



PROCEDURES FOR REPORTING KNOWN OR SUSPECTED INCIDENTS OF ABUSE OR NEGLECT

Rule 50 Training

1. All Employees, Consultants, Contractual Agents and Volunteers of the agency are considered **mandatory reporters**. A mandatory reporter who suspects, witnesses, or is informed of an allegation of... mental abuse, physical abuse, sexual abuse, neglect, or financial exploitation, is required to report the situation immediately to a supervisor and complete the Abuse/Neglect section on GER (for all program staff) or the Abuse/Neglect Report (Form #4 - **All staff should fill this out as well**).
2. Any employee who suspects, witnesses, or is informed of an allegation of a report of abuse or neglect will take immediate action to prevent further abuse or neglect and ensure the safety of the individual(s) served.

Observed Abuse or Neglect

- Always **intervene and immediately remove** the individual served from a situation in which an employee is behaving in an agitated or aggressive way.
- If a fellow employee is causing emotional distress by teasing or embarrassing an individual or is verbally/physically agitated or aggressive towards an individual served, request the employee take a break. Immediately call your supervisor or on-call personnel. Report any concern of physical injury to your supervisor or on-call personnel.
- After calling your immediate supervisor or on-call personnel, continue to ensure the accused employee does not come into further contact with the person served. Wait for further instructions from a supervisor.

Reported or suspected Abuse or Neglect

- If you suspect, witness, or are informed any incident of abuse or neglect, **immediately** call your supervisor or on-call personnel.
 - You are to **report all incidents** to your supervisor or on-call personnel **regardless of how long ago** the suspected incident may have occurred.
3. As a **mandatory reporter**, you have a legal obligation to report any known or suspected incidents of abuse or neglect to a supervisor immediately. If it is found you knew about a situation of abuse or neglect and did not report it to your supervisor, you will receive disciplinary action and OIG may investigate you for neglect.
 4. Failure to cooperate with an OIG investigation or with a written response compliance review is a **violation of the law**. This includes creating and transmitting a false report,

providing false information, colluding with other employees to cover up evidence or provide false information, or otherwise obstructing an investigation.

Rule 50-Section 50.30 (f)

If the allegation is within the jurisdiction of OIG, the facility/agency shall:

- **Ensure the health and safety of individuals and employees** including ordering medical examinations and healthcare; and
- Immediately contact victim services, when applicable;
- Remove the accused employee(s) from contact with individuals at the facility/agency **when there is credible evidence** supporting the allegation of abuse; and
 - A list of victim services is available by contacting the OIG hotline.
- **Ensure OIG is notified;** and
- Unless otherwise directed by OIG, **initiate the preliminary steps of the investigation** by an employee who has been trained in the OIG approved methods to gather evidence and documents and for whom there is no conflict of interest.

This may include the need to secure the scene, preserve evidence, separate witnesses and take statements when applicable, and secure documents and physical evidence, and taking applicable photographs

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Definitions

Abuse: Any physical abuse, sexual abuse, mental abuse or financial exploitation inflicted on an individual other than by accidental means.

Physical Abuse: An employee's non-accidental and inappropriate contact with an individual that causes bodily harm. This includes actions that cause bodily harm as a result of an employee directing an individual or person to physically abuse another individual. (Bodily harm does not have to be a visible injury.)

Sexual Abuse: Any sexual behavior, sexual contact or intimate physical contact between an employee and an individual, including an employee's coercion or encouragement of an individual to engage in sexual activity that results in sexual contact, intimate physical contact, sexual behavior or intimate physical behavior. Any employee's actions that result in the sending or showing of sexually explicit images to an Individual via computer, cellular phone, electronic mail, portable electronic device, or other media with or without contact with the individual; or, an employee's posting of sexually explicit images of an individual online or elsewhere whether or not there is contact with the individual. ("Sexually explicit images" includes, but is not limited to, any material which depicts nudity, sexual conduct, or sadomasochistic abuse, or which contains explicit and detailed verbal descriptions or narrative accounts of sexual excitement, sexual conduct, or sadomasochistic abuse).

Mental Abuse: The use of demeaning, intimidating, or threatening words, signs, gestures, or other actions by an employee, about an individual, and in the presence of an individual or individuals that results in the emotional distress or maladaptive behavior, could have resulted in emotional distress or maladaptive behavior, for any individual present. (Since this includes what "could" precipitate a reaction, alleged mental injury is reportable even if the individual does not appear to respond to the act or omission.)

Financial Exploitation: Taking unjust advantage of an individual's assets, property or financial resources through deception, intimidation or conversion for the employees, facility's or agency's own advantage or benefit.

Neglect: An employee's, agency's or facility's failure to provide adequate medical care, personal care, or maintenance, and that as a consequence, causes an individual pain, injury or emotional distress, or results in either an individual's maladaptive behavior or the deterioration of an individual's physical condition or mental condition, or places an individual's health or safety at substantial risk.

Egregious neglect: A finding of neglect as determined by the Inspector General that represents a gross failure to adequately provide for, or a callous indifference to, the health, safety or medical needs of an individual, and results in an individual's death or other serious deterioration of an individuals' physical condition or mental condition.

Office of Inspector General (OIG) Hotline Number (1-800-368-1463)