

Maine Mandatory Reporting Requirements Regarding Elders/Disabled

<p><i>Who Must Report?</i></p>	<ul style="list-style-type: none"> • Any of the following persons, while <i>acting in a professional capacity</i>, who have reasonable cause to suspect an incapacitated or dependent adult has been or is at substantial risk of abuse, neglect, or exploitation: <ul style="list-style-type: none"> ○ Allopathic or osteopathic physician; ○ Medical intern; ○ Medical examiner; ○ Physician’s assistant; ○ Dentist; ○ Chiropractor; ○ Podiatrist; ○ Registered or licensed practical nurse; ○ Certified nursing assistant; ○ Social worker; ○ Psychologist; ○ Pharmacist; ○ Physical therapist; ○ Speech therapist; ○ Occupational therapist; ○ Mental health professional; ○ Law enforcement official; ○ Emergency room personnel; ○ Ambulance attendant; ○ Emergency medical technician; ○ Unlicensed assistive personnel; ○ Member of the clergy acquiring the information as a result of clerical professional work (except for information learned through confidential communications); ○ Humane agent employed by the Department of Agriculture, food and Rural Resources; ○ Sexual assault counselors; and ○ Family or domestic violence victim advocates. • Any person who has assumed full, intermittent, or occasional responsibility for the care and custody of the incapacitated or dependent adult, regardless of whether that person is compensated; and • Any person affiliated with a church or religious institution who serves in an administrative capacity, while acting in that capacity,
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	<p>regardless of whether that person is compensated.</p> <ul style="list-style-type: none"> An animal control officer, when that person has reasonable cause to suspect that an incapacitated or dependent adult has been or is at substantial risk of substantial abuse, neglect or exploitation.
<i>Standard of Knowledge</i>	Reasonable cause to suspect that an incapacitated or dependent adult has been or is at substantial risk of abuse, neglect, or exploitation.
<i>Definition of Applicable Victim</i>	<p>An “incapacitated adult” is any adult who is impaired by reason of mental illness, mental deficiency, physical illness or disability to the extent that the individual lacks sufficient understanding or capacity to make or communicate responsible decisions concerning themselves, or to the extent the adult cannot effectively manage or apply that individual’s estate to necessary ends.</p> <p>A “dependent adult” is as an adult who has a physical or mental condition that substantially impairs the adult’s ability to adequately provide for that adult’s daily needs. A “dependent adult” includes, but is not limited to, a resident of a nursing home licensed or required to be licensed under state law or a resident of a facility providing assisted living services licensed or required to be licensed under state law. A licensed, certified, accredited or certified professional must also be reported by the court or the state to the appropriate professional licensing organization, registration board accrediting unit or facility.</p>
<i>Reports Made To</i>	All reports shall be made by telephone to the Department of Health and Human Services (1-800-624-8404).
<i>Contents of Report</i>	<ul style="list-style-type: none"> Name and address of the involved adult; Nature and extent of the abuse, neglect, or exploitation; Source of the report; Name, occupation, and contact information for the reporter; and Any other information that the reporter believes might be helpful.
<i>Timing/Other Procedures</i>	Must make oral report of suspected abuse or neglect <i>immediately</i> . If requested by the Department of Health and Human Services, must follow with a written report within 48 hours.
<i>Other</i>	A person who knowingly violates a provision of this chapter commits a civil violation for which a forfeiture of not more than \$500 may be adjudged.
<i>Source/Applicable Statute(s)</i>	22 M.R.S. §§ 3472, 3475, 3477 (2009).

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