

PRIVACY RIGHTS IN CHILD NEGLECT AND ABUSE CASES

Wisconsin and federal laws protect the privacy of personal information such as the following:

- Medical
- Mental Health
- Substance Use Disorder/Alcohol and Drug Abuse
- Education
- Other Personal Information

However, in Children in Need of Protection or Services (CHIPS) proceedings, privacy rights are limited to permit the investigation of reports of neglect and abuse of children.

If you have questions, you may contact an attorney or call the county department of human/social services: <https://dcf.wisconsin.gov/reportabuse>

The information contained this document should not be considered legal advice.

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REPORTING INFORMATION ABOUT ABUSE OR NEGLECT OF A CHILD

Usually parents/guardians of minor children must agree in writing to the sharing of personal information about themselves and their children.

However, a Wisconsin law requires doctors, nurses, teachers, social workers, counselors, and others to make a report when they think a child is being or may be harmed.

They report the information to the police, sheriff, or a county social services agency.

They do not need permission from the parent/guardian to make a report.

CHECKING INTO REPORTS

A social worker from a county agency may talk to individuals who have information about the parent/guardian and the child without the permission of the parent/guardian.

Also, the worker can obtain some written medical, mental health, and other personal information without the permission of the parent/guardian.

The worker decides if the report seems to be true or not. If the report seems to be true, the worker may file a CHIPS petition with the court.

RELEASE OF INFORMATION

Privacy laws continue to protect some personal information related to a CHIPS case.

The social worker or someone else involved in the CHIPS case may ask a parent/guardian to sign a form called a release, informed consent, or authorization.

The form allows the person asking the parent/guardian to sign the form to give or get personal information about the parent and/or the child.

A parent should ask what information the form will allow the person to give or get.

DECISION TO SIGN OR NOT SIGN A RELEASE OF INFORMATION

No one can force a parent/guardian to sign a form that allows another person to give and/or get personal information.

Information gathered may help show that the parent/guardian has not harmed the child.

Also, information gathered may be used in a case against the parent/guardian.

A parent/guardian should not sign a form if she or he does not understand all parts of the form. A parent/guardian has the right to ask questions and get answers before signing any form.