

Department of Behavioral Health
TRANSMITTAL LETTER

SUBJECT Reporting Elder and Vulnerable Adult Abuse and Neglect		
POLICY NUMBER DBH Policy 630.3	DATE JUN 23 2014	TL# 256

Purpose. To establish policy and procedures in reporting suspected abuse and neglect of elder and vulnerable adults by DBH and provider employees; and to prescribe procedures on how to report them in the District of Columbia.

This revision adopts the policy from the former Department of Mental Health, now merged into the new Department of Behavioral Health, in accordance with the DBH Establishment Act of 2013.

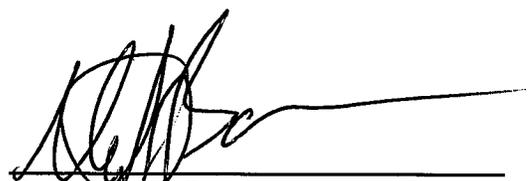
Applicability. Applies to the Department of Behavioral Health (DBH); DBH contractors and providers and Saint Elizabeths Hospital.

Policy Clearance. Reviewed by affected responsible staff and cleared through appropriate Behavioral Health Authority (BHA) offices.

Effective Date. This policy is effective immediately.

Superseded Policy. DMH Policy 630, 3, same title, dated August 10, 2012.

Distribution. This policy will be posted on the DBH web site at www.dbh.dc.gov under Policies and Rules. Applicable entities are required to ensure that affected staff is familiar with the contents of this policy.



Stephen T. Baron
Director, DBH

<p style="text-align: center;">GOVERNMENT OF THE DISTRICT OF COLUMBIA</p>  <p style="text-align: center;">DEPARTMENT OF BEHAVIORAL HEALTH</p>	<p>Policy No. 630.3</p>	<p>Date JUN 23 2014</p>	<p>Page 1</p>
<p>Supersedes DMH Policy 630.3, same subject, dated Aug. 10, 2012</p>			
<p>Subject: Reporting Elder and Vulnerable Adult Abuse and Neglect</p>			

1. **Purpose.** To establish policy and procedures in reporting suspected abuse and neglect of elder and vulnerable adults by DBH and provider employees; and to prescribe procedures on how to report them in the District of Columbia.

2. **Applicability.** Applies to the Department of Behavioral Health (DBH); DBH contractors and providers and Saint Elizabeths Hospital.

3. **Authority.** Adult Protective Services Act of 1984 (the "Act"), D.C. Law 5-156, effective March 14, 1985, D.C. Official Code §7-1901 *et seq.* (2008 Repl.) and the Department of Behavioral Health Establishment Act of 2013.

4. **Background.**

According to the best available estimates, between 1 and 2 million Americans age 65 or older have been injured, exploited, or otherwise mistreated by someone on whom they depended for care or protection. It is estimated that for every one case of elder abuse, neglect, exploitation, or self-neglect reported to authorities, about five more go unreported.

Certain people are required by law to report abusers; other individuals are encouraged to report voluntarily. Additional information, is available from the District of Columbia Adult Protective Services (APS) at <http://dcdhs.dc.gov/service/adult-protective-services>

5. **Definitions.** For purposes of this policy, the following definitions apply:

5a. **Abuse.** The intentional infliction of serious physical pain or injury; the use or threatened use of violence; the forced participation in sexual conduct; the repeated intentional imposition of unreasonable confinement; or the intentional or deliberate deprivation of essential food, shelter, or health care.

5b. **Adult Protective Services (APS).** The unit within the Department of Human Services (DHS) Family Services Administration tasked with providing protective services, including receiving reports and conducting investigations, for adults in the District of Columbia.

5c. **APS Hotline and reporting location.** To report allegations of abuse, neglect, self-neglect, and/or exploitation, please call the APS Hotline at (202) 541-3950 available 24 hours 7 days a week; or visit the APS office at 64 New York Avenue, NE, 4th Floor, Washington, DC 20002 between the hours of 8:45 am. to 4:45 pm. Walk-ins are accepted.

5d. **Elder.** A person sixty-five (65) years of age or older.

5e. **Exigent circumstances.** Those circumstances which involve immediate and substantial risk of life-threatening peril and in which temporary arrangement must be made while seeking appropriate protective orders.

5f. Exploitation. The unlawful appropriation or use of another's property, for one's benefit or that of a third person.

5g. Mandated Reporter. A conservator, court-appointed mental retardation advocate, guardian, health-care administrator, licensed health professional, police officer, bank manager, financial manager, or social worker who as a result of his or her appointment, employment, or practice has substantial cause to believe that an adult is in need of protective services because of abuse, neglect or exploitation by another. A social worker or licensed health professional whose client or patient is the person allegedly responsible for the abuse or neglect is not a mandated reporter for that particular situation of abuse or neglect.

5h. Neglect. The repeated, careless infliction of serious physical pain or injury; the repeated failure of a caregiver to take reasonable steps to protect against acts of abuse; the repeated careless imposition of unreasonable confinement; or the careless deprivation of food, shelter, or health care.

5i. Self-Neglect. When an individual deprives him or herself of appropriate food, shelter or health care because of dementia of some other physical or mental disability.

5j. Vulnerable adult. A person between the ages of 18 and 64 who has physical or mental limitations which restrict his or her ability to carry out normal activities or to protect his or her rights. This includes, but is not limited to, persons whose physical or mental abilities have diminished because of age.

6. Policy

6a. Any Mandated Reporter (see list in section 5g above) who is appointed, employed, or practices within the DBH and provider network and believes that an adult is in need of protective services because of abuse, neglect, or exploitation, shall immediately report this belief to the District of Columbia (DC) Adult Protective Services (APS) agency, in addition to internal provider procedures.

6b. Any person who is appointed, employed or practices within the DBH and provider network, even if not a mandated reporter, who believes that an adult consumer is in need of protective services because of abuse, neglect, self-neglect or exploitation must file a report in accordance with DBH policy on reporting Major Unusual Incidents (MUIs) and Unusual Incidents (UIs), and should also immediately report this incident to the D.C. APS.

7. Reporting Procedures

7a. For exigent circumstances (see section 5e), the Mandated Reporter and the non-mandated person should immediately notify the Metropolitan Police Department (MPD) and APS at (202) 541 – 3950.

7b. Non-immediate or non-life threatening situations which a person has substantial cause to believe an adult is in need of protective services due to abuse, neglect or exploitation shall be reported by mandatory reporters and by voluntary reporters, to the APS hotline at (202) 541 – 3950.

7c. If known, the report shall include the following information:

- (1) The name, age, physical description and location of each adult alleged to be in need

of protective services;

- (2) The name and location of each person allegedly responsible for the abuse, neglect, or exploitation;
- (3) The nature and extent of the abuse, neglect, or exploitation;
- (4) The basis or source of the reporter's knowledge;
- (5) Any other information the reporter believes may be helpful to an investigation;
- (6) The identity of the reporting officer; and
- (7) The identity of the person to whom the report was made.

7d. DBH policy on Reporting Major Unusual Incidents (MUIs) and Unusual Incidents (UIs) shall be followed for reporting major and unusual incidents within DBH and its provider network.

8. Training for Reporting Adult Abuse, Neglect, Self-Neglect and Exploitation.

8a. DBH shall provide overview of the legal obligations of mandatory reporters to new staff during employee orientation and as part of the mandatory annual compliance training.

8b. DBH-certified providers are responsible for ensuring that all of their employees receive training on this policy, and maintain evidence of such training.

9. **Confidentiality.** The mandatory reporter shall be sensitive to confidentiality and consequences of reporting concerning the elder and vulnerable adult. Weighing risks versus benefits, DBH and DBH providers may use and disclose health and human services information to another agency or provider without consent for suspected elder and vulnerable adult abuse for exigent circumstances (see section 5e).

10. Failure to Report.

Failure to report suspected abuse, neglect or exploitation by a Mandated Reporter to APS can result in criminal prosecution and professional sanctions; and for DBH employees may also result in disciplinary action in accordance with the DBH Personnel rules and any applicable collective bargaining agreement.

Approved By:

**Stephen T. Baron
Director, DBH**


(Signature)

6/23/14
(Date)