental injury	Observable or substantial impairment of a child's psychological capacity or emotional stability.
DHS Licensing maltreatment intake	651-431-6600 — for maltreatment inside a DHS-licensed program, including 245D.
Written follow-up	A written report within 72 hours of the oral report, required under Chapter 260E and not under the adult process.

Check Your Understanding

1. Why does child maltreatment reporting apply to staff in an adult 245D program?
2. You suspect a child has been maltreated inside your DHS-licensed 245D program. Who do you report to?
3. You suspect a child is being maltreated at home, unconnected to any licensed program. Who do you report to?
4. How many categories of maltreatment does Chapter 260E define?

What's Next

Looking ahead

Next, MR-03: Abuse Prevention Plans — the APP and the IAPP covers the facility-wide and individual plans your license requires.

Legal References

Minn. Stat. Chapter 260E, incl. 260E.03 subd. 9, 12, 20, 22, 23; 260E.09; 260E.11 subd. 1; Minn. Stat. 245D.09 subd. 4(5); MN DHS Licensing Division maltreatment intake, 651-431-6600.

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