

 <p style="text-align: center;"><b>County of Sacramento</b>  <b>Department of Health Services</b>  <b>Division of Behavioral Health Services</b>  <b>Policy and Procedure</b></p>	Policy Issuer (Unit/Program)	BHS-CMS-YDF
	Policy Number	04-02
	Effective Date	10/2009
	Revision Date	07/2017
Title: Adult Abuse Reporting		Functional Area: Legal
Approved By:		
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**Background/Context:**

Juvenile Justice Institutions Mental Health Team (JJIMHT) members report suspected instances of dependent adult or elder abuse to the designated authorities consistent with mandated reporting requirements.

**Definitions:**

1. Elder: Any person 65 years of age or older.
2. Dependent Adult: Any person between the ages of 18 and 64 who has physical or mental limitations which restrict his or her ability to carry out normal activities or to protect his or her rights and/or any person between the ages of 18 and 64 who is admitted to a 24-hour inpatient health facility.
3. Physical Abuse: Includes, but is not limited to: beatings, unauthorized physical restraint, pushing, hitting, intentional misuse of medication to cause physical harm, or prolonged deprivation of food or water.
4. Sexual Abuse: Includes inappropriate exposure, inappropriate sexual advances, sexual exploitation, rape or assault.
5. Financial Abuse: Undue influence to change documents, theft, embezzlement, and misuse of property.
6. Neglect: Failure to provide medical, psychiatric, hygiene, and dental needs. Also, failure to provide food, clothing and housing by others or by self-neglect.
7. Emotional or Verbal Abuse: Threats of harm or abandonment, isolation, imprisonment, or intimidation.

**Purpose:**

The purpose of this policy and procedure is to define the protocol JJIMHT members will follow when making a mandated report of dependent adult/elder abuse.

**Details:**

1. Reporting
  - A. When a youth discloses information which establishes a basis for suspected dependent adult or elder abuse or neglect a report must be made to Adult

Protective Services (APS) at (916)874-9377 immediately or as soon as practically possible following the disclosure. A written report must follow within 2 business days of the disclosure. Fax: (916)854-9341

- B. In all instances of suspected dependent adult/elder abuse, a report to APS and/or law enforcement must be made. Assumption that another agency or professional person has already filed an Adult Abuse Report does not relieve the mandated reporter from reporting.
  - C. When staff members are in doubt about whether or what to report, they must consult with the JJIMHT Program Coordinator and/or contact APS at (916)874-9377 to determine if a report is warranted.
  - D. Failure to report is a misdemeanor, punishable by a fine of not more than \$1,000 or imprisonment in the county jail for not more than six months, or both.
  - E. Any mandated reporter who willfully fails to report abuse of an elder or dependent adult, where the abuse results in death or great bodily injury may be punished by up to one year in a county jail and/or pay a fine of up to \$5,000.
2. Documentation and Filing
- A. APS uses a standardized written form entitled, "Report of Suspected Dependent Adult/Elder Abuse." The form and instructions for completion can be found at the following link: <http://www.cdss.ca.gov/cdssweb/entres/forms/English/SOC341.pdf>
  - B. The original report shall be sent to APS per their instruction(s).
  - C. A copy of the report shall be scanned into the electronic mental health record of the youth from whom the information regarding the dependent adult/elder abuse originated. The form shall be scanned into the "Legal-Sensitive" section and described as "Dependent Adult/Elder Abuse Report."
  - D. Complete an Accounting of Disclosures Form utilizing the name of the youth from whom the information originated. Indicate on the disclosure form a mandated report was made to APS and/or law enforcement on behalf of a dependent adult or elder adult connected to the youth.
  - E. The Accounting of Disclosures Form shall be scanned into the electronic mental health record of the youth from whom the information originated under the "HIPAA" section and described as "Accounting of Disclosure Log."

**Related Policies:**

BHS-CMH-YDF-02-03-Confidentiality

BHS-CMH-YDF-08-02-DBHS Compliance Program

BHS-CMH-YDF-08-07-Record Management

BHS-CMH-YDF-08-09-Release of Protected Health Information

BHS-CMH-YDF-08-12 Accounting of PHI Disclosures

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