

Pennsylvania Mandatory Reporting Requirements Regarding Elderly/Disabled	
<i>Who Must Report?</i>	<p>An employee of:</p> <ul style="list-style-type: none"> • A domiciliary care home; • A home health care agency; • A long-term care nursing facility; • An older adult daily living center; and • A personal care home. <p>The term employee includes contract employees who have direct contact with residents or unsupervised access to their personal living quarters, and any person who is employed or who enters into a contractual relationship to provide care to a care-dependent individual for monetary consideration in the individual's place of residence.</p> <p>A person responsible for the administration of any of the above listed facilities, including persons responsible for employment decisions and independent contractors.</p>
<i>Standard of Knowledge</i>	Reasonable cause to suspect that a recipient is a victim of abuse, including sexual abuse, or serious physical injury or serious bodily injury or that a death is suspicious.
<i>Definition of Applicable Victim</i>	A recipient is an individual who receives care, services or treatment in or from any of the facilities listed above. An "older adult" is a person within the jurisdiction of the Commonwealth who is 60 years of age or older.
<i>Reports Made To</i>	Reports of suspected physical abuse must be made to the local provider of protective services, which is the area agency on aging or its designee. Reports of suspected sexual abuse, serious physical injury or serious bodily injury or that a death is suspicious must be reported to law enforcement as well as the protective services agency.
<i>Contents of Report</i>	<p>Written reports must be in a manner and on forms prescribed by the department of aging and shall include, at a minimum:</p> <ul style="list-style-type: none"> • The name, age and address of the recipient; • The name and address of the recipient's guardian or next of kin; • The name and address of the facility; • The nature of the alleged offense; and • Any specific comments or observations that are directly related to the alleged incident and the individual involved.
<i>Timing/Other Procedures</i>	Reports must be made orally and immediately. Written reports must follow within 48 hours of making the oral report.

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<i>Other</i>	<ul style="list-style-type: none"> • Any person having reasonable cause to believe that an older adult, or someone within the state who is 60 years of age or older, is in need of protective services may report such information to the agency which is the local provider of protective services. • An administrator or facility owner who intentionally or willfully fails to report may be subject to a civil penalty of not more than \$ 2,500. • An administrator or facility owner who intentionally or willfully fails to report commits a misdemeanor of the third degree and shall, upon conviction, be sentenced to pay a fine of \$ 2,500 or to imprisonment for not more than one year, or both. • A person required to report a case of suspected abuse who willfully fails to do so commits a summary offense for the first violation and a misdemeanor of the third degree for a second or subsequent violation.
<i>Source/Applicable Statute(s)</i>	35 P.S. §§ 10225.103, 10225.302, 10225.701, 10225.706 (2009).

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