

California Mandatory Reporting Requirements Regarding Elders/Disabled	
<i>Who Must Report?</i>	<ul style="list-style-type: none"> • 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 • 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. <ul style="list-style-type: none"> ○ A health 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. • All officers and employees of financial institutions are mandated reporters of suspected financial abuse. • When two or more mandated reporters are present and jointly have knowledge or reasonably suspect that types of abuse of an elder or a dependent adult for which a report is or is not mandated have occurred, and when there is agreement among them, the telephone report may be made by a member of the team selected by mutual agreement, and a single report may be made and signed by the selected member of the reporting team. Any member who has knowledge that the member

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	designated to report has failed to do so shall thereafter make the report.
<i>Standard of Knowledge</i>	<p>When a mandated reporter, in his or her professional capacity, or within the scope of his or her employment:</p> <ul style="list-style-type: none"> • Has observed or has knowledge of an incident that reasonably appears to be physical abuse, abandonment, abduction, isolation, financial abuse, or neglect; • Is 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 • Reasonably suspects that abuse. <p>When a mandated reporter of suspected financial abuse, who has direct contact with the elder or dependent adult or who reviews or approves the elder or dependent adult’s financial documents, records or transactions, and who within the scope of his or her employment:</p> <ul style="list-style-type: none"> • Has observed or has knowledge of an incident that is directly related to the transaction or matter that is within the scope of employment and reasonably appears to be financial abuse, or • Reasonably suspects that abuse. <p>Exception – A clergy member who acquires knowledge or reasonable suspicion of elder or dependent adult abuse during a penitential communication is not a mandated reporter.</p>
<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 • any person between the ages of 18 and 64 years who is

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	admitted as an inpatient to a 24-hour health facility.
<i>Reports Made To</i>	<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 report shall be made to the local ombudsperson or the local law enforcement agency; • If the abuse occurred in a state mental hospital or a state developmental center, the report shall be made to 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 in any other place, the report shall be made to 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 (available at http://www.cdss.ca.gov/agedblinddisabled/PG1298.htm), 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

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	<p>the incident; and</p> <ul style="list-style-type: none"> 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 report shall be made immediately or as soon as practicably possible, and a written report must be sent within two working days.</p> <p>Each county shall establish an emergency response adult protective services program that shall provide in-person response, 24 hours per day, seven days per week, to reports of abuse of an elder or a dependent adult, for the purpose of providing immediate intake or intervention, or both, to new reports involving immediate life threats and to crises in existing cases.</p>
<i>Other</i>	<ul style="list-style-type: none"> Any person who fails to make a required report, or impedes or inhibits a report, 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. Any mandated reporter who willfully fails to report, or impedes or inhibits a report, and the abuse results in death or great bodily injury shall be punished by not more than one year in a county jail, a fine of not more than \$5,000, or both. Reports will be confidential and disclosed only in certain limited circumstances.
<i>Source/Applicable Statute(s)</i>	Elder Abuse and Dependent Adult Civil Protection Act, Ca. Welf. & Inst. §§ 15600 <i>et seq.</i> (2009).

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