

Ohio Mandatory Reporting Requirements Regarding Elders/Disabled	
<i>Who Must Report?</i>	<p><u>Elders</u>: Any attorney, physician, osteopath, podiatrist, chiropractor, dentist, psychologist, hospital employee, licensed nurse, ambulatory health facility employee, home health agency employee, adult care facility employee, nursing home employee, residential care facility employee, home for the aging employee, senior service provider, peace officer, coroner, clergyman, community mental health facility employee, and a person engaged in social work or counseling. This statute does not apply to employees of certain hospitals licensed by the department of mental health.</p> <p><u>Disabled</u>: Any physician (including a hospital intern or resident); dentist; podiatrist; chiropractor; practitioner of a limited branch of medicine; hospital administrator or employee; licensed nurse; ambulatory health facility employee; home health agency employee; adult care facility employee; community mental health facility employee; school teacher or authority; social worker; psychologist; attorney; peace officer; coroner; residents' rights advocate; superintendent, board member, or employee of a county board of developmental disabilities; administrator, board member, or employee of a residential facility; administrator, board member, or employee of any other public or private provider of services to a person with mental retardation or a developmental disability; MR/DD employee; member of a citizen's advisory council established at an institution or branch institution of the department of developmental disabilities; clergyman who is employed in a position that includes providing specialized services to an individual with mental retardation or another developmental disability (while acting in an official or professional capacity in that position), and a person who is employed in a position that includes providing specialized services to an individual with mental retardation or another developmental disability and who (while acting in an official or professional capacity) renders spiritual treatment through prayer in accordance with the tenets of an organized religion.</p>
<i>Standard of Knowledge</i>	<p><u>Elders</u>: Reasonable cause to believe that an adult is being abused, neglected, or exploited, or is in a condition which is the result of abuse, neglect, or exploitation.</p> <p><u>Disabled</u>: Reason to believe that a person with mental retardation or a developmental disability has suffered or faces a substantial risk of suffering any wound, injury, disability, or condition of such a nature as to reasonably indicate abuse or neglect of that person.</p>

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<p><i>Definition of Applicable Victim</i></p>	<p><u>Elders</u>: A person 60 years of age or older within Ohio who is abused, neglected, or exploited, and who is handicapped by the infirmities of age or who has a physical or mental impairment which prevents the person from providing for the person’s own care or protection and who resides in an independent living arrangement (see Ohio Rev. Code Ann. § 5101.60 for specific definition “abuse,” “neglect” and “exploitation”).</p> <p><u>Disabled</u>: “<u>Mentally retarded person</u>” means a person having significantly subaverage general intellectual functioning existing concurrently with deficiencies in adaptive behavior, manifested during the developmental period. “<u>Developmental disability</u>” means a severe, chronic disability that is attributable to a mental or physical impairment or a combination of mental and physical impairments, other than a mental or physical impairment solely caused by mental illness manifested before age twenty-two and is likely to continue indefinitely, resulting in developmental delays in young children or substantial functional limitation in at least three areas of major life activity and causing the person to need a combination and sequence of special, interdisciplinary, or other type of care, treatment, or provision of services for an extended period of time that is individually planned and coordinated for the person.</p>
<p><i>Reports Made To</i></p>	<p><u>Elders</u>:</p> <ul style="list-style-type: none"> <li>• County department of job and family services accessible at <a href="http://jfs.ohio.gov/county/cntydir.stm">http://jfs.ohio.gov/county/cntydir.stm</a>.</li> </ul> <p><u>Disabled</u>:</p> <ul style="list-style-type: none"> <li>• Law enforcement agency or 1-(866)-313-6733 or the county board of developmental disabilities accessible at <a href="http://odmrdd.state.oh.us/contacts/countyboards1.htm">http://odmrdd.state.oh.us/contacts/countyboards1.htm</a>;</li> <li>• State highway patrol if the individual is an inmate in a state correctional institution;</li> <li>• Law enforcement agency or the department of developmental disabilities if the report concerns a resident of a facility operated by the department; or</li> <li>• The department and the county board if the report concerns any act or omission of an employee of a county board of</li> </ul>

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	developmental disabilities.
<i>Contents of Report</i>	<p><u>Elders</u>: Written reports must include:</p> <ul style="list-style-type: none"> <li>• The name, address, and approximate age of the adult who is the subject of the report;</li> <li>• The name and address of the individual responsible for the adult’s care (if any and if known);</li> <li>• The nature and extent of the alleged abuse, neglect, or exploitation;</li> <li>• The basis of the reporter’s belief that the adult has been abused, neglected, or exploited.</li> </ul> <p><u>Disabled</u>: Reports must include:</p> <ul style="list-style-type: none"> <li>• The names and addresses of the person with mental retardation or a developmental disability;</li> <li>• The person’s custodian (if known);</li> <li>• The age of the person with mental retardation or a developmental disability; and</li> <li>• Any other information that would assist in the investigation of the report.</li> </ul>
<i>Timing/Other Procedures</i>	<p><u>Elders</u>: Reports must be made immediately and can be oral or written. Oral report must be followed by a written report, if requested.</p> <p><u>Disabled</u>: Reports must be made “forthwith” by telephone or in person, and must be followed by a written report.</p>
<i>Other</i>	<p><u>Disabled</u>:</p> <ul style="list-style-type: none"> <li>• Reporting requirements do not apply to members of the legal rights service commission or to employees of the legal rights service.</li> <li>• An attorney or physician is not required to make a report concerning any communication the attorney or physician receives from a client or patient in an attorney-client or physician-patient relationship, if the attorney or physician could not testify with respect to that communication in a civil or criminal proceeding (some exceptions to this).</li> </ul>
<i>Source/Applicable Statute(s)</i>	<p><u>Elders</u>: Ohio Rev. Code Ann. §§ 5101.60, 5101.61 (2009).</p> <p><u>Disabled</u>: Ohio Rev. Code Ann. §§ 5120.173, 5123.01, 5123.61 (2009).</p>

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