

Appendix M

State Law Definitions of Child Neglect¹

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Multi-State Overview – Child Neglect Definitions

This document provides a chart of state law definitions of child neglect and summarizes the common themes in state definitions of child neglect. Some states define child neglect in more than one statute. We developed the list below to help courts identify when other states have statutory language similar to their state statute. When state statutes are similar, case law in one jurisdiction can provide persuasive authority interpreting the statute that may be useful to state courts in a wide range of family court proceedings. The information contained in this document will also be helpful to state court judges issuing findings that immigrant children need as a prerequisite to filing for Special Immigrant Juvenile Status. Any state law definition of child neglect can apply in any state court proceeding for purposes of issuing the required SIJS findings.

The first section of this document highlights the common themes in state laws defining child neglect and lists which states define which actions or failures to act as constituting child neglect under state law. The themes commonly consistent among state statutes defining neglect are:

- Failure to meet the child’s basic needs;
- Abuse, harm or failure to prevent harm to a child;
- Abandonment of a child
- Failure to discharge responsibilities to care for a child
- Exposure to drugs at or before birth

Failure to Meet Child’s Basic Needs:

States that define neglect as failure to provide adequate food, clothing, shelter, health care, education or supervision:

- **Failure to provide necessary care and maintenance necessary for the child’s emotional, physical, or mental health and general wellbeing**– Arkansas, Colorado, Connecticut, Delaware, Florida, Hawaii, Louisiana, Nevada, Ohio, Wyoming
- **Failure to provide clothing or shelter** – Alabama, Alaska, Arizona, Arkansas, Delaware, Florida, Hawaii, Illinois, Indiana, Kansas, Louisiana, Michigan, Minnesota, New Jersey, New York, Oklahoma, Rhode Island, South Carolina, Texas
- **Failure to provide adequate food** – Alabama, Alaska, Arizona, California, Delaware, Florida, Hawaii, Illinois, Indiana, Kansas, Louisiana, Michigan, Minnesota, New Jersey, New York, Oklahoma, Rhode Island, South Carolina, Texas,

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² Reports are labeled with the date of last update. If you reach a conclusion that conflicts with the material herein, you can contribute to our knowledge by sending an email to info@niwap.org.

- **Failure to provide medical care** – Alabama, Alaska, Arizona, Arkansas, California, Colorado, Delaware, Florida, Hawaii, Idaho, Indiana, Michigan, Minnesota, Nevada, New Jersey, New Mexico, New York, Ohio, Rhode Island, Tennessee, Texas, Wyoming
- **Failure to provide education** – Alabama, Alaska, Arkansas, California, Colorado, Delaware, D.C., Idaho, Indiana, Kansas, Nevada, New Jersey, New Mexico, New York, North Dakota, Ohio, South Carolina, Wyoming
- **Lack of supervision** – Alabama, Arizona, Arkansas, California, Florida, Hawaii, Indiana, Minnesota, New York, Tennessee, Wyoming

Abuse or Failure to Prevent Abuse of a Child

States that define child neglect as failure to prevent physical injury, mental injury, sexual exploitation, or sexual abuse of a child or child maltreatment

- **Acts or omissions which causes physical or mental injury-** Alaska, Florida, Hawaii, Iowa, Kansas, South Carolina
- **Failure to prevent or take reasonable action to protect the child from sexual abuse (by parent or failure to prevent the abuse)** – Alaska, Arizona, Arkansas, New Mexico, Oklahoma, South Carolina, Texas
- **Failure to prevent abuse:** D.C., Florida, Hawaii
- **Any maltreatment of the child** – Alabama, Alaska, Arkansas

Abandonment of a Child is Child Neglect Under State Law

- **Abandoned** – Arkansas, Colorado, Connecticut, Illinois, Montana, New Hampshire, New Mexico, New York, Ohio, Oklahoma, Rhode Island
- **A child without a parent** - Tennessee, Texas
- **Placement for care or adoption in violation of the law** – Idaho, New Mexico

Failure to Discharge Responsibilities to Care for the Child

- **Lack of parental care because of incarceration, mental incapacity, hospitalization, or other physical incapacity** – Colorado, Connecticut, D.C, Idaho, Maryland, Nevada, New Hampshire, New Mexico, North Dakota, Ohio
- **Failure of parent, custodian or guardian to discharge responsibilities due to**
 - **Incarceration** – D.C., New Hampshire, New Mexico
 - **Hospitalization** – D.C., New Hampshire, New Mexico
 - **Mental or physical incapacity** – D.C., New Hampshire, New Mexico

Exposure to Drugs At or Before Birth

- **Prenatal exposure to drugs or at birth-** Arizona, Arkansas, Colorado, D.C.

Placing a child in environment injurious to his/her welfare

- **Environment injurious to welfare of the child** – Colorado, Illinois

State	Text of the Statutes
<i>Alabama</i>	<p>Child Abuse and Neglect Prevention - Ala. Code § 26-16-2(6)</p> <ul style="list-style-type: none"> • Neglect. Harm to a child's health or welfare by a person responsible for the child's health or welfare which occurs through negligent treatment, including the failure to provide adequate food, clothing, shelter, or medical care <p>Infants and Incompetents-> Reporting of Child Abuse or Neglect - Ala. Code § 26-14-1(2)</p> <ul style="list-style-type: none"> • Negligent treatment or maltreatment of a child, including the failure to provide adequate food, medical treatment, supervision, clothing, or shelter. <p>Termination of Parental Rights - Ala. Code § 12-15-301</p> <ul style="list-style-type: none"> • Negligent treatment or maltreatment of a child, including, but not limited to, the failure to provide adequate food, medical treatment, supervision, education, clothing, or shelter.
<i>Alaska</i>	<p>Welfare, Social Services, and Institutions - Alaska Stat. § 47.10.014</p> <ul style="list-style-type: none"> • The court may find neglect of a child if the parent, guardian, or custodian fails to provide the child with adequate food, clothing, shelter, education, medical attention, or other care and control necessary for the child's physical and mental health and development, though financially able to do so or offered financial or other reasonable means to do so. <p>Welfare, Social Services, and Institutions->Child Protection – Alaska Stat. § 47.17.290</p> <ul style="list-style-type: none"> • “child abuse or neglect” means the physical injury or neglect, mental injury, sexual abuse, sexual exploitation, or maltreatment of a child under the age of 18 by a person under circumstances that indicate that the child's health or welfare is harmed or threatened thereby; in this paragraph, “mental injury” means an injury to the emotional well-being, • intellectual or psychological capacity of a child, as evidenced by an observable and substantial impairment in the child's ability to function; • the failure by a person responsible for the child's welfare to provide necessary food, care, clothing, shelter, or medical attention for a child.
<i>Arizona</i>	<p>Child Safety - Juvenile Court-> Article 1. General Provisions - Ariz. Rev. Stat. Ann. § 8-201(25)</p> <ul style="list-style-type: none"> • “Neglect” or “neglected” means: The inability or unwillingness of a parent, guardian or custodian of a child to provide that child with supervision, food, clothing, shelter or medical care if that inability or unwillingness causes unreasonable risk of harm to the child's health or welfare, except if the inability of a parent, guardian or custodian to provide services to meet the needs of a child with a disability or chronic illness is solely the result of the unavailability of reasonable services. • Permitting a child to enter or remain in any structure or vehicle in which volatile, toxic or flammable chemicals are found or equipment is possessed by any person for the purposes of manufacturing a dangerous drug as defined in § 13-3401. • A determination by a health professional that a newborn infant was exposed prenatally to a drug or substance listed in § 13-3401 and that this exposure was not the result of a medical treatment administered to the mother or the newborn infant by

<p><i>Arizona</i></p>	<p>a health professional. This subdivision does not expand a health professional's duty to report neglect based on prenatal exposure to a drug or substance listed in § 13-3401 beyond the requirements prescribed pursuant to § 13-3620, subsection E. The determination by the health professional shall be based on one or more of the following:</p> <ul style="list-style-type: none"> ○ Clinical indicators in the prenatal period including maternal and newborn presentation. ○ History of substance use or abuse. ○ Medical history. ○ Results of a toxicology or other laboratory test on the mother or the newborn infant. ○ Diagnosis by a health professional of an infant under one year of age with clinical findings consistent with fetal alcohol syndrome or fetal alcohol effects. ○ Deliberate exposure of a child by a parent, guardian or custodian to sexual conduct as defined in § 13-3551 or to sexual contact, oral sexual contact sexual intercourse as defined in § 13-1401, bestiality as prescribed in § 13-1411 or explicit sexual materials as defined in § 13-3507. ○ Any of the following acts committed by the child's parent, guardian or custodian with reckless disregard as to whether the child is physically present: <ul style="list-style-type: none"> ○ Sexual contact as defined in § 13-1401. ○ Oral sexual contact as defined in § 13-1401. ○ Sexual intercourse as defined in § 13-1401. ○ Bestiality as prescribed in § 13-1411.
<p><i>Arkansas</i></p>	<p>Family Law-Child Abuse and Neglect Prevention - Ark. Code Ann. § 9-30-103(4) “Neglect” means: Failure to provide, by those legally responsible for:</p> <ul style="list-style-type: none"> ● The care and maintenance of the child and the proper or necessary support; ● Education, as required by law; or ● Medical, surgical, or any other care necessary for his or her well-being; or ● Any maltreatment of the child. <p>Child Maltreatment Act - Ark. Code Ann. § 12-18-103(14)(A) “Neglect” means those acts or omissions of a parent, guardian, custodian, foster parent, or any person who is entrusted with the child's care by a parent, custodian, guardian, or foster parent, including, but not limited to, an agent or employee of a public or private residential home, child care facility, public or private school, or any person legally responsible under state law for the child's welfare, but excluding the spouse of a minor and the parents of the married minor, which constitute:</p> <ul style="list-style-type: none"> ● Failure or refusal to prevent the abuse of the child when the person knows or has reasonable cause to know the child is or has been abused; ● Failure or refusal to provide necessary food, clothing, shelter, or medical treatment necessary for the child's well-being, except when the failure or refusal is caused primarily by the financial inability of the person legally responsible and no services for relief have been offered; ● Failure to take reasonable action to protect the child from abandonment, abuse, sexual abuse, sexual exploitation, neglect, or parental unfitness when the existence of the condition was known or should have been known;

	<ul style="list-style-type: none"> • Failure or irremediable inability to provide for the essential and necessary physical, mental, or emotional needs of the child, including the failure to provide a shelter that does not pose a risk to the health or safety of the child; • Failure to provide for the child's care and maintenance, proper or necessary support, or medical, surgical, or other necessary care; • Failure, although able, to assume responsibility for the care and custody of the child or to participate in a plan to assume such responsibility; • Failure to appropriately supervise the child that results in the child's being left alone: <ul style="list-style-type: none"> ○ At an inappropriate age creating a dangerous situation or a situation that puts the child at risk of harm; or ○ In inappropriate circumstances creating a dangerous situation or a situation that puts the child at risk of harm; • Failure to appropriately supervise the child that results in the child's being placed in: <ul style="list-style-type: none"> ○ Inappropriate circumstances creating a dangerous situation; or ○ A situation that puts the child at risk of harm; or • Failure to ensure a child between six (6) years of age and seventeen (17) years of age is enrolled in school or is being legally home schooled or as a result of an act or omission by the child's parent or guardian, the child is habitually and without justification absent from school. <p>(B)(i) "Neglect" shall also include:</p> <ul style="list-style-type: none"> ○ Causing a child to be born with an illegal substance present in the child's bodily fluids or bodily substances as a result of the pregnant mother's knowingly using an illegal substance before the birth of the child; or ○ At the time of the birth of a child, the presence of an illegal substance in the mother's bodily fluids or bodily substances as a result of the pregnant mother's knowingly using an illegal substance before the birth of the child. <ul style="list-style-type: none"> • As used in this subdivision (14)(B), "illegal substance" means a drug that is prohibited to be used or possessed without a prescription under the Arkansas Criminal Code, § 5-1-101 et seq. • A test of the child's bodily fluids or bodily substances may be used as evidence to establish neglect under subdivision (14)(B)(i)(a) of this section. • A test of the mother's bodily fluids or bodily substances may be used as evidence to establish neglect under subdivision (14)(B)(i)(b) of this section
<p><i>California</i></p>	<p>Child Abuse and Neglect Reporting Act - Cal. Penal Code § 11165.2</p> <ul style="list-style-type: none"> • "Neglect" means the negligent treatment or the maltreatment of a child by a person responsible for the child's welfare under circumstances indicating harm or threatened harm to the child's health or welfare. • "Severe neglect" means the negligent failure of a person having the care or custody of a child to protect the child from severe malnutrition or medically diagnosed nonorganic failure to thrive. <ul style="list-style-type: none"> ○ "Severe neglect" also means those situations of neglect where any person having the care or custody of a child willfully causes or permits the person or health of the child to be placed in a situation such that his or her person or health is endangered, as proscribed by Section 11165.3, including the intentional failure to provide adequate food, clothing, shelter, or medical care.

<i>California</i>	<ul style="list-style-type: none"> • “General neglect” means the negligent failure of a person having the care or custody of a child to provide adequate food, clothing, shelter, medical care, or supervision where no physical injury to the child has occurred.
<i>Colorado</i>	<p>Title 19. Children's Code - Colo. Rev. Stat. Ann. § 19-3-102(1) A child is neglected if:</p> <ul style="list-style-type: none"> • A parent, guardian, or legal custodian has abandoned the child or has subjected him or her to mistreatment or abuse or a parent, guardian, or legal custodian has suffered or allowed another to mistreat or abuse the child without taking lawful means to stop such mistreatment or abuse and prevent it from recurring; • The child lacks proper parental care through the actions or omissions of the parent, guardian, or legal custodian; • The child's environment is injurious to his or her welfare; • A parent, guardian, or legal custodian fails or refuses to provide the child with proper or necessary subsistence, education, medical care, or any other care necessary for his or her health, guidance, or well-being; • The child is homeless, without proper care, or not domiciled with his or her parent, guardian, or legal custodian through no fault of such parent, guardian, or legal custodian; • The child has run away from home or is otherwise beyond the control of his or her parent, guardian, or legal custodian; • The child tests positive at birth for either a schedule I controlled substance, as defined in section 18-18-203, C.R.S., or a schedule II controlled substance, as defined in section 18-18-204, C.R.S., unless the child tests positive for a schedule II controlled substance as a result of the mother's lawful intake of such substance as prescribed. • A parent, guardian, or legal custodian has subjected another child or children to an identifiable pattern of habitual abuse
<i>Connecticut</i>	<p>Title 46b. Family Law-> Juvenile Matters - Conn. Gen. Stat. § 46b-120(6) A child or youth may be found “neglected” who, for reasons other than being impoverished,</p> <ul style="list-style-type: none"> • has been abandoned, • is being denied proper care and attention, physically, educationally, emotionally or morally, • is being permitted to live under conditions, circumstances or associations injurious to the well-being of the child or youth
<i>Delaware</i>	<p>The Family Court of the State of Delaware - Del. Code Ann. tit. 10, § 901(18) “Neglect” or “neglected child”</p> <ul style="list-style-type: none"> • Failure to provide necessary care with regard to: food, clothing, shelter, education, health, medical or other care necessary for the child's emotional, physical, or mental health, or safety and general well-being; or • Chronically and severely abuses alcohol or a controlled substance, is not active in treatment for such abuse, and the abuse threatens the child's ability to receive care necessary for that child’s safety and general well-being; or • Failure to provide necessary supervision appropriate for a child when the child is unable to care for that child’s own basic needs or safety, after considering such

<i>Delaware</i>	factors as the child's age, mental ability, physical condition, the length of the caretaker's absence, and the context of the child's environment.
<i>District of Columbia</i>	<p>Proceedings Regarding Delinquency, Neglect, or Need of Supervision - D.C. Code § 16-2301</p> <p>“neglected child” means a child:</p> <ul style="list-style-type: none"> • Who has been abandoned or abused by his or her parent, guardian, or custodian, or whose parent, guardian, or custodian has failed to make reasonable efforts to prevent the infliction of abuse upon the child. For the purposes of this sub-subparagraph, the term “reasonable efforts” includes filing a petition for civil protection from intra-family violence pursuant to section 16-1003; • who is without proper parental care or control, subsistence, education as required by law, or other care or control necessary for his or her physical, mental, or emotional health, and the deprivation is not due to the lack of financial means of his or her parent, guardian, or custodian; • whose parent, guardian, or custodian is unable to discharge his or her responsibilities to and for the child because of incarceration, hospitalization, or other physical or mental incapacity; • whose parent, guardian, or custodian refuses or is unable to assume the responsibility for the child's care, control, or subsistence and the person or institution which is providing for the child states an intention to discontinue such care; • who is in imminent danger of being abused and another child living in the same household or under the care of the same parent, guardian, or custodian has been abused; • who has received negligent treatment or maltreatment from his or her parent, guardian, or custodian; • who has resided in a hospital located in the District of Columbia for at least 10 calendar days following the birth of the child, despite a medical determination that the child is ready for discharge from the hospital, and the parent, guardian, or custodian of the child has not taken any action or made any effort to maintain a parental, guardianship, or custodial relationship or contact with the child; • who is born addicted or dependent on a controlled substance or has a significant presence of a controlled substance in his or her system at birth; • in whose body there is a controlled substance as a direct and foreseeable consequence of the acts or omissions of the child's parent, guardian, or custodian; or • Who is regularly exposed to illegal drug-related activity in the home.
<i>Florida</i>	<p>Crimes Abuse of Children - Fla. Stat. § 827.03(1)(e)</p> <p>“Neglect of a child” means:</p> <ul style="list-style-type: none"> • A caregiver's failure or omission to provide a child with the care, supervision, and services necessary to maintain the child's physical and mental health, including, but not limited to, food, nutrition, clothing, shelter, supervision, medicine, and medical services that a prudent person would consider essential for the well-being of the child; or • A caregiver's failure to make a reasonable effort to protect a child from abuse, neglect, or exploitation by another person. •

<p>Georgia</p>	<p>Juvenile Code -> Definitions - Ga. Code Ann. § 15-11-2 “Neglect” means:</p> <ul style="list-style-type: none"> • Failure to provide proper parental care or control, subsistence, education as required by law, or other care or control necessary for a child's physical, mental, or emotional health or morals; • Failure to provide a child with adequate supervision necessary for such child's well-being; or • Abandonment of a child by his or her parent, guardian, or legal custodian.
<p>Hawaii</p>	<p>Social Services-> Child Abuse - Haw. Rev. Stat. § 350-1 “Child abuse or neglect” means:</p> <ul style="list-style-type: none"> • The acts or omissions of any person who, or legal entity which, is in any manner or degree related to the child, is residing with the child, or is otherwise responsible for the child's care, that have resulted in the physical or psychological health or welfare of the child, who is under the age of eighteen, to be harmed, or to be subject to any reasonably foreseeable, substantial risk of being harmed. The acts or omissions are indicated for the purposes of reports by circumstances that include but are not limited to: • When the child has been the victim of sexual contact or conduct, including but not limited to sexual assault as defined in the Penal Code, molestation, sexual fondling, incest, or prostitution; obscene or pornographic photographing, filming, or depiction; or other similar forms of sexual exploitation, including but not limited to acts that constitute an offense pursuant to section 712-1202(1)(b); • When there exists injury to the psychological capacity of a child as is evidenced by an observable and substantial impairment in the child's ability to function; • When the child is not provided in a timely manner with adequate food, clothing, shelter, psychological care, physical care, medical care, or supervision; • When the child is provided with dangerous, harmful, or detrimental drugs as defined by section 712-1240; provided that this subparagraph shall not apply when such drugs are provided to the child pursuant to the direction or prescription of a practitioner, as defined in section 712-1240; or • When the child has been the victim of labor trafficking under chapter 707
<p>Idaho</p>	<p>Child Protective Act- Idaho Code Ann. § 16-1602 For purposes of this chapter:</p> <ul style="list-style-type: none"> • “Neglected” means a child: Who is without proper parental care and control, or subsistence, medical or other care or control necessary for his well-being because of the conduct or omission of his parents, guardian or other custodian or their neglect or refusal to provide them; however, no child whose parent or guardian chooses for such child treatment by prayers through spiritual means alone in lieu of medical treatment shall be deemed for that reason alone to be neglected or lack parental care necessary for his health and well-being, but this subsection shall not prevent the court from acting pursuant to section 16-1627, Idaho Code; or • Whose parents, guardian or other custodian are unable to discharge their responsibilities to and for the child and, as a result of such inability, the child lacks the parental care necessary for his health, safety or well-being; or • Who has been placed for care or adoption in violation of law; or

<i>Idaho</i>	<ul style="list-style-type: none"> • Who is without proper education because of the failure to comply with section 33-202, Idaho Code.
<i>Illinois</i>	<p>Adoption Act - 750 Ill. Comp Stat. 50/1</p> <ul style="list-style-type: none"> • “Neglected child” means any child whose parent or other person responsible for the child’s welfare withholds or denies nourishment or medically indicated treatment including food or care denied solely on the basis of the present or anticipated mental or physical impairment as determined by a physician acting alone or in consultation with other physicians or otherwise does not provide the proper or necessary support, education as required by law, or medical or other remedial care recognized under State law as necessary for a child’s well-being, or other care necessary for his or her well-being, including adequate food, clothing and shelter; or • Who is abandoned by his or her parents or other person responsible for the child’s welfare? <p>Abused and Neglected Child Reporting Act - 325 Ill. Comp. Stat. 5/3</p> <ul style="list-style-type: none"> • “Neglected child” means any child who is not receiving the proper or necessary nourishment or medically indicated treatment including food or care not provided solely on the basis of the present or anticipated mental or physical impairment as determined by a physician acting alone or in consultation with other physicians or otherwise is not receiving the proper or necessary support or medical or other remedial care recognized under State law as necessary for a child’s well-being, or other care necessary for his or her well-being, including adequate food, clothing and shelter; or • who is subjected to an environment which is injurious insofar as (i) the child’s environment creates a likelihood of harm to the child’s health, physical well-being, or welfare and (ii) the likely harm to the child is the result of a blatant disregard of parent, caretaker, or agency responsibilities; or who is abandoned by his or her parents or other person responsible for the child’s welfare without a proper plan of care.
<i>Indiana</i>	<p>Family Law and Juvenile Law- Ind. Code §§ 31-34-1-1 - 31-34-1-11</p> <p>A child is a child in need of services if before the child becomes eighteen (18) years of age... the child’s physical or mental condition is seriously impaired or seriously endangered as a result of the</p> <ul style="list-style-type: none"> • Inability, refusal, or neglect of parent, guardian or custodian to supply child with necessary food, clothing, shelter, medical care, education, or supervision.
<i>Iowa</i>	<p>Juvenile Justice - Iowa Code § 232.2</p> <ul style="list-style-type: none"> • “Abuse or neglect” means any non-accidental physical injury suffered by a child as the result of the acts or omissions of the child’s parent, guardian, or custodian or other person legally responsible for the child.
<i>Kansas</i>	<p>Revised Kansas Code for Care of Children - Kan. Stat. Ann. § 38-2202</p> <ul style="list-style-type: none"> • “Neglect” means acts or omissions by a parent, guardian or person responsible for the care of a child resulting in harm to a child, or presenting a likelihood of harm, and the acts or omissions are not due solely to the lack of financial means of the child’s parents or other custodian. • Failure to provide the child with food, clothing or shelter necessary to sustain the life or health of the child;

<i>Kansas</i>	<ul style="list-style-type: none"> • failure to provide adequate supervision of a child or to remove a child from a situation which requires judgment or actions beyond the child's level of maturity, physical condition or mental abilities and that results in bodily injury or a likelihood of harm to the child; or • Failure to use resources available to treat a diagnosed medical condition if such treatment will make a child substantially more comfortable, reduce pain and suffering, or correct or substantially diminish a crippling condition from worsening.
<i>Kentucky</i>	<p>Unified Juvenile Code -> Definitions - Ky. Rev. Stat. Ann. § 600.020</p> <ul style="list-style-type: none"> • “Abused or neglected child” means a child whose health or welfare is harmed or threatened with harm when: • His or her parent, guardian, person in a position of authority or special trust, as defined in KRS 532.045, or other person exercising custodial control or supervision of the child: • Inflicts or allows to be inflicted upon the child physical or emotional injury as defined in this section by other than accidental means; • Creates or allows to be created a risk of physical or emotional injury as defined in this section to the child by other than accidental means; • Engages in a pattern of conduct that renders the parent incapable of caring for the immediate and ongoing needs of the child including, but not limited to, parental incapacity due to alcohol and other drug abuse as defined in KRS 222.005; • Continuously or repeatedly fails or refuses to provide essential parental care and protection for the child, considering the age of the child; • Commits or allows to be committed an act of sexual abuse, sexual exploitation, or prostitution upon the child; • Creates or allows to be created a risk that an act of sexual abuse, sexual exploitation, or prostitution will be committed upon the child; • Abandons or exploits the child; • Does not provide the child with adequate care, supervision, food, clothing, shelter, and education or medical care necessary for the child's well-being. A parent or other person exercising custodial control or supervision of the child legitimately practicing the person's religious beliefs shall not be considered a negligent parent solely because of failure to provide specified medical treatment for a child for that reason alone. This exception shall not preclude a court from ordering necessary medical services for a child; • Fails to make sufficient progress toward identified goals as set forth in the court-approved case plan to allow for the safe return of the child to the parent that results in the child remaining committed to the cabinet and remaining in foster care for fifteen (15) of the most recent twenty-two (22) months; or • A person twenty-one (21) years of age or older commits or allows to be committed an act of sexual abuse, sexual exploitation, or prostitution upon a child less than sixteen (16) years of age.
<i>Louisiana</i>	<p>Louisiana Children's Code- La. Child. Code. Ann. art. 603</p> <ul style="list-style-type: none"> • “Neglect” means the refusal or unreasonable failure of a parent or caretaker to supply the child with necessary food, clothing, shelter, care, treatment, or counseling for any

Louisiana	injury, illness, or condition of the child, as a result of which the child's physical, mental, or emotional health and safety is substantially threatened or impaired.
Maine	<p>Health and Welfare -> Child and Family Services and Child Protection Act - Me. Rev. Stat. Ann. tit. 22, § 4002</p> <p>“Abuse or neglect” means</p> <ul style="list-style-type: none"> • Threatening child’s health or welfare by deprivation of essential needs, failing to protect from other abuse, failing to ensure child’s compliance with school attendance.
Maryland	<p>Family Law - Md. Code Ann., Fam. Law, § 5-701(s)</p> <ul style="list-style-type: none"> • “Neglect” means the leaving of a child unattended or other failure to give proper care and attention to a child by any parent or other person who has permanent or temporary care or custody or responsibility for supervision of the child under circumstances that indicate: <ul style="list-style-type: none"> ○ that the child's health or welfare is harmed or placed at substantial risk of harm; or ○ Mental injury to the child or a substantial risk of mental injury.
Massachusetts	<p>Department of Children and Families – 110 Mass. Code Regs. 2.00</p> <p>Neglect means</p> <ul style="list-style-type: none"> • Failure <i>by a caretaker</i>, either deliberately or through negligence or inability, to take those actions necessary to provide a child with minimally adequate food, clothing, shelter, medical care, supervision, emotional stability and growth, or other essential care; provided, however, that such inability is not due solely to inadequate economic resources or solely to the existence of a handicapping condition. This definition is <i>not</i> dependent upon location (<i>i.e.</i>, neglect can occur while the child is in an out-of-home or in-home setting.)
Michigan	<p>Child Abuse and Neglect Prevention Act - Mich. Comp. Laws § 722.602(d)</p> <ul style="list-style-type: none"> • “Neglect” means harm to a child's health or welfare by a person responsible for the child's health or welfare which occurs through negligent treatment, including the failure to provide adequate food, clothing, shelter, or medical care.
Minnesota	<p>Criminal Code->Crimes Against the Family - Minn. Stat. § 609.378</p> <ul style="list-style-type: none"> • A parent, legal guardian, or caretaker who willfully deprives a child of necessary food, clothing, shelter, health care, or supervision appropriate to the child's age... is guilty of neglect of a child.
Mississippi	<p>Public Welfare -> Youth Court – Miss. Code Ann. § 43-21-105</p> <p>“Neglected child” means</p> <ul style="list-style-type: none"> • A child whose parent, guardian or custodian or any person responsible for his care or support, neglects or refuses, when able so to do, to provide for him proper and necessary care or support, or education as required by law, or medical, surgical, or other care necessary for his well-being; however, a parent who withholds medical treatment from any child who in good faith is under treatment by spiritual means alone through prayer in accordance with the tenets and practices of a recognized church or religious denomination by a duly accredited practitioner thereof shall not, for that reason alone, be considered to be neglectful under any provision of this chapter; or

<i>Mississippi</i>	<ul style="list-style-type: none"> • Who is otherwise without proper care, custody, supervision or support; or • Who, for any reason, lacks the special care made necessary for him by reason of his mental condition, whether the mental condition is having mental illness or having an intellectual disability; or • Who, for any reason, lacks the care necessary for his health, morals or well-being.
<i>Missouri</i>	<p>Child Protection and Reformation -> Child Abuse – Mo. Ann. Stat. § 210.110</p> <ul style="list-style-type: none"> • Failure to provide, by those responsible for the care, custody, and control of the child, the proper or necessary support, education as required by law, nutrition or medical, surgical, or any other care necessary for the child's well-being. Victims of neglect shall also include any victims of sex trafficking or severe forms of trafficking as those terms are defined in 22 U.S.C. 78 Section 7102(9)-(10)
<i>Montana</i>	<p>Minors - Child Abuse and Neglect - Mont. Code Ann. § 41-3-102</p> <ul style="list-style-type: none"> • “Abused or neglected” means the state or condition of a child who has suffered child abuse or neglect • “Child abuse or neglect” means: actual physical or psychological harm to a child; • substantial risk of physical or psychological harm to a child; or • Abandonment. • failure to provide basic necessities, including but not limited to appropriate and adequate nutrition, protective shelter from the elements, and appropriate clothing related to weather conditions, or failure to provide cleanliness and general supervision, or both, or exposing or allowing the child to be exposed to an unreasonable physical or psychological risk to the child. • Severe maltreatment through acts or omissions that are injurious to the child's emotional, intellectual, or psychological capacity to function, including the commission of acts of violence against another person residing in the child's home.
<i>Nebraska</i>	<p>Offenses Involving the family relation – Neb. Rev. Stat. Ann. § 28-710</p> <p>Child abuse or neglect means knowingly, intentionally, or negligently causing or permitting a minor child to be:</p> <ul style="list-style-type: none"> • Placed in a situation that endangers his or her life or physical or mental health; • Cruelly confined or cruelly punished; • Deprived of necessary food, clothing, shelter, or care; • Left unattended in a motor vehicle if such minor child is six years of age or younger; • Sexually abused; or • Sexually exploited by allowing, encouraging, or forcing such person to solicit for or engage in prostitution, debauchery, public indecency, or obscene or pornographic photography, films, or depictions.
<i>Nevada</i>	<p>Termination of Parental Rights - Nev. Rev. Stat. § 128.014</p> <p>“Neglected child” includes a child:</p> <ul style="list-style-type: none"> • Who lacks the proper parental care by reason of the fault or habits of his or her parent, guardian or custodian; • Whose parent, guardian or custodian neglects or refuses to provide proper or necessary subsistence, education, medical or surgical care, or other care necessary for the child’s health, morals or well-being;

<i>Nevada</i>	<ul style="list-style-type: none"> • Whose parent, guardian or custodian neglects or refuses to provide the special care made necessary by the child’s physical or mental condition; • Who is found in a disreputable place, or who is permitted to associate with vagrants or vicious or immoral persons; or • Who engages or is in a situation dangerous to life or limb, or injurious to health or morals of the child or others.
<i>New Hampshire</i>	<p>Child Protection Act - N.H. Rev. Stat. Ann. § 169-C:3(XIX) “Neglected child” means a child:</p> <ul style="list-style-type: none"> • Who has been abandoned by his parents, guardian, or custodian; or • Who is without proper parental care or control, subsistence, education as required by law, or other care or control necessary for his physical, mental, or emotional health, when it is established that his health has suffered or is very likely to suffer serious impairment; and the deprivation is not due primarily to the lack of financial means of the parents, guardian or custodian; or • Whose parents, guardian or custodian are unable to discharge their responsibilities to and for the child because of incarceration, hospitalization or other physical or mental incapacity.
<i>New Jersey</i>	<p>Juvenile and Domestic Relations Courts - N.J. Stat. Ann. § 9:6-1 Neglect of a child shall consist in any of the following acts, by anyone having the custody or control of the child:</p> <ul style="list-style-type: none"> • Willfully failing to provide proper and sufficient food, clothing, maintenance, regular school education as required by law, medical attendance or surgical treatment, and a clean and proper home, or • Failure to do or permit to be done any act • The continued inappropriate placement of a child in an institution, as defined in section 1 of P.L.1974, c. 119 (C. 9:6-8.21), with the knowledge that the placement has resulted and may continue to result in harm to the child's mental or physical well-being.
<i>New Mexico</i>	<p>Children’s code - N.M. Stat. Ann. § 32A-4-2 “Neglected child” means a child:</p> <ul style="list-style-type: none"> • who has been abandoned by the child's parent, guardian or custodian; • who is without proper parental care and control or subsistence, education, medical or other care or control necessary for the child's well-being because of the faults or habits of the child's parent, guardian or custodian or the failure or refusal of the parent, guardian or custodian, when able to do so, to provide them; • who has been physically or sexually abused, when the child's parent, guardian or custodian knew or should have known of the abuse and failed to take reasonable steps to protect the child from further harm; • whose parent, guardian or custodian is unable to discharge that person's responsibilities to and for the child because of incarceration, hospitalization or physical or mental disorder or incapacity; or • who has been placed for care or adoption in violation of the law; provided that nothing in the Children's Code shall be construed to imply that a child who is being provided with treatment by spiritual means alone through prayer, in accordance with the tenets and practices of a recognized church or religious denomination, by a duly

<i>New Mexico</i>	accredited practitioner thereof is for that reason alone a neglected child within the meaning of the Children's Code; and further provided that no child shall be denied the protection afforded to all children under the Children's Code.
<i>New York</i>	<p>Family Court Act - N.Y. Family Court Act § 1012(f) “Neglected child” means a child less than eighteen years of age whose physical, mental or emotional condition has been impaired or is in imminent danger of becoming impaired as a result of the failure of his parent or other person legally responsible for his care to exercise a minimum degree of care</p> <ul style="list-style-type: none"> • in supplying the child with adequate food, clothing, shelter or education in accordance with the provisions of part one of article sixty-five of the education law, or medical, dental, optometrical or surgical care, though financially able to do so or offered financial or other reasonable means to do so; or • in providing the child with proper supervision or guardianship, by unreasonably inflicting or allowing to be inflicted harm, or a substantial risk thereof, including the infliction of excessive corporal punishment; or by misusing a drug or drugs; or by misusing alcoholic beverages to the extent that he loses self-control of his actions; or by any other acts of a similarly serious nature requiring the aid of the court; provided, however, that where the respondent is voluntarily and regularly participating in a rehabilitative program, evidence that the respondent has repeatedly misused a drug or drugs or alcoholic beverages to the extent that he loses self-control of his actions shall not establish that the child is a neglected child in the absence of evidence establishing that the child's physical, mental or emotional condition has been impaired or is in imminent danger of becoming impaired as set forth in paragraph (i) of this subdivision.
<i>North Carolina</i>	<p>Juvenile Code - N.C. Gen. Stat. §§ 7B-101 (15), (19a)</p> <ul style="list-style-type: none"> • Neglected juvenile.--A juvenile who does not receive proper care, supervision, or discipline from the juvenile's parent, guardian, custodian, or caretaker; or • Who has been abandoned; or who is not provided necessary medical care; or who is not provided necessary remedial care; or • who lives in an environment injurious to the juvenile's welfare; or the custody of whom has been unlawfully transferred under G.S. 14-321.2; or • Who has been placed for care or adoption in violation of law. In determining whether a juvenile is a neglected juvenile, it is relevant whether that juvenile lives in a home where another juvenile has died as a result of suspected abuse or neglect or lives in a home where another juvenile has been subjected to abuse or neglect by an adult who regularly lives in the home. <p>Serious neglect. --Conduct, behavior, or inaction of the juvenile's parent, guardian, custodian, or caretaker that evidences a disregard of consequences of such magnitude that the conduct, behavior, or inaction constitutes an unequivocal danger to the juvenile's health, welfare, or safety, but does not constitute abuse.</p>
<i>North Dakota</i>	<p>Domestic Relations and Persons - N.D. Cent. Code § 14-09-22.1</p> <ul style="list-style-type: none"> • A parent, adult family or household member, guardian, or other custodian of any child, who willfully commits any of the following offenses is guilty of a class C felony:

North Dakota	<ul style="list-style-type: none"> ○ Fails to provide proper parental care or control, subsistence, education as required by law, or other care or control necessary for the child's physical, mental, or emotional health, or morals. ○ Permits the child to be, or fails to exercise reasonable diligence in preventing the child from being, in a disreputable place or associating with vagrants or vicious or immoral persons. ○ Permits the child to engage in, or fails to exercise reasonable diligence in preventing the child from engaging in, an occupation forbidden by the laws of this state or an occupation injurious to the child's health or morals or the health or morals of others.
Ohio	<p>Juvenile Courts-- Ohio Rev. Code Ann. § 2151.03 “neglected child” includes any child:</p> <ul style="list-style-type: none"> ● Who is abandoned by the child's parents, guardian, or custodian; ● Who lacks adequate parental care because of the faults or habits of the child's parents, guardian, or custodian; ● Whose parents, guardian, or custodian neglects the child or refuses to provide proper or necessary subsistence, education, medical or surgical care or treatment, or other care necessary for the child's health, morals, or wellbeing; ● Whose parents, guardian, or custodian neglects the child or refuses to provide the special care made necessary by the child's mental condition; ● Whose parents, legal guardian, or custodian have placed or attempted to place the child in violation of sections 5103.16 and 5103.17 of the Revised Code; ● Who, because of the omission of the child's parents, guardian, or custodian, suffers physical or mental injury that harms or threatens to harm the child's health or welfare; ● Who is subjected to out-of-home care child neglect.
Oklahoma	<p>Oklahoma Children's Code - Okla. Stat. tit. 10A, § 1-1-105 “Neglect” means the failure or omission to provide any of the following:</p> <ul style="list-style-type: none"> ● adequate nurturance and affection, food, clothing, shelter, sanitation, hygiene, or appropriate education, ● medical, dental, or behavioral health care, ● supervision or appropriate caretakers, or ● special care made necessary by the physical or mental condition of the child, ● the failure or omission to protect a child from exposure to any of the following: <ul style="list-style-type: none"> ○ the use, possession, sale, or manufacture of illegal drugs, ○ illegal activities, or ● sexual acts or materials that are not age-appropriate, or ● abandonment. <p>Oklahoma Guardianship and Conservatorship Act - Okla. Stat. tit. 30, § 1-11</p> <ul style="list-style-type: none"> ● “Neglect” means the failure to provide protection for an incapacitated person, a partially incapacitated person, or a minor who is unable to protect the person's own interest; or the failure to provide adequate shelter or clothing; or the harming or threatening with harm through action or inaction by either another individual or through the person's own action or inaction because of a lack of awareness,

<i>Oklahoma</i>	incompetence, or incapacity, which has resulted or may result in physical or mental injury.
<i>Oregon</i>	<p>Offenses Against Family -> Child Neglect in the Second Degree – Or. Rev. Stat. Ann. § 163.545</p> <ul style="list-style-type: none"> • A person having custody or control of a child under 10 years of age commits the crime of child neglect in the second degree if, with criminal negligence, the person leaves the child unattended in or at any place for such period of time as may be likely to endanger the health or welfare of such child. <p>Offenses Against Family -> Child Neglect in the First Degree – Or. Rev. Stat. Ann. § 163.547</p> <p>A person having custody or control of a child under 16 years of age commits the crime of child neglect in the first degree if the person knowingly leaves the child, or allows the child to stay:</p> <ul style="list-style-type: none"> • In a vehicle where controlled substances or cannabinoid extracts as defined in ORS 475B.015 are being criminally delivered or manufactured; • In or upon premises, or in the immediate proximity of premises, where a cannabinoid extract as defined in ORS 475B.015 is being processed, if the premises have not been licensed under ORS 475B.090; • In or upon premises and in the immediate proximity where controlled substances are criminally delivered or manufactured for consideration or profit or where a chemical reaction involving one or more precursor substances: <ul style="list-style-type: none"> ○ Is occurring as part of unlawfully manufacturing a controlled substance or grinding, soaking or otherwise breaking down a precursor substance for the unlawful manufacture of a controlled substance; or ○ Has occurred as part of unlawfully manufacturing a controlled substance or grinding, soaking or otherwise breaking down a precursor substance for the unlawful manufacture of a controlled substance and the premises have not been certified as fit for use under ORS 453.885; or • In or upon premises that have been determined to be not fit for use under ORS 453.855 to 453.912.
<i>Pennsylvania</i>	<p>Child Protective Services – 23 Pa. Cons. Stat. § 6303</p> <p>“Serious physical neglect.” Any of the following when committed by a perpetrator that endangers a child's life or health, threatens a child's well-being, causes bodily injury or impairs a child's health, development or functioning:</p> <ul style="list-style-type: none"> • A repeated, prolonged or egregious failure to supervise a child in a manner that is appropriate considering the child's developmental age and abilities. • The failure to provide a child with adequate essentials of life, including food, shelter or medical care.
<i>Rhode Island</i>	<p>Delinquent and Dependent Children - R.I. Gen. Laws § 14-1-3</p> <ul style="list-style-type: none"> • “Neglect” means a child who requires the protection and assistance of the court when his or her physical or mental health or welfare is harmed, or threatened with harm, when the parents or guardian: • Fails to supply the child with adequate food, clothing, shelter, or medical care, though financially able to do so or offered financial or other reasonable means to do so; • Fails to provide the child proper education as required by law; or

<i>Rhode Island</i>	<ul style="list-style-type: none"> Abandons and/or deserts the child.
<i>South Carolina</i>	<p>South Carolina Children's Code - S.C. Code Ann. § 63-7-20(6) “Child abuse or neglect” or “harm” occurs when the parent, guardian, or other person responsible for the child's welfare:</p> <ul style="list-style-type: none"> inflicts or allows to be inflicted upon the child physical or mental injury or engages in acts or omissions which present a substantial risk of physical or mental injury to the child, including injuries sustained as a result of excessive corporal punishment, commits or allows to be committed against the child a sexual offense as defined by the laws of this State or engages in acts or omissions that present a substantial risk that a sexual offense as defined in the laws of this State would be committed against the child; fails to supply the child with adequate food, clothing, shelter, or education as required under Article 1 of Chapter 65 of Title 59, supervision appropriate to the child's age and development, or health care though financially able to do so or offered financial or other reasonable means to do so and the failure to do so has caused or presents a substantial risk of causing physical or mental injury. However, a child's absences from school may not be considered abuse or neglect unless the school has made efforts to bring about the child's attendance, and those efforts were unsuccessful because of the parents' refusal to cooperate. For the purpose of this chapter “adequate health care” includes any medical or nonmedical remedial health care permitted or authorized under state law; abandons the child; encourages, condones, or approves the commission of delinquent acts by the child including, but not limited to, sexual trafficking or exploitation, and the commission of the acts are shown to be the result of the encouragement, condonation, or approval; <p>or</p>
<i>South Dakota</i>	<p>Protection of Children from Abuse or Neglect -> Abused or neglected child defined – S.D. Codified Laws § 26-8A-2 The term, abused or neglected child, means a child:</p> <ul style="list-style-type: none"> Whose parent, guardian, or custodian has abandoned the child or has subjected the child to mistreatment or abuse; Who lacks proper parental care through the actions or omissions of the child's parent, guardian, or custodian; Whose environment is injurious to the child's welfare; Whose parent, guardian, or custodian fails or refuses to provide proper or necessary subsistence, supervision, education, medical care, or any other care necessary for the child's health, guidance, or well-being; Who is homeless, without proper care, or not domiciled with the child's parent, guardian, or custodian through no fault of the child's parent, guardian, or custodian; Who is threatened with substantial harm; Who has sustained emotional harm or mental injury as indicated by an injury to the child's intellectual or psychological capacity evidenced by an observable and substantial impairment in the child's ability to function within the child's normal range of performance and behavior, with due regard to the child's culture;

South Dakota	<ul style="list-style-type: none"> • Who is subject to sexual abuse, sexual molestation, or sexual exploitation by the child's parent, guardian, custodian, or any other person responsible for the child's care; • Who was subject to prenatal exposure to abusive use of alcohol, marijuana, or any controlled drug or substance not lawfully prescribed by a practitioner as authorized by chapters 22-42 and 34-20B; or • Whose parent, guardian, or custodian knowingly exposes the child to an environment that is being used for the manufacture, use, or distribution of methamphetamines or any other unlawfully manufactured controlled drug or substance.
Tennessee	<p>Juvenile Courts and Proceedings - Tenn. Code Ann. § 37-1-102 “neglected child” means a child:</p> <ul style="list-style-type: none"> • Who is without a parent, guardian or legal custodian; • Whose parent, guardian or person with whom the child lives, by reason of cruelty, mental incapacity, immorality or depravity is unfit to properly care for such child; • Who is under unlawful or improper care, supervision, custody or restraint by any person, corporation, agency, association, institution, society or other organization or who is unlawfully kept out of school; • Whose parent, guardian or custodian neglects or refuses to provide necessary medical, surgical, institutional or hospital care for such child; • Who, because of lack of proper supervision, is found in any place the existence of which is in violation of law; • Who is in such condition of want or suffering or is under such improper guardianship or control as to injure or endanger the morals or health of such child or others; • Who is suffering from abuse or neglect; • Who has been in the care and control of one (1) or more agency or person not related to such child by blood or marriage for a continuous period of six (6) months or longer in the absence of a power of attorney or court order, and such person or agency has not initiated judicial proceedings seeking either legal custody or adoption of the child; • Who is or has been allowed, encouraged or permitted to engage in prostitution or obscene or pornographic photographing, filming, posing, or similar activity and whose parent, guardian or other custodian neglects or refuses to protect such child from further such activity; or • Who has willfully been left in the sole financial care and sole physical care of a related caregiver for not less than eighteen (18) consecutive months by the child's parent, parents or legal custodian to the related caregiver, and the child will suffer substantial harm if removed from the continuous care of such relative.
Texas	<p>Tex. Fam. Code Ann. § 261.001 “neglected child” means a child:</p> <ul style="list-style-type: none"> • Who is without a parent, guardian or legal custodian; • Whose parent, guardian or person with whom the child lives, by reason of cruelty, mental incapacity, immorality or depravity is unfit to properly care for such child; • Who is under unlawful or improper care, supervision, custody or restraint by any person, corporation, agency, association, institution, society or other organization or who is unlawfully kept out of school;

<p><i>Texas</i></p>	<ul style="list-style-type: none"> • Whose parent, guardian or custodian neglects or refuses to provide necessary medical, surgical, institutional or hospital care for such child; • Who, because of lack of proper supervision, is found in any place the existence of which is in violation of law; • Who is in such condition of want or suffering or is under such improper guardianship or control as to injure or endanger the morals or health of such child or others; • Who is suffering from abuse or neglect; • Who has been in the care and control of one (1) or more agency or person not related to such child by blood or marriage for a continuous period of six (6) months or longer in the absence of a power of attorney or court order, and such person or agency has not initiated judicial proceedings seeking either legal custody or adoption of the child; • Who is or has been allowed, encouraged or permitted to engage in prostitution or obscene or pornographic photographing, filming, posing, or similar activity and whose parent, guardian or other custodian neglects or refuses to protect such child from further such activity; or • Who has willfully been left in the sole financial care and sole physical care of a related caregiver for not less than eighteen (18) consecutive months by the child's parent, parents or legal custodian to the related caregiver, and the child will suffer substantial harm if removed from the continuous care of such relative <p>“Neglect”: includes:</p> <ul style="list-style-type: none"> • the leaving of a child in a situation where the child would be exposed to a substantial risk of physical or mental harm, without arranging for necessary care for the child, and the demonstration of an intent not to return by a parent, guardian, or managing or possessory conservator of the child; • the following acts or omissions by a person: • placing a child in or failing to remove a child from a situation that a reasonable person would realize requires judgment or actions beyond the child's level of maturity, physical condition, or mental abilities and that results in bodily injury or a substantial risk of immediate harm to the child; • failing to seek, obtain, or follow through with medical care for a child, with the failure resulting in or presenting a substantial risk of death, disfigurement, or bodily injury or with the failure resulting in an observable and material impairment to the growth, development, or functioning of the child; • the failure to provide a child with food, clothing, or shelter necessary to sustain the life or health of the child, excluding failure caused primarily by financial inability unless relief services had been offered and refused; • placing a child in or failing to remove the child from a situation in which the child would be exposed to a substantial risk of sexual conduct harmful to the child; or • placing a child in or failing to remove the child from a situation in which the child would be exposed to acts or omissions that constitute abuse under Subdivision (1)(E), (F), (G), (H), or (K) committed against another child; • the failure by the person responsible for a child's care, custody, or welfare to permit the child to return to the child's home without arranging for the necessary care for the child after the child has been absent from the home for any reason, including having been in residential placement or having run away; or
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<i>Texas</i>	<ul style="list-style-type: none"> • a negligent act or omission by an employee, volunteer, or other individual working under the auspices of a facility or program, including failure to comply with an individual treatment plan, plan of care, or individualized service plan, that causes or may cause substantial emotional harm or physical injury to, or the death of, a child served by the facility or program as further described by rule or policy; and
<i>Utah</i>	<p>Juvenile Court -> General provisions – Utah Code Ann. § 78A-6-105</p> <ul style="list-style-type: none"> • (27)(a) “Neglect” means action or inaction causing: • abandonment of a child, except as provided in Title 62A, Chapter 4a, Part 8, Safe Relinquishment of a Newborn Child; • lack of proper parental care of a child by reason of the fault or habits of the parent, guardian, or custodian; • failure or refusal of a parent, guardian, or custodian to provide proper or necessary subsistence, education, or medical care, or any other care necessary for the child's health, safety, morals, or well-being; • a child to be at risk of being neglected or abused because another child in the same home is neglected or abused; or • abandonment of a child through an unregulated custody transfer. • (28) “Neglected child” means a child who has been subjected to neglect. • (38) “Severe neglect” means neglect that causes or threatens to cause serious harm to a child.
<i>Vermont</i>	<p>Child welfare services -> reporting abuse of children - Vt. Stat. Ann. tit. 33, § 4912</p> <ul style="list-style-type: none"> • “Abused or neglected child” means a child whose physical health, psychological growth and development, or welfare is harmed or is at substantial risk of harm by the acts or omissions of his or her parent or other person responsible for the child's welfare. • An “abused or neglected child” also means a child who is sexually abused or at substantial risk of sexual abuse by any person and a child who has died as a result of abuse or neglect.
<i>Virginia</i>	<p>Juvenile and domestic relations district courts - Va. Code Ann. § 63.2-100</p> <p>“Abused or neglected child” means any child:</p> <ul style="list-style-type: none"> • Whose parents or other person responsible for his care creates or inflicts, threatens to create or inflict, or allows to be created or inflicted upon such child a physical or mental injury by other than accidental means, or creates a substantial risk of death, disfigurement or impairment of bodily or mental functions, including, but not limited to, a child who is with his parent or other person responsible for his care either (i) during the manufacture or attempted manufacture of a Schedule I or II controlled substance, or (ii) during the unlawful sale of such substance by that child's parents or other person responsible for his care, where such manufacture, or attempted manufacture or unlawful sale would constitute a felony violation of § 18.2-248; • Whose parents or other person responsible for his care neglects or refuses to provide care necessary for his health; however, no child who in good faith is under treatment solely by spiritual means through prayer in accordance with the tenets and practices of a recognized church or religious denomination shall for that reason alone be considered to be an abused or neglected child; • Whose parents or other person responsible for his care abandons such child;

<i>Virginia</i>	<ul style="list-style-type: none"> • Whose parents or other person responsible for his care commits or allows to be committed any sexual act upon a child in violation of the law; • Who is without parental care or guardianship caused by the unreasonable absence or the mental or physical incapacity of the child's parent, guardian, legal custodian, or other person standing in loco parentis; • Whose parents or other person responsible for his care creates a substantial risk of physical or mental injury by knowingly leaving the child alone in the same dwelling, including an apartment as defined in § 55-79.2, with a person to whom the child is not related by blood or marriage and who the parent or other person responsible for his care knows has been convicted of an offense against a minor for which registration is required as a violent sexual offender pursuant to § 9.1-902; or • Who has been identified as a victim of sex trafficking or severe forms of trafficking as defined in the Trafficking Victims Protection Act of 2000, 22 U.S.C § 7102 et seq., and in the Justice for Victims of Trafficking Act of 2015, 42 U.S.C. § 5101 et seq.
<i>Washington</i>	<p>Domestic relations -> abuse of children - Wash. Rev. Code Ann. § 26.44.020</p> <ul style="list-style-type: none"> • “Abuse or neglect” means sexual abuse, sexual exploitation, or injury of a child by any person under circumstances which cause harm to the child's health, welfare, or safety, excluding conduct permitted under RCW 9A.16.100; or the negligent treatment or maltreatment of a child by a person responsible for or providing care to the child. An abused child is a child who has been subjected to child abuse or neglect as defined in this section.
<i>West Virginia</i>	<p>Crimes and punishment -> child abuse – W. Va. Code Ann. § 61-8D-1(7)</p> <p>“Neglect” means the unreasonable failure by a parent, guardian or custodian of a minor child to exercise a minimum degree of care to assure the minor child's physical safety or health. For purposes of this article, the following do not constitute “neglect” by a parent, guardian or custodian:</p> <ul style="list-style-type: none"> • Permitting a minor child to participate in athletic activities or other similar activities that if done properly are not inherently dangerous, regardless of whether that participation creates a risk of bodily injury; • Exercising discretion in choosing a lawful method of educating a minor child; or • Exercising discretion in making decisions regarding the nutrition and medical care provided to a minor child based upon religious conviction or reasonable personal belief.
<i>Wisconsin</i>	<p>Social services -> Children’s code - Wis. Stat. Ann. § 48.02(12g)</p> <ul style="list-style-type: none"> • “Neglect” means failure, refusal or inability on the part of a caregiver, for reasons other than poverty, to provide necessary care, food, clothing, medical or dental care or shelter so as to seriously endanger the physical health of the child.
<i>Wyoming</i>	<p>Child Protective Services Wyo. Stat. Ann. §14-3-202</p> <ul style="list-style-type: none"> • “Neglect” means a failure or refusal by those responsible for the child's welfare to provide adequate care, maintenance, supervision, education or medical, surgical or any other care necessary for the child's wellbeing.