

## 90-850.5. SUSPECTED ABUSE PROCEDURES

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**A.  
General**

The California Penal Code, Sections 11165 through 11174, and the California W&I Code, Section 15630 require employees of social service agencies to immediately report all types of known or suspected child or elder/dependent adult abuse (not just physical abuse) to the designated agency. In San Diego County, those designated agencies are Children's Services and Aging and Independence Services (AIS).

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**B.  
Mandatory  
Reporters**

During employee orientation and initial training, new employees of HHSa are informed of their responsibility as mandatory reporters. Employees are required to acknowledge this responsibility and sign a statement of intent to comply.

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**C.  
Confidential-  
ity**

Information required for the abuse report may be released to the designated agencies without violating the confidentiality of case records. Reporting employees are not criminally or civilly liable for making an authorized or required report. However, failure to report as required is a misdemeanor, which is punishable by a jail sentence and/or fine.

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**D.  
Elder and  
Dependent  
Adult Abuse  
Definitions**

Adult abuse is physical pain, injury, or mental suffering inflicted by other than accidental means on adults, age 18 or older, by another person. Types of abuse are shown in the table below.

Type	Description
Physical Abuse	The willful infliction of any cruel or inhuman corporal punishment or injury. Physical abuse includes, but is not limited to, direct beatings, sexual assault, unreasonable physical constraint, or prolonged deprivation of food or water.
Financial Abuse	Situations in which any person in a position of trust, willfully steals the money or property, and/or assists in secreting or appropriating the money or property, to any use or purpose not in the due and lawful execution of his or her trust.

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## 90-850.5. SUSPECTED ABUSE PROCEDURES, Continued

**Elder and  
Dependent  
Adult Abuse  
Definitions**  
(continued)

<b>Type</b>	<b>Description</b>
Neglect	The negligent failure to exercise a reasonable degree of care or failure to provide goods or services, which are necessary to avoid physical harm or mental suffering. Neglect includes, but is not limited to, failure to: <ul style="list-style-type: none"><li>• assist the adult in personal hygiene</li><li>• provide medical care for necessary physical and mental health</li><li>• provide adequate food and clothing and protection from malnutrition</li><li>• provide adequately heated and ventilated shelter</li><li>• protect the adult from health and safety hazards.</li></ul>
Isolation	Preventing an elder or dependent adult from receiving mail, telephone calls, or visitors, contrary to the individual's wishes.
Abandonment	Desertion of an elder or dependent adult by anyone having care or custody of that person under circumstances in which a reasonable person would continue to provide care and custody.
Abduction	The removal from this state and the restraint from returning to this state of any elder or dependent adult who does not have capacity.
Self-Neglect	Not providing the basic needs for oneself.
Mental Suffering	Fear, agitation, confusion, severe depression or other forms of intimidating behavior, threats or harassment. Also included are deceptive acts or false or misleading statements made with malicious intent to agitate, confuse, frighten or cause severe depression or serious emotional distress.

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## 90-850.5. SUSPECTED ABUSE PROCEDURES, Continued

### E. Reporting Elder and Dependent Adult Abuse

The table below shows the actions that the worker must take to report elder/dependent adult abuse.

Step	Action
1	Report all forms of elder/dependent abuse to AIS. <ul style="list-style-type: none"> <li>• APS accepts reports of elder/ dependent adult abuse occurring in the community at the 24-hour response line, (800) 510-2020.</li> <li>• The Ombudsman accepts reports of abuse occurring in Long-Term Care facilities like skilled nursing facilities and residential care facilities for the elderly. Reports to the Ombudsman may be made by calling (800) 640- 4661.</li> </ul>
2	Include the following information in telephone reports: <ul style="list-style-type: none"> <li>• name of the person making the report;</li> <li>• abuse victim's name</li> <li>• present location of the victim</li> <li>• nature and extent of the abuse</li> <li>• any other requested appropriate information.</li> </ul>
3	Complete a written report [SOC 341, Report of Suspected Dependent Adult/Elder Abuse (See <a href="#">Appendix A</a> )]. Instructions are on the reverse of the form.
4	Distribute copies as follows: <ul style="list-style-type: none"> <li>• Original and yellow copy to AIS, Mail Stop W433 or fax (858) 495-5247; and</li> <li>• Pink copy to the case file.</li> </ul>

### F. Child Abuse Definitions

Child abuse is physical injury inflicted by other than accidental means on a child by another person, sexual abuse of a child, any act or omission such as willful cruelty or unjustifiable punishment, unlawful corporal punishment, or neglect of a child. Child abuse and acts of omission are shown in the table below.

Type	Definition
Physical Abuse	Non-accidental bodily injury that has been or is being inflicted on a child. This may include willful cruelty and corporal punishment.

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## 90-850.5. SUSPECTED ABUSE PROCEDURES, Continued

### Child Abuse Definitions (continued)

Type	Definition
Neglect	The negligent treatment of a child by a person responsible for the child's welfare. Inadequate food, shelter, clothing and/or supervision may be considered acts of general neglect. Severe neglect is that resulting in malnutrition or failure to thrive.
Emotional Abuse	Non-physical mistreatment, the results of which may be characterized by a child's disturbed behavior, severe withdrawal, regression, bizarre behavior or dangerous acting-out behavior.
Sexual Abuse	Sexual assault or sexual exploitation, including sex acts with children, child molestation, child prostitution, or child pornography.
No Parent or Guardian	Parents are unable to care for children due to their absence or incapacity.

### G. Reporting Child Abuse

The table below shows the actions that the worker must take to report child abuse.

Step	Action
1	Report known or suspected child abuse immediately to the Child Abuse Hotline, (858) 560-2191 or (800) 344-6000 for North County, or fax (858) 694-5725. The fax number is used exclusively for the reporting of known or suspected child abuse. Note emergencies on the coversheet for priority assignment.
2	Include as much of the following information as possible: <ul style="list-style-type: none"> <li>• name of the person making the report</li> <li>• name of the child</li> <li>• DOB</li> <li>• home address and phone number</li> <li>• present location of the child</li> <li>• school child attends, address and phone number</li> <li>• parents' names and work phone numbers</li> <li>• nature and extent of the abuse</li> <li>• any other information that leads to the person to suspect child abuse and which is requested by Children's Services.</li> </ul>

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## 90-850.5. SUSPECTED ABUSE PROCEDURES, Continued

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**Reporting  
Child Abuse**  
(continued)

<b>Step</b>	<b>Action</b>
3	Complete a written report (form SS 8572) within 36 hours of a telephone report to the Child Abuse Hotline or another Children's Services Social Worker.
4	Forward copies as instructed on the form.

The Suspected Abuse Fax Report, form 04-184 (see [Appendix B](#)), and the Fax Report Coversheet have been developed as an alternative means for HHSA employees to report suspected abuse. The Fax report replaces the need to call the Child Abuse Hotline and meets the requirement for a written report. The Fax report must be completed fully and faxed immediately. The report should be typed, if possible, or at least printed legibly.

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