

Chapter: COUNTY OF SAN DIEGO EMERGENCY MEDICAL SERVICES
Key Words: Policy/Procedure/Protocol

SUBJECT: Reporting of Suspected Child,
Dependent Adult, or Elder
Abuse/Neglect

POLICY NO: S-411
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AUTHORITY: Health and Safety Code, Division 2.5, Section 1798; California Child Abuse and Neglect Reporting Act, Penal Code Sections 11166 and 11168; and Elder Abuse and Dependent Adult Civil Protection Act, Penal Code Sections 15630-15632.

I. PURPOSE

To establish a policy for identification and reporting of incidents of suspected child, dependent adult, or elder abuse/neglect.

II. BACKGROUND

A. Definitions

Abuse: Any treatment with resulting physical harm, pain, or mental suffering, or the deprivation by a care custodian of goods or services that are necessary to avoid physical harm or mental suffering.

Mandated Reporters: To include, but are not limited to: Health care practitioners, medical personnel, care providers, social workers, law enforcement officers, senior center staff, and staff of government-funded programs that provide services for elder or dependent adults. This includes physicians, nurses, paramedics, and Emergency Medical Technicians (EMTs).

Serious Bodily Injury: An injury involving physical pain, substantial risk of death, or protracted loss or impairment of function of a bodily member, organ, or of mental faculty, or requiring medical intervention including, but not limited to,

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hospitalization, surgery, or physical rehabilitation. Physical abuse that does not meet this definition is considered to be abuse with “no serious bodily injury.”

III. POLICY

All prehospital care personnel are required to report incidents of suspected neglect of, or abusive behavior toward, children, dependent adults, or elders.

IV. PROCEDURES

A. Child Abuse/Neglect:

1. Suspicion of Child Abuse/Neglect is to be reported by prehospital personnel by telephone to the Child Abuse Hotline at (858) 560-2191 immediately, or as soon as possible. Be prepared to give the following information:
 - a. Name of person making report
 - b. Name of child
 - c. Present location of the child
 - d. Nature and extent of the abuse/neglect
 - e. Information that led reporting person to suspect child abuse/neglect
 - f. Location where incident occurred, if known
 - g. Other information as requested
2. Phone report must be followed within 36 hours by a written report on Form SS8572 “Suspected Child Abuse Report.” The mailing address for this report is:

CWS Hotline
8911 Balboa Avenue
San Diego, CA 92123

Copies of Form SS8572 can be accessed on the County of San Diego, Child Welfare Services website at cwsra.sandiegocounty.gov.

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3. The identity of all persons who report under this article shall be confidential and disclosed only between child protective agencies, or to counsel representing a child protective agency, or to the District Attorney in a criminal prosecution or by court order.

B. Dependent Adult and Elder Abuse/Neglect:

1. Suspicion of Dependent Adult and Elder Abuse/Neglect should be reported as soon as possible by:

- a. Online: Agencies that have registered can use an online system to make a referral at www.aiswebreferral.org.

Urgent or immediate response referrals are not accepted via the WebReferral process. A phone call must be made to the HHS Aging and Independence Services (AIS) Call Center at (800) 510-2020. The WebReferral can be used as the written report following a phone referral for an immediate need situation.

- b. Telephone: Telephone report to the Adult Protective Services at AIS at (800) 510-2020 (within San Diego County) or (800) 339-4661 (outside San Diego County). For the Long Term Care (LTC) Ombudsman (for Skilled Nursing Facility), call (800) 640-4661. Be prepared to give the following information:

- 1) Name of person making report
- 2) Name, address, and age of the dependent adult or elder
- 3) Nature and extent of person's condition
- 4) Other information, including information that led the person to suspect abuse/neglect

Telephone report must be followed by a written report within two working days (48 hours) using "Report of Suspected Dependent Adult/Elder Abuse" Form SOC341. Form SOC341 can be accessed on the CoSD EMS website at www.sandiegocountyems.com. The mailing address for this report is:

Adult Protective Services
P.O. Box 23217
San Diego, CA. 92193-3217

The report may be faxed to (858) 495-5247.

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OR

Adult Protective Services
Attn: Ombudsman
P.O. Box 23217
San Diego, CA. 92193-3217

The report may be faxed to (858) 694-2568.

2. Physical Abuse in a LTC Facility (includes skilled nursing facilities, residential care facilities for the elderly, assisted living facilities, board and care facilities, adult care facilities, and group homes) after observing, obtaining knowledge of, or suspecting physical abuse that results in:
 - a. Serious Bodily Injury:
 - 1) Immediately:
 - i. Telephone report to Law Enforcement
AND
 - 2) Within two hours:
 - i. Written report SOC341 to LTC Ombudsman
 - b. No Serious Bodily Injury:
 - 1) Within 24 hours:
 - i. Telephone report to Law Enforcement
AND
 - ii. Written Report SOC341 to LTC Ombudsman
 - c. Cause by Resident Diagnosed with Dementia by Physician. No serious bodily injury:
 - 1) Immediately, or as soon as possible:
 - i. Telephone LTC Ombudsman
AND
 - 2) Within 24 hours:
 - i. Written report SOC341 to LTC Ombudsman
3. Please see S-411 Attachment A for Mandated Reporter Flowchart.
4. Copies of Form SOC341 can be accessed on the CoSD EMS website at www.sandiegoems.com.

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5. The identity of all persons who report shall be confidential and disclosed only by court order, or between elder protective agencies.
- C.** When two or more persons who are required to report are present at the scene and jointly have knowledge of a suspected instance of child, dependent adult, or elder abuse/neglect, and when there is an agreement among them, the online or 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 such selected member of the reporting team. Any member who has knowledge that the member designated to report has failed to do so shall thereafter make such report. As mandated reporters, it is each agency's responsibility to ensure a report has been filed.
- D.** The reporting duties are individual and no supervisor or administrator may impede or inhibit such reporting duties, and no person making such report shall be subject to any sanction for making such report. However, internal procedures to facilitate reporting and apprise supervisors and administrators of reports may be established provided they are consistent with the provisions in this document.

V. ATTACHMENTS

A. S-411 Attachment A: Mandated Reporter Flowchart