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*A Quick Reference Guide to*

# ASSAULT AND ABUSE REPORTING REQUIREMENTS

| | Child Abuse and Neglect | Elder/Dependent Adult Abuse | Injury by Firearm or Assaultive/ Abusive Conduct |
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| Reporting Trigger | Mandated reporter has observed or has knowledge of a child whom he or she knows or reasonably suspects has been the victim of child abuse or neglect. May also report serious emotional damage or risk thereof (not required)<br>**Includes:** non-accidental physical injury that was not self-inflicted; sexual abuse; neglect; willful harm, injury or endangerment; unlawful corporal punishment or injury; abuse or neglect in out-of-home care<br>**Applies to:** minors under age 18<br>**Note:** reporting of a minor's sexual activity varies with age and circumstances | Mandated reporter has observed or has knowledge of (including being told by the elder/dependant adult) an incident that reasonably appears to be abuse<br>**Includes:** physical abuse, neglect, financial abuse, abandonment, isolation, abduction or other treatment with resulting physical harm or 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<br>**Applies to:** elder persons age 65 or older; dependent adults ages 18 to 64 with physical or mental limitations; adult inpatients (age 18 to 64) in an acute care hospital or other 24-hour health facility | Health practitioner and physician providing medical services to a patient whom they reasonably suspect has a *physical* condition resulting from:<br>1. A wound or injury by a firearm (self-inflicted or by another person) or<br>2. A wound or injury resulting from assaultive or abusive conduct (as defined by Penal Code 11160(d))<br>**Includes:** murder, mayhem, assault, rape, battery, abuse of spouse or cohabitant and additional offenses as defined by Penal Code 11160(d)<br>Duty to report applies even if treating a condition not related to the assault, abuse or firearm injury |
| To Whom to Report | Local law enforcement, designated county probation department or county welfare department | Varies depending on where the suspected/alleged abuse occurred:<br>**1. Long-term care facility, physical abuse:** report to local ombudsman, local law enforcement, and corresponding licensing agency (CDPH or DSS)<br>**2. Long-term care facility, abuse other than physical:** report to local ombudsman or local law enforcement<br>**3. State mental health hospital or state development center:** report to designated investigators at California Department of State Hospitals, California Department of Developmental Services, and local law enforcement<br>**4. Anywhere other than the above:** report to adult protective services agency or local law enforcement | Local law enforcement |
| Time Frame | 1. Immediate telephone report<br>2. Follow up with written report by mail, fax or email within 36 hours | 1. Immediate report by telephone or confidential Internet reporting tool (if available)<br>2. If initially reported by phone, follow up with written report or Internet report within two working days<br>**NOTE:** If the abuse occurred in a long-term care facility, quicker reporting is required (sometimes within 2 hours of learning of the incident). See Welfare and Institutions Code Section 15630(b). | 1. Immediate telephone report<br>2. Follow up with written report within two working days |
| Required Form | "Suspected Child Abuse Report," Department of Justice, Form SS 8572. Obtain from local social services or child protective services agency or download at www.ccfmtc.org | "Report of Suspected Dependent Adult/Elder Abuse," California Department of Social Services, Form SOC 341, download at www.ccfmtc.org | "Suspicious Injury Report," Office of Emergency Services (OES), Form CalOES 2-920, download at www.ccfmtc.org |

**Sexual Assault/Rape** In addition to the above reporting requirements, each county must designate at least one general acute care hospital to perform forensic examinations on victims of sexual assault, including child molestation. Examination requires the consent of the patient. Local law enforcement must be notified by telephone prior to beginning the forensic examination. Forensic report forms may be downloaded at www.ccfmtc.org.

*See chapter 19, "Assault and Abuse Reporting Requirements," of CHA's* Consent Manual *for additional information.*

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