

California Mandatory Reporting Requirements Regarding Elders/Disabled	
<i>Who Must Report?</i>	<p>Any person who has assumed full or intermittent responsibility for the care or custody of an elder or dependent adult, whether or not he or she receives compensation, including administrators, supervisors, and any licensed staff of a public or private facility that provides care or services for elder or dependent adults, or</p> <p>Any elder or dependent adult care custodian, health practitioner, clergy member, or employee of a county adult protective services agency or a local law enforcement agency.</p> <p>“A ‘[h]ealth practitioner’ [is] a physician and surgeon, psychiatrist, psychologist, dentist, resident, intern, podiatrist, chiropractor, licensed nurse, dental hygienist, licensed clinical social worker or associate clinical social worker, marriage, family, and child counselor, or any other person who is currently licensed under Division 2 (commencing with Section 500) of the Business and Professions Code, any emergency medical technician I or II, paramedic, or person certified pursuant to Division 2.5 (commencing with Section 1797) of the Health and Safety Code, a psychological assistant registered pursuant to Section 2913 of the Business and Professions Code, a marriage, family, and child counselor trainee, as defined in subdivision (c) of Section 4980.03 of the Business and Professions Code, or an unlicensed marriage, family, and child counselor intern registered under Section 4980.44 of the Business and Professions Code, state or county public health or social service employee who treats an elder or a dependent adult for any condition, or a coroner.”</p>
<i>Standard of Knowledge</i>	<ul style="list-style-type: none"> • Observation of or knowledge of an incident that reasonably appears to be physical abuse, abandonment, abduction, isolation, financial abuse, or neglect; • Having been told by an elder or dependent adult that he or she has experienced behavior, including an act or omission, constituting physical abuse, abandonment, abduction, isolation, financial abuse, or neglect; or • Reasonable suspicion of abuse.
<i>Definition of Applicable Victim</i>	<p>An “elder” is any person residing in California, 65 years of age or older.</p> <p>A “dependent adult” is:</p> <ul style="list-style-type: none"> • Any person between the ages of 18 and 64 years who resides in California and 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; and

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	<ul style="list-style-type: none"> Any person between the ages of 18 and 64 years who is admitted as an inpatient to a 24-hour health facility.
<i>Reports Made To</i>	<p>A report for a resident of long-term care shall be made to:</p> <ul style="list-style-type: none"> If the abuse occurred in a long-term care facility, except a state mental health hospital or a state developmental center, the local ombudsperson or the local law enforcement agency; If the abuse occurred in a state mental hospital or a state developmental center, designated investigators of the State Department of Mental Health or the State Department of Developmental Services or the local law enforcement agency; or If the abuse has occurred any other place, the adult protective services agency or the local law enforcement agency.
<i>Contents of Report</i>	<p>The telephone report shall include the following, if known:</p> <ul style="list-style-type: none"> The name of the person making the report; The name and age of the elder or dependent adult; The present location of the elder or dependent adult; The names and addresses of family members or any other adult responsible for the elder's or dependent adult's care; The nature and extent of the elder's or dependent adult's condition; The date of the incident; and Any other information, including information that led that person to suspect elder or dependent adult abuse, as requested by the agency receiving the report. <p>The written report shall be submitted on a form adopted by the State Department of Social Services, which requires the following:</p> <ul style="list-style-type: none"> The name, address, telephone number, and occupation of the person reporting; The name and address of the victim; The date, time, and place of the incident; Other details, including the reporter's observations and beliefs concerning the incident; Any statement relating to the incident made by the victim; The name of any individuals believed to have knowledge of the incident; and The name of the individuals believed to be responsible for the incident and their connection to the victim.
<i>Timing/Other Procedures</i>	<p>A telephone shall be made immediately or as soon as practicably possible, and a written report must be sent within two working days.</p>



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<i>Other</i>	<p>Any person who fails to make a required shall be guilty of a misdemeanor, punishable by not more than six months in the county jail, by a fine of not more than \$1,000, or both. If the abuse results in death, the fine may not be greater than \$5,000.</p> <p>Reports will be confidential and disclosed only in certain limited circumstances.</p>
<i>Source/Applicable Statute(s)</i>	Elder Abuse and Dependent Adult Civil Protection Act, Cal. Welf. & Inst. §§ 15600 <i>et seq.</i>

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