

Hawaii Mandatory Reporting Requirements Regarding Elderly/Disabled	
<i>Who Must Report?</i>	<p>Any of the following persons who, <i>in the performance of their professional or official duties</i>, knows or has reason to believe that a dependent adult has been abused <i>and</i> is threatened with imminent abuse (i.e., there is reasonable cause to believe that abuse will occur or recur within the next 90 days):</p> <ul style="list-style-type: none"> • Any licensed or registered professional of the healing arts and any health-related occupation who examines, attends, treats, or provides other professional services, including but not limited to physicians, physicians in training, psychologists, dentists, nurses, osteopathic physicians and surgeons, optometrists, chiropractors, podiatrists, pharmacists, and other health-related professionals; • Employees or officers of any public or private agency or institution providing social, medical, hospital or mental health services, including financial assistance; • Employees or officers of any law enforcement agency, including but not limited to, the courts, police departments, correctional institutions, and parole or probation officers; • Employees or officers of any adult residential care home, adult day care center, or similar institution; and • Medical examiners and coroners.
<i>Standard of Knowledge</i>	Person needs to know or have reason to believe that a dependent adult has been abused <i>and</i> is threatened with imminent abuse.
<i>Definition of Applicable Victim</i>	Any adult who, because of mental or physical impairment, is dependent upon another person, a care organization, or a care facility for personal health, safety, or welfare <i>and</i> who is the victim of actual or imminent physical injury, psychological abuse or neglect, sexual abuse, financial exploitation, negligent treatment, or maltreatment.
<i>Reports Made To</i>	<p>An initial oral report must be made to the Department of Human Services (“DHS”). A written report to DHS then follows.</p> <p>If the police department is the initiating agency, then a written report shall not be required unless the police department has declined to take further action and the DHS informs the police department that it intends to pursue the matter of the oral reported incident of abuse.</p>
<i>Contents of Report</i>	<p>All written reports shall contain the following:</p> <ul style="list-style-type: none"> • Name and address of the dependent adult and, if known, the person or organizations or care facility which is alleged to have committed or been responsible for the abuse; • The nature and the extent of the injury or harm; and • Any other information that the reporter believes might be helpful in establishing the cause of the abuse.



Hawaii Mandatory Reporting Requirements Regarding Elderly/Disabled	
<i>Timing/Other Procedures</i>	Oral report is to be made <i>promptly</i> . Written report should follow oral report <i>as soon as possible</i> .
<i>Other</i>	Any person listed who is who required to report, and who knowingly fails to report or who willfully prevents another person from reporting, shall be guilty of a petty misdemeanor.
<i>Source/Applicable Statute(s)</i>	HRS § 346-222 (2007); HRS § 346-224 (2007)

©2007. For reprint permission, please contact Evelyn Fortier at evelynf@rainn.org. Last updated: October 2007.

RAINN (Rape Abuse and Incest National Network) provides general information that is intended, but not guaranteed, to be correct and up-to-date. The information is not presented as a source of legal advice. You should not rely, for legal advice, on statements or representations made by RAINN. If you need legal advice upon which you intend to rely in the course of your legal affairs, consult a competent, independent attorney. RAINN does not assume any responsibility for actions or non-actions taken by people who have used this information, and no one shall be entitled to a claim for detrimental reliance on any information provided or expressed. RAINN does not endorse, guarantee or warranty the accuracy, reliability or thoroughness of any referenced information, product or service.