

Oklahoma Mandatory Reporting Requirements Regarding Elders/Disabled	
<i>Who Must Report?</i>	<p>Any person. Persons required to make reports pursuant to this Section shall include, but not be limited to:</p> <ul style="list-style-type: none"> <li>• Physicians;</li> <li>• Operators of emergency response vehicles and other medical professionals;</li> <li>• Social workers and mental health professionals;</li> <li>• Law enforcement officials;</li> <li>• Staff of domestic violence programs;</li> <li>• Long-term care facility personnel (including staff of nursing facilities, intermediate care facilities for persons with mental retardation, assisted living facilities, and residential care facilities);</li> <li>• Other health care professionals</li> <li>• Persons entering into transactions with a caretaker or other person who has assumed the role of financial management for a vulnerable adult;</li> <li>• Staff of residential care facilities, group homes, or employment settings for individuals with developmental disabilities; and</li> <li>• Job coaches, community service workers, and personal care assistants.</li> </ul>
<i>Standard of Knowledge</i>	Reasonable cause to believe that a vulnerable adult is suffering from abuse, neglect, or exploitation.
<i>Definition of Applicable Victim</i>	<p>A vulnerable adult is “an individual who is an incapacitated person or who, because of physical or mental disability, incapacity, or other disability, is substantially impaired in the ability to provide adequately for the care or custody of himself or herself, or is unable to manage his or her property and financial affairs effectively, or to meet essential requirements for mental or physical health or safety, or to protect himself or herself from abuse, verbal abuse, neglect, or exploitation without assistance from others.”</p> <p>An incapacitated person is:</p> <ul style="list-style-type: none"> <li>• Anyone 18 years or older who is impaired by reason of mental or physical illness or disability, dementia or related disease, mental retardation, developmental disability or other cause, and whose ability to receive and evaluate information effectively or to make and to communicate responsible decisions is impaired to such an extent that such person lacks the capacity to manage his or her financial resources or to meet essential requirements for his or her mental or physical health or safety without assistance from others; or</li> </ul>

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	<ul style="list-style-type: none"> <li>Anyone for whom a guardian, limited guardian, or conservator has been appointed pursuant to the Oklahoma Guardianship and Conservatorship Act (see Okla. Stat. tit. 30, § 1-101 through § 5-101).</li> </ul>
<i>Reports Made To</i>	The Department of Human Services Adult Protective Services (1-800-522-3511) ( <a href="http://www.okdhs.org/">http://www.okdhs.org/</a> ) or the municipal police department or sheriff's office in the county in which the suspected abuse, neglect, or exploitation occurred.
<i>Contents of Report</i>	<ul style="list-style-type: none"> <li>The name and address of the vulnerable adult;</li> <li>The name and address of the caretaker, guardian, or person having power of attorney over the vulnerable adult's resources (if any);</li> <li>A description of the current location of the vulnerable adult;</li> <li>A description of the current condition of the vulnerable adult; and</li> <li>A description of the situation which may constitute abuse, neglect or exploitation of the vulnerable adult.</li> </ul>
<i>Timing/Other Procedures</i>	<ul style="list-style-type: none"> <li>Report must be made as soon as the reporter is aware of the situation and can be oral or in writing.</li> <li>An employee or agent of a facility (defined as a nursing facility and a specialized home, but not a residential care home or an adult companion home) who becomes aware of abuse, neglect or exploitation of a resident (defined as a person residing in a facility due to illness, physical or mental infirmity, or advanced age) prohibited by the Nursing Home Care Act shall immediately report the matter to the facility administrator, who shall immediately act to rectify the problem and shall make a report of the incident and its correction to the Department of Health. The following serious incidents must be reported within 24 hours: communicable diseases; deaths by unusual occurrence, including accidental deaths or deaths other than by natural causes, and deaths that may be attributed to a medical device; missing residents (also to local law enforcement agencies within two (2) hours); situations arising where criminal intent is suspected (also to local law enforcement); and resident abuse, neglect and misappropriation of the property of a resident. <ul style="list-style-type: none"> <li>All initial written reports of incidents or situations shall be mailed to the Department within five (5) working days after the incident or situation.</li> </ul> </li> </ul>
<i>Other</i>	Knowingly and willfully failing to promptly report is a misdemeanor punishable by a fine of up to \$1,000 or imprisonment of up to one

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	year, or both.
<i>Source/Applicable Statute(s)</i>	Okla. Stat. tit. 43A, §§ 10-103, 10-104; Okla. Stat. tit. 63, §§ 1-1902, 1-1939 (2009).

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