

Solano County Health & Social Services Department

Mental Health Services

Public Health Services

Substance Abuse Services

Older & Disabled Adult Services



Eligibility Services

Employment Services

Children's Services

Administrative Services

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POLICY MEMORANDUM #6190

October 21, 2004

REVIEWED & APPROVED BY:

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STEVEN D. WHITELEY, EMS Agency Medical Director

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MICHAEL A. FRENN, EMS Agency Administrator

SUBJECT: DUTY TO REPORT CHILD, ELDER AND DEPENDENT ADULT ABUSE

AUTHORITY: Welfare and Institutions Code §§ 15600-15601; California Health & Safety Code, Division 2.5 § 1797

PURPOSE/POLICY

To establish the parameters to recognize and report suspected child or elder and dependent adult abuse as mandated in the California Health and Safety Code and Institutions Code.

I. DUTY TO REPORT ELDER AND DEPENDENT ADULT ABUSE AS DEFINED

- A. **CHILD** means any person residing in this state 18 years of age and under.
- B. **ELDER** means any person residing in this state, 65 years of age or older.

C. **DEPENDENT ADULT** means any person residing in this state, between the ages of 18 and 64 years, who has physical or mental limitations that 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. A person who is temporarily disabled is considered a dependent adult.

II. ELDER & DEPENDENT ADULT ABUSE

- A. **Definition:** Abuse of an elder or dependent adult means either of the following:
- 1). Physical abuse (including sexual abuse), neglect (including self neglect), financial abuse, abandonment, isolation, abduction or other treatment resulting in physical harm or pain, or mental suffering.
 - 2). The deprivation by a care custodian of goods or services that are necessary to avoid physical harm or mental suffering.
- B. **Legal Requirements:** Pre-Hospital Care Personnel are mandated by Div. 2.5, Sect. 1797 of the California Health and Safety Code to report suspected abuse.
- C. **Required Actions for Elder and Dependent Abuse in a Person's Home:** In any situation in which Pre Hospital Care Personnel have reason to suspect abuse in a dependent adult or elderly person's own home:
1. The EMT/EMT-P will make reasonable efforts to transport a physically or sexually abused or neglected adult needing medical care to a receiving hospital for evaluation and will immediately notify the Receiving Hospital and document on the PCR their suspicions.
 2. If, for any reason, the EMT/EMT-P do not transport the adult and the adult is in immediate need of protection, they will immediately notify the appropriate police or sheriff department having jurisdiction and remain on scene until law enforcement personnel have arrived.
 3. All pertinent observations will be documented on the Prehospital Care Report Form (PCR).
 4. The receiving Emergency Department Staff is to be notified of the suspicions. The name of the nurse receiving the report and notification of suspicions should be documented on the PCR.
 5. The EMT/EMT-P should complete and submit the Report of Suspected Dependent Adult/Elder Abuse Form [Soc 341 (6/00)]. This report should be faxed to Adult Protective Services at (707) 435-2440. The original report should

be sent to Adult Protective Services, 275 Beck Ave., MS 5-110, Fairfield, CA 94533, within 24 hours. This action must be documented on the PCR.

6. If the suspected abuse happens at a Long Term Care Facility, follow the same procedures as above. The initial report should be faxed to Long-Term Care Ombudsman at (916) 376-8914. To make a verbal complaint, call (800) 644-4194, or 800-231-4024 after business hours. The original report should be sent to Adult Protective Services, 275 Beck Ave., MS 5-110, Fairfield, CA 94533, within 24 hours. This action must be documented on the PCR.

III. CHILD ABUSE

- A. **Definition** – Child Abuse is any act of omission or commission that endangers or impairs a child's physical or emotional health and development. Child abuse includes physical abuse, physical neglect, sexual abuse and emotional maltreatment.
- B. **Required Actions for Child Abuse:**
 1. The EMT/EMT-P will make reasonable efforts to transport a physically or sexually abused, or neglected child needing medical care to a Receiving Hospital for evaluation, and will immediately notify and document their suspicions on the PCR.
 2. If for any reason the EMT/EMT-P do not transport the child and the child is in immediate need of protection, they will immediately notify the appropriate law enforcement agency and will remain at the scene until law enforcement personnel have arrived.
 3. The EMT/EMT-P will document all pertinent observations on the PCR.
 4. The receiving Emergency Department Staff is to be notified of the EMT/EMT-P's suspicions. The name of the nurse receiving the report and notification of suspicions of abuse is to be documented on the PCR.
 5. The EMT/EMT-P should complete and submit the "Suspected Child Abuse Report (11166PC) form. This report is to be faxed to CPS, (707) 421-7535. The original report is to be sent to CPS, 275 Beck Ave., MS 5-230, Fairfield, CA 94533, within 24 hours. This action must be documented on the PCR.

