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POLICY MEMORANDUM 6190

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REVIEWED/APPROVED BY:

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BYRN MUMMA, MD, MAS, EMS AGENCY MEDICAL DIRECTOR



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

AUTHORITY:

Welfare and Institutions Code Section 15600-15601
California Health & Safety Code, Division 2.5, Section 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 Welfare and Institutions Code.

I. AGE GROUP DEFINITIONS

In regards to reporting abuse, the definitions are as follows:

- A. Child – A person 18 years of age or younger residing in this state.
- B. Elder – A person 65 years of age or older residing in this state.

- C. Dependent Adult - A person residing in this state, between the ages of 18 and 64, 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 or medical condition. A person who is temporarily disabled is considered a dependent adult.

II. ELDER AND DEPENDENT ADULT ABUSE AND REPORTING

- A. Abuse of an elder or dependent adult is defined by either of the following:
1. Physical, sexual, or financial abuse, neglect or self neglect, abandonment, isolation, abduction, or other treatment resulting in physical harm, pain, or mental suffering; OR
 2. The deprivation, by a care custodian, of goods or services that are necessary to avoid physical harm or mental suffering.
- B. Pre-hospital care personnel are mandated by California Health & Safety Code, Division 2.5, Section 1797 to report suspected abuse.
- C. For any situation where abuse of an elder or dependent adult is suspected, pre-hospital care personnel will do the following:
1. Make a reasonable effort to transport a physically or sexually abused or neglected elder/dependent adult, needing medical care, to a receiving hospital for evaluation.
 2. If transport to a receiving hospital does not occur and the elder/dependent adult is in immediate need of protection, notify the appropriate law enforcement agency having jurisdiction and remain on scene until law enforcement arrives.
 3. Document all pertinent observations on the Patient Care Report (PCR). Document in the PCR that a report was filed with Solano County Older and Dependent Adult Services (ODAS).
 4. Notify the receiving hospital staff of suspected abuse and all pertinent observations. Document the name of the receiving Emergency Department (ED) nurse or physician on the PCR.
 5. Contact Solano County ODAS by phone at 707-784-8259 OR 1-800-850-0012 to file a telephonic report.

- a. After making a telephonic report to ODAS, a written report using the Reporting Suspected Dependent Adult/Elder Abuse Form (SOC 341) is to be submitted within two working days of the incident. The form may be faxed to 707-784-2400 and the original mailed to Solano County, H&SS, ODAS MS 5-110, 275 Beck Ave, PO Box 5050, Fairfield, CA 94533.
 - b. An online version of the written report can be submitted on the ODAS Health and Social Services page found on the Solano County website.
6. If the abuse occurs at a Long Term Care Facility (LTCF), follow the same procedure as above.
- a. A report shall also be filed with the Ombudsman Services of Contra Costa and Solano by calling 925-685-2070 or 1-800-644-4194.

III. CHILD ABUSE

- A. Child abuse is defined as 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. For any situation where abuse of a child is suspected, pre-hospital care personnel will do the following:
 1. Make a reasonable effort to transport a physically or sexually abused, or neglected child needing medical care to a Receiving Hospital for evaluation.
 2. If transport to a receiving hospital does not occur and the child is in immediate need of protection, notify the appropriate law enforcement agency having jurisdiction and remain on scene until law enforcement arrives.
 3. Document all pertinent observations on the Patient Care Report (PCR). Document in the PCR that a report was filed with Solano County Child Welfare Services (CWS).
 4. Notify the receiving hospital staff of suspected abuse and all pertinent observations. Document the name of the receiving Emergency Department (ED) nurse or physician on the PCR.
 5. Contact Solano County CWS by phone at 707-784-8791 OR 1-800-544-8696 to file a telephonic report.

- a. After making a telephonic report to CWS, a written report using the Suspected Child Abuse Reporting Form (11166 PC Form) is to be submitted within 24 hours of the incident. The form is to be mailed to Solano County, H&SS, CWS MS 5-230, 275 Beck Ave, Fairfield, CA 94533.