

Mandated Reports Of Abuse Of Elder and Dependent Adults

If you reasonably suspect that a consumer has been the victim of abuse, exploitation or neglect*, incidents such as these require reporting to the proper authority in addition to reporting them to the regional center. This responsibility is called being a **MANDATED REPORTER**.

Welfare and Institutions Code 15630 defines a “**mandated reporter**” as: *Any person who has assumed full or intermittent responsibility for care or custody of an elder or dependent adult, whether or not that person receives compensation, including administrators, supervisors, and any licensed staff of a public or private facility that provides care or services for elder or dependent adults, or any elder or dependent adult care custodian, health practitioner, or employee of a county adult protective services agency or local law enforcement agency is a mandated reporter.*

Any mandated reporter who, in his or her professional capacity, or within the scope of his or her employment, has observed or has knowledge of an incident that reasonably appears to be physical abuse, abandonment, isolation, financial abuse, or neglect, or is told by an elder or dependent adult that he or she has experienced behavior constituting physical abuse, abandonment, isolation, financial abuse, or neglect, or reasonably suspects abuse shall report the known or suspected instance of abuse by telephone immediately or as soon as practically possible, and by written report sent within two working days...(Please refer to SIR Flow Chart)

Welfare and Institutions Code 15610.65 defines “**reasonable suspicion**” as: *An objectively reasonable suspicion that a person would entertain, based upon facts that could cause a reasonable person in a like position, drawing when appropriate upon his or her training and experience to suspect abuse.*

“**Care Custodian**” is defined as: An administrator or an employee of any of the following public or private facilities which provide care for elders and dependent adults except persons who do not work directly with elder and dependent adults as part of their official duties (including support and maintenance staff): (The following list is abbreviated from the complete list of care custodians.)

- Home health agencies
- Residential care facilities
- Respite care facilities
- Community care facilities
- Adult day health care centers
- Sheltered workshops
- Regional center for persons with developmental disabilities
- Any other protective or public assistance agency, which provides health or social services to elders or dependent adults

“**Elder**” is defined as: *Any person residing in this state, 65 years of age or older.*

“**Dependent Adult**” is defined as: *Any person residing in this state, 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 including, but not limited to, persons who have physical or developmental disabilities or whose physical or mental abilities have diminished because of age.*

*Suspected abuse/exploitation including: physical, sexual, fiduciary, emotional/mental; or physical/chemical restraint.

*Suspected neglect including failure to: provide medical care; prevent malnutrition or dehydration; protect from health and safety hazards; or assist in personal hygiene or the provision of food, clothing or shelter.