

UC Davis Policy and Procedure Manual

Chapter 380, Personnel--General

Section 80, Elder and Dependent Adult Abuse

Date: 12/19/08

Supersedes: 1/12/01

Responsible Department: Human Resources

Source Document: California Welfare and Institutions Code (beginning at Section 15600)

I. Purpose

Certain University employees are required by State law to report abuse of elders and dependent adults. This section provides a general summary of the requirements for campus employees. See UCDMC Hospital Policies & Procedures Manual Section 1531 for the procedures to be used by employees at the UC Davis Health System, including the School of Medicine. Mandated reporters should refer to the California Welfare & Institutions Code (W&I Code) for more complete information.

II. Definitions

- A. Abuse--physical abuse, neglect, self-neglect, fiduciary abuse, abandonment, isolation, or other treatment that results in physical harm or pain or mental suffering. It also means the deprivation by a care custodian of goods or services that are necessary to avoid physical harm or mental suffering. [W&I Code 15610.07]
- B. Dependent adult--a person between the ages of 18 and 64 who has physical or mental limitations that restrict his or her ability to carry out normal activities or to protect his or her rights. The term includes all inpatients in a 24-hour health facility. [W&I Code 15610.23]
- C. Elder--any person 65 years of age or older. [W&I Code 15610.27]
- D. Mandated reporter--individuals in certain classes of UC employment who are mandated by State law to report abuse of elders or dependent adults. These classes are:
 - 1. A person who has assumed full or intermittent responsibility for care or custody of an elder or dependent adult. [W&I Code 15630]
 - 2. A "care custodian." A care custodian is an employee of a facility providing care or services for elders or dependent adults, including members of the support staff and maintenance staff. [W&I Code 15610.17]
 - 3. A "health practitioner." State law lists many types of health professionals, including physicians, psychologists, nurses, social workers, and counselors. [W&I Code 15610.37]

III. Policy

A. Employee notification

Certain campus employees must sign a statement that they are aware of the law and will comply with its provisions. The statement must be signed by:

- 1. All employees who are likely to provide health or social services to elders or dependent adults; and
- 2. All employees of departments that provide health or social services to elders or dependent adults, such as the Police Department, Fire Department, Counseling Center, Employee Health Services, Academic & Staff Assistance Program, Sexual Harassment Education Program, Vocational Rehabilitation, Workers' Compensation, Student Health Center, Student Disability Center.

B. Reporting abuse

Each mandated reporter shall report elder or dependent adult abuse to the local county adult

protective services agency [W&I Code 15630(b)(1)]. The report shall be made by telephone immediately or as soon as practically possible, and also by written report sent within two working days.

1. A report must be made when the mandated reporter, in his or her professional capacity, or within the scope of his or her employment:
 - a. Has observed or has knowledge of an incident that reasonably appears to be physical abuse, abandonment, isolation, financial abuse, or neglect; or
 - b. Is told by an elder or dependent adult that he or she has experienced behavior constituting physical abuse, abandonment, isolation, financial abuse, or neglect; or
 - c. Reasonably suspects such abuse.
2. When two or more mandated reporters are aware of an instance of abuse, the report may be made by one of them, selected by mutual agreement. [W&I Code 15630(d)]
3. The duty to report is individual. No supervisor or administrator shall impede or inhibit the reporting duties. No person making such a report shall be subject to any sanction for making the report. [W&I Code 15630(f)] The law protects mandated reporters from civil and criminal liability. [W&I Code 15634]
4. Any person who is not a mandated reporter who knows, or reasonably suspects, that an elder or a dependent adult has been the victim of abuse may report the abuse as described below.

IV. Procedures

A. Employee notification

Campus departments shall obtain the employee signatures described in III.A, above, as a prerequisite to employment, promotion, or transfer, and prior to commencing employment. The notification form, Elder/Dependent Adult Abuse Employee Notification, is available on the Web at <http://www.hr.ucdavis.edu/Forms/>. After signing, the original should be sent to Human Resources and a copy retained in the department personnel file.

B. Reporting abuse

1. To make a report, telephone the local county Department of Social Services--Adult Protective Services. In Yolo County, the number is (916) 375-6239 or (888) 675-1115. In Sacramento County, the number is (916) 874-9377. The report can also be made to any police or sheriff's department. The UCD campus police number is (530) 752-1230.
2. The call must be made immediately or as soon as is practically possible.
3. A written report must be mailed or faxed to the county within two working days. Use the Report of Suspected Dependent Adult/Elder Abuse for writing the report. This form can be found on the Web at <http://www.dss.cahwnet.gov/cdssweb/entres/forms/English/SOC341.pdf>

The form can also be obtained from the Academic & Staff Assistance Program, (530) 752-2727, or from the local county Department of Social Services. Retain a copy in the employing department's files.
4. Telephone the Police Department if the abuse is physical or fiduciary.

V. Further Information

The Academic & Staff Assistance Program (752-2727) can provide further information on this topic.

VI. References

- A. California Welfare & Institutions Code beginning at Section 15600, available on the Web at <http://www.leginfo.ca.gov/calaw.html>.
- B. UCDHS Hospital Policies & Procedures Manual Section 1531, Reporting of Elder/Dependent Adult Abuse.
- C. Office of the President--Moore and Catalano to Academic and Administrative Vice Chancellors: AB 238--Dependent Adult Abuse Reporting Requirements, 10/20/86.
- D. Office of the President--Moore and Catalano to Academic and Administrative Vice Chancellors: AB 3988--Revision of Elder/Dependent Adult Abuse Reporting Requirements, 6/12/87.
- E. UCD Campus Counsel Drown: Reporting of Suspected Elder Abuse, 9/29/00.