

Chapter 10 – Programs, Boards, and Councils: Operation and Administration

Subchapter 29

135:10-29-1. Authority and Purpose

The Board of Child Abuse Examination (“BCAE”) was created by 10 O.S § 601.30 under the umbrella of the Oklahoma Commission on Children and Youth (OCCY) for the purpose of establishing a statewide system to provide expert medical evaluation for children suspected to be the victims of child abuse and neglect. The rules in this subchapter were prepared by the BCAE, as authorized by 10 O.S. § 601.31(B)(1), and approved by OCCY, as authorized by 10 O.S § 601.31(A).

135:10-29-2. Licensure and Training

(a) To be eligible for inclusion on OCCY’s statewide statutorily authorized list of trained Child Abuse Examiners, a person must have a valid, unrestricted Oklahoma license to practice as a medical doctor, doctor of osteopathic medicine, physician assistant, advanced practice registered nurse, or registered nurse certified as a pediatric sexual assault nurse examiner, and meet the requirements set forth in this subchapter. Child abuse examiners who fail to demonstrate that they are in compliance with these requirements may be removed from the list.

(b) Within the first year of inclusion on the list, persons who are licensed as physicians, nurse practitioners and physician assistants must obtain at least twenty (20) hours of training regarding child abuse and provide proof of training to the BCAE. The training must include medical evaluation of physical abuse, sexual abuse, abusive head trauma, child neglect, medical neglect, and Munchausen Syndrome by Proxy. The training must also include the effects of domestic violence and substance abuse on children.

(c) Persons who are board certified or eligible for board certification as child abuse pediatricians and other medical providers listed in subsection (a) who have previously been established as child abuse examiners with a multidisciplinary team or Children’s Advocacy Center at the time of the establishment of these rules are not required to provide proof of the twenty (20) hours of training set forth in subsection (b).

(d) All child abuse examiners must receive eight (8) hours of continuing child abuse education every two (2) years and must also maintain licensure and certification in good standing with their respective licensing board or agency.

(e) Persons who are sexual assault nurse examiners, but not nurse practitioners, must have a pediatric sexual assault nurse examiner certificate and may only provide evaluation of sexual abuse. Sexual assault nurses shall refer patients to an appropriate medical provider for medical services other than sexual abuse evaluation.

135:10-29-3. Duties and Responsibilities

(a) Child abuse examiners will provide medical evaluations in a timely manner to determine if child maltreatment has occurred.

(b) Medicine is one of the core disciplines represented on each multidisciplinary team in Oklahoma. Child abuse examiners serving on a child abuse multidisciplinary team may identify the need for medical evaluation, conduct the evaluation, and provide results and explanation of a medical evaluation performed by themselves and other medical providers to the team, in order to

inform the investigation and care of children who are suspected victims of child abuse and neglect. Participation in the child abuse multidisciplinary team is strongly encouraged.

(c) Child maltreatment must be reported to the Oklahoma Human Services Child Abuse Hotline and appropriate law enforcement agencies when needed.

(d) Child abuse examiners shall maintain confidentiality of examinations, records, and findings except where disclosure is authorized by 10A O.S. § 1-2-105(C)(1).

(e) Child abuse examiners may share all evaluations and associated records with the Child Death Review Board pursuant to 10 O.S. § 1150.2(B)(8).

135:10-29-4. Standards for Medical Examinations and Evaluations

(a) Evaluations of children, in which child abuse is suspected, should be completed as soon as possible with specific timing determined by the circumstances of each situation.

(b) The medical evaluation shall include the procedures determined by the child abuse examiner as necessary to determine whether child abuse or neglect has occurred.

(c) A legible report regarding each evaluation will be prepared according to medical standards.

(d) Photographic or video documentation should be obtained as needed for documentation of injuries. The child abuse examiner will ensure this documentation is completed. It may be performed by the child abuse examiner or others.

(e) The Child Abuse Examiner shall provide the child abuse medical evaluation report to all appropriate agencies.