

Rancho Los Amigos National Rehabilitation Center

ADMINISTRATIVE POLICY AND PROCEDURE

SUBJECT: REPORTING KNOWN OR SUSPECTED

PATIENT ABUSE OR NEGLECT

Policy No.: B708

Supersedes: May 3, 2018 Revision Date: July 7, 2022

Page: 1 of 12

PURPOSE:

To outline the procedures for mandatory reporting of known or suspected or alleged patient abuse.

POLICY:

All Rancho workforce members employed or assigned to work at Rancho are considered mandated reporters of abuse or negligence to the appropriate agency. A report must be made for any of the following:

- Has observed or has knowledge of an incident that reasonably appears to be physical or sexual abuse, abandonment, abduction, isolation, financial abuse, or neglect; or
- Is told by patient, family, or significant other that patient has experienced behavior constituting
 physical or sexual abuse, abandonment, abduction, isolation, financial abuse or neglect; or
- Reasonably suspects abuse or neglect.

Reporting is the individual observer's responsibility. No supervisor or administrator may prohibit the filing of a required report nor should the individual rely on others to report. The individual will not be subject to discipline for reporting in good faith.

DEFINITIONS:

1. Abuse is an infliction of physical or psychological harm including physical abuse, neglect, financial abuse, abandonment, isolation, abduction or other treatment 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.

Physical Abuse: includes any of the following:

- Assault
- Battery
- Assault with deadly weapon or force likely to produce great bodily injury
- Unreasonable physical constraint, or prolonged continual deprivation of food or water
- Sexual assault including sexual battery, rape, rape in concert, spousal rape, incest, sodomy, oral copulation, sexual penetration, lewd or lascivious act, physical exploitation, and sex trafficking.
- Use of physical or chemical restraint or psychotropic medication for punishment or for a period beyond instruction by medical provider, or for any purpose not authorized by physician

Neglect: includes any of the following:

- Failure of caregiver to exercise degree of care that a reasonable person would exercise.
- Failure of elder or dependent adult to exercise self-care. This also includes persons with poor cognitive functions, mental limitation, substance abuse or chronic poor health.

EFFECTIVE DATE: December 8, 1992

COUNTY OF LOS ANGELES • DEPARTMENT OF HEALTH SERVICES

APPROVED BY

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• Failure to assist in personal hygiene, or in the provision of food, clothing or shelter

- Failure to provide medical care of physical and mental health needs.
- Failure to protect from health and safety hazards.
- Failure to prevent malnutrition or dehydration.
- 2. Elder is a person 65 years of age or older.
- 3. Dependent Adult is a person between ages 18 to 64 with physical or mental limitations such as physical or developmental disabilities or age-diminished physical or mental abilities. This also includes any person between the ages 18-64 who is admitted as an inpatient in an acute care hospital.
- **4. Child** is a person under the age of 18 years.

PROCEDURE:

- A. Any Rancho workforce member who observes or suspects abuse or is informed by patient or family of patient experienced abuse must follow these steps:
 - 1. Ensure patient safety or address patient's medical needs
 - 2. Notify the campus Sheriff at extension 57042.
 - 3. Notify the patient's physician.
 - 4. Notify immediate supervisor or designee.
 - 5. Document information and actions in the medical records.
 - 6. Enter an online event notification report.
 - 7. Supervisor or designee to complete Security Incident Report (SIR) Form
 - 8. Supervisor or designee to obtain affidavits as indicated.
 - 9. If workforce member is suspected or accused:
 - a. Supervisor or designee must notify Human Resources
 - b. Accused workforce member may be removed from patient care pending completion of investigation
 - c. Supervisor to notify Regulatory/Accreditation Director or Risk Management within 24-hours to determine if reportable to California Department of Public Health (CDPH).

B. CHILD ABUSE REPORTING

- 1. If the alleged or suspected abuse <u>occurred outside</u> Rancho, follow steps 1-7 in section "A" then:
 - a. Immediately telephone the report to **Child Abuse Hotline 1-800-540-4000** to obtain reference number.
 - b. After obtaining reference number, complete written report online within 36 hours at http://dcfs.lacounty.gov/contactus/childabuse.html
 - c. If online reporting portal is not available, complete a written report and mail to address provided by the child abuse hotline. The law requires a written report to be completed within 36 hours of verbal report
- 2. If the alleged or suspected abuse <u>occurred at Rancho</u> and if Rancho workforce member is accused, follow steps 1-9 in section "A" then:
 - a. Do not call the Child Abuse Hotline
 - b. Regulatory/Accreditation Director or Risk Management to obtain concurrence from hospital administrators to report to CDPH.

C. ELDER OR DEPENDENT ABUSE REPORTING

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1. If the alleged or suspected abuse <u>occurred outside</u> Rancho, follow steps 1-7 in section "A" then:

a. For Private Home, Hotels, Or Shelter, contact Adult Protective Service (APS) at 1-877 477-3646. or submit an electronic report at https://apslive.lacss.harmonvis.net/LACSSLiveIntake/

Note: If the electronic reporting site is down, complete the SOC 341 form (attachment I) for each report of a known or suspected instance of abuse (physical abuse, sexual abuse, financial abuse, abduction, exploitation, neglect, self-neglect, isolation, and abandonment (as defined under WIC Section 15610) involving an elder or a dependent adult. The original of this report shall be submitted within two (2) working days of making the telephone report to the responsible agency as identified.

- **b.** Notify Long Term Care Ombudsman (LTCO) Program at 1-800-334-9473. or local law enforcement agency (if abuse occurred in a nursing home, adult residential facility, adult day program, residential care facility for the elderly, or adult day health care center). After hours crisis line, call the LTCO at 1-800-231-4024.
- c. For Outside Hospitals and Clinics, notify CDPH at (714)567-2906
- 2. If the alleged or suspected abuse <u>occurred at Rancho</u> and if Rancho workforce member is accused, follow steps 1-9 in section "A."
- 3. If the alleged or suspected abuse <u>occurred at Rancho</u> and if Non-Rancho workforce member is accused (Patient or Visitor), follow steps 1-7 in section "A."
 - a. If the accused is a patient, visitor, or non-rancho workforce member, consider implementing visitor restriction.

D. DOMESTIC/INTIMATE PARTNER VIOLENCE REPORTING

DEFINITIONS:

- 1. Assaultive and abusive conduct includes murder, manslaughter, mayhem, aggravated mayhem, torture, assault with intent to commit mayhem, rape, sodomy, or oral copulation, administering controlled substance or anesthetic to aid in commission of a felony, battery, sexual battery, incest, throwing any vitriol, corrosive acid, or caustic chemical with intent to injure or disfigure, assault with a stun gun or taser, assault with a deadly weapon, firearm, assault weapon, or machinegun, or by means likely to produce great bodily injury, rape, spousal rape, sex/labor trafficking, procuring any male/female to have sex with another man/woman, child abuse or endangerment, abuse of spouse or cohabitant, sodomy, lewd and lascivious acts with a child, oral copulation, sexual penetration, elder abuse, an attempt to commit any crime specified above in violation of the California Penal Code.
- 2. <u>Domestic Violence (Penal Code 13700)</u> Abuse committed against an adult or a minor who is a spouse, former spouse, cohabitant, former cohabitant, or person with whom the suspect has had a child or is having or has had a dating or engagement relationship. "Cohabitant" means two unrelated adult persons living together for a substantial period of time, resulting in some permanency of relationship. Factors that may determine whether persons are cohabitating include, but are not limited to, (1) sexual relations between the parties while sharing the same living quarters, (2) sharing of income or expenses, (3) joint use or ownership of property, (4)

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whether the parties hold themselves out as husband and wife, (5) the continuity of the relationship, and (6) the length of the relationship.

- 3. <u>Abuse</u> Intentionally or recklessly causing or attempting to cause bodily injury, or placing another person in reasonable apprehension of imminent serious bodily injury to himself or herself, or another, sexual assault, sex/labor trafficking, or engaging in any behavior that has been or could be enjoined pursuant to Section 6320 such as molesting, attacking, striking, stalking, threatening, battering, and harassing.
- **4.** <u>Intimate Partner</u> Intimate partners include current and former spouses (legal and common law), current and former non-marital partners (girlfriend/boyfriend relationship, same-sex partners, dating partners (includes first date).
- 5. Intimate Partner Violence The threatened or actual use of physical force against an intimate partner that either results in or has the potential to result in death, injury, or harm. Intimate partner violence includes physical and sexual violence, both of which are often accompanied by psychological or emotional abuse. It may also include psychological or emotional abuse that occurs without physical or sexual violence when such violence has previously been threatened or committed during the relationship. Some common terms used to describe intimate partner violence include domestic abuse, spouse abuse, domestic violence, courtship violence, battering, marital rape, and date rape. Domestic violence and intimate partner violence are terms used interchangeably.

REPORTING GUIDELINES:

Workforce members who reasonably suspects the following must follow reporting procedures 1-7 as applicable:

- 1. Any person suffering from any wound or other physical injury inflicted by his or her own act or inflicted by another where the injury is by means of a firearm, or
- 2. Any person suffering from any wound or other physical injury inflicted upon the person where the injury is the result of assaultive or abusive conduct.

OTHER INFORMATION:

- 1. Reporting Confidentiality:
 - a. HIPAA permit the disclosure of patient-identifiable information to report serious injuries and suspected abuse. Disclosure should be limited to the minimum amount of information necessary to fulfill the reporting requirement.
 - b. Except where the report relates to child abuse or neglect, the health care provider must promptly inform the patient that a report has been or will be made, unless: The provider believes that informing the patient would place him or her at risk of serious harm; or the provider would be informing a personal representative suspected of the abuse or neglect.

2. Documentation in the Medical Record

The appropriate clinical staff person should document the employee's observations related to the abuse situation in the medical record and indicate that all necessary reports have been filed and that a referral has been made to Social Work for follow-up counseling when indicated.

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Attachments:

SOC Form 341 (4 pages)
Suspected Child Abuse Form 8572 (1 page)
SIR Form (1 page)
Elder Dependent Abuse Algorithm

References:

DHS Policy No: 321.001 "Child and Elder Dependent Abuse, Domestic/Intimate Partner Violence, Sexual Abuse/Inappropriate Behavior, Suspicious Injury Reporting."

California Hospital Association Consent Manual 2020

REPORT OF SUADULT/ELDER		SE	ENT			Date Completed		
THE COMPANDED ASSUMENTS CAME.	D BY R	- NOT SUBJECT TO EPORTING PARTY. I						
A. VICTIM Che (Ombudsman use		if victim consents to d WIC 15636(a))	isclosu	re of inform	nation		3	
Name (Last Name, I	First Na	nme)		Age	Date of	f Birth	SSN	
Gender Identity ☐ Male ☐ Straight ☐ Gay/Lesbian ☐ Transpender ☐ Bisexual				Ethnicity Race Language (Check one)				
☐ Transgender ☐ Other/Nonbinary ☐ Unknown/Not Pr		Questioning Unknown/Not Pro	vided	☐ Non-Verbal ☐ English				
Address (If facility, include name and notify ombudsman)				Z		Code	Telephone	
Present Location (If different from above)			City		Zip Code Tele		Telephone	
☐ Elderly (65+) ☐ ☐ Physically Disable	□ Men	tally III/Disa	bled	and the second of the second	ves Alone ves with Others			
B. SUSPECTED AI	BUSER	R Check if ☐ Self-Ne	eglect					
Name of Suspected	Abuse	r						
Address			City		Zip Cod		Telephone	
☐ Care Custodian (☐ Health Practitions		□ Par] Son/Daug oouse □ C				
Gender Ethnicity ☐ Male ☐ Female				Age		D.O.B		
Height Weight			Eyes	5		Hair		

- C. REPORTER'S OBSERVATIONS, BELIEFS, AND STATIEMENTS BY VICTIM IF AVAILABLE. DOES ALLEGED PERPETRATOR STILL HAVE ACCESS TO THE VICTIM? DOES THE ALLEGATION INVOLVE A SERIOUS BODILY INJURY (see definition in section "Reporting Responsibilities and Time Frames" within the General Instructions)? PROVIDE ANY KNOWN TIME FRAME (2 days, 1 week, omgoing, etc.). LIST ANY POTENTIAL DANGER FOR INVESTIGATOR (animals, weapons, communicable diseases, etc.) or concerns about the client's mental health.
 - CHECK IF MEDICAL, FINANCIAL (ACCOUNT INFORMATION, ETC.), PHOTOGRAPHS, OR OTHER SUPPLEMENTAL INFORMATION IS ATTACHED.

Name	Signat	ure	Occupation		Agency/Name of Busin			
Relation to Victim/How Ab Known	use is	Street		City		Zip Code		
Telephone	E-	mail Address		***************************************				
E. INCIDENT INFORMAT	TION -#	Address where	incident occur	red				
Date/Time of Incident(s)								
Place of Incident (Check Commu Own Home Commu Home Note: Not	nity Car		-					
F. REPORTED TYPES (F ABU	SE (Check All	that Apply)					
 Perpetrated by Others Physical (e.g. assaudeprivation, chemical) Sexual Financial Neglect (including I by a Care Custodia) 	ult/batter al restra Deprivati	ry, constraint o aint, over/unde	r medication)	f.	Abandonment solation Abduction Psychological/A			
 Self-Neglect (WIC 156 a. □ Neglect of Physical food, clothing, maln b. □ Self-Neglect of Res 	Care (enutrition/	.g. personal hy dehydration)		(e.g.	icial Self-Negle inability to mar onal finances)			
Abuse Resulted In (Check No Physical Injury 1) Death 1 Mental Suffer 1 Unknown 1 Health &	Minor Maring	edical Care [Serious Bodil				equired		
G. OTHER PERSON BE								
Name	_,		,,,		elationship	**************************************		
Address		100		Te	elephone			
Name				R	elationship			

Name				Rel	ationsh	ip	
Address		City		Zip Code	Tek	Telephone	
I. TELEPHONE REPO		TARGET THE STATE OF THE STATE OF				budsman	
Name of Official Contact			Telephone			Date/Time	
J. WRITTEN REPORT occurred in a LTC fac Responsibilities and T Department of Social	ility and resulted fime Frames" in t	in Serious Bo he General Ir	dily Injury*, structions.	please refe	er to "R	eporting	
Agency Name Address or Fax			***************************************	☐ Date	Mailed	☐ Date Faxed	
Agency Name	Fax		☐ Date	☐ Date Mailed ☐			
Agency Name	Fax		☐ Date	Mailed	☐ Date Faxed		
K. RECEIVING AGENC	Y USE ONLY] Telephone f	Report 🗆 V	Written Rep	ort		
1. Report Received By			ı	Date	e/Time		
2. Assigned ☐ Immed ☐ Not AP	iate Response [espons	se (NIR)	
Approved By		Assign	ed To (option	onal)			
	☐ CDPH-Licensir☐ Bureau of Med☐ Calif. Dept. of S☐ Professional Li☐ APS; ☐ Other	i-Cal Fraud & State Hospital censing Boar (Specify)	Elder Abus s; □ Law l d; □ Calif.	e; Enforcemer Dept. of De	nt; evelopn	nental Services;	
4. APS/Ombudsman/La		N	ala a u				



SUSPECTED CHILD ABUSE REPORT (Pursuant to Penal Gode Section 11166)

Print Form	Clear Form

To	Be 0	Completed by Mandated Ch	ers								
		PRINT OR TYPE	3			CAS	ENUMB	ER:			
ING		NAME OF MANDATED REPORTER	TITLE MAKDATED REPORTER CATEGORY								
REPORTING	PARTY	REPORTER'S BUSINESS (AGENCY INAME AND ADDRESS SIZE) DID MANDATED REPORTER WITNESS THE INCIDENT PER UNITED REPORTER WITNESS THE INCIDENT									
od od		REPORTER'S TELEPHONE (DAYTIME)					TRODAY'S DATTE				
TAK	TION	LAW ENFORCEMENT COUNTY PROBATION AGENCY COUNTY WELFARE / CPS (Child Probadive Services)									
B. REPORT	14	ADDRESS Street City Zp DATE/TIME OF PHONE CAL							ALL.		
	N	OFFICIAL CONTACTED - NAME AND T									
		NAME (LAST, IFIRST, MIDDLE)			BIRTHDATE OR	AFPROX. AGE	SEX	ENHADONY	52		
Stone of the	Æ	ADDRESS Street		City Zip				TELEPHONE			
2	One report per Victim	PRESENT LOCATION OF VICTIM		SCHOOL			CLASS	CLASS GRADE			
VICTIM	sort pe	PHYSICALLY DISABLED? DEVELOPMENTALLY DISABLED? OTHER DISABILITY (SPECIFY) PRIMARY LANGUAGE SPOKEN IN H PRIMARY LANGUAGE SPOKEN IN H									
Ü	One re	IN FOSTER CARE? IF VICTIM WAS IN OUT-OF-HOME CARE AT TIME OF INCIDENT, CHECK TYPE OF CARE DAY CARE CHILD CARE CENTER FOSTER FAMILY HOME PHYSICAL MENTAL SEXUAL NEGLECT OTHER (SPECIFY)						MORE):			
719		RELATIONSHIP TO SUSPECT			OTOS TAKEN? YES NO		D THE IN	CIDENT RESULT IN THIS	INK		
2000	VICTIMS	NAME 1.	BIRTHDATE SEX	ETHNICITY	NAME 3.			BIRTHDATE SEX	ETHNICITY		
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273	ANS	NAME (LAST, FIRST, MIDDLE)			BIRTHUATEOR				•		
ARTIE	TIMS	ADDRESS Street	City	Zip		HOME PHONE	T	BUSINESS PHOP	NE.		
. INVOLVED PARTIES	VICTIM'S PARENTS/GUARDIANS	NAME (LAST, FIRST, MIDDLE)			BIRTHDATE OR	,	SEX	ETHNICITY	5		
NVOL	PA	ADDRESS Street City		Zip HOME PHONE				BUSINESS PHOR	NE		
o		SUSPECT'S NAME (LAST, FIRST. MIDI	DLE)		BIRTHDATE OR	APPROX.AGE	SEX	ETHNICITY			
	SUSPECT	ADDRESS Street	City	Zip				TELEPHONE			
	ळ	OTHER RELEVANT INFORMATION									
	-	IF NECESSARY, ATTACH EXTRA SHEET(S) OR OTHER FORM(S) AND CHECK THIS BOX IF MULTIPLE VICTIMS, INDICATE NUMBER:									
-	NO	DATE/TIME OF INCIDENT			_						
E. INCIDENT INFORMATION		NARRATIVE DESCRIPTION (What victi victim(s) or suspect)	m(s) said/what the mandate	ed reporter observ	/ed/what person ac	ocompanying the v	rictim(s) sa	id/similar or past incident	s involving the		
	Charles of										

DO NOT submit a copy of this form to the Department of Justice (DOJ). The investigating agency is required under Penal Code section 11169 to submit to DOJ a Child Abuse or Severe Neglect Indexing Form BCIA 8583 if (1) an active investigation was conducted and (2) the incident was determined to be substantiated.

COUNTY OF LOS ANGELES BOARD OF SUPERVISORS -- EXECUTIVE OFFICE SECURITY OPERATIONS UNIT

SECURITY INCIDENT REPORT



INSTRUCTIONS. This report shall be completed by the person reporting or involved in the incident or their manager/supervisor (or designee). The completed Report shall be delivered to the Security Operations Unit, 500 West Temple Street, Room #8-98, Les Angeles, California 90012, or sent electronically to sin@lasd.org (e-mail) or (213) 613-0348 (fax) no later than the end of the business day following the date of the incident.

Please refer to the accompanying Incident Code Reference Sheet for determining the proper incident code. Use a separate form(s) to report multiple individual incidents. Call the Security Operations Unit (SOU) at (213) 893-2031 for additional information.

A SECURITY INCIDENT IS DEFINED AS:

- An incident placing a person or properly at risk that requires action by law enforcement authorities or security personnel at a County facility whether they were summoned or not; or
- An incident placing a person at risk involving an on-duty County employee during the performance of their official duties. This classification includes while walking to or from an off-site parking facility at the start or end of the workday, or
- An incident of a suspicious or unusual nature on County Property that place people or property at risk; or

DATE OCCURRED: TIN	TIME OCCURRED:		DATE COMPLETED:				
COUNTY DEPARTMENT REPORTING:							
ADDRESS OF FACILITY:							
		On-site ser	curity services contracted with Sheriff's De	enartmer			
ADDRESS OF INCIDENT: (If different)			owing sources out to design of the out of the	agaras erascar			
SUMMARY OF INCIDENT: (BRIEFLY describe the inc	ident here, include full names (fin	st and last), use	separate sheet to document details, if ne	cessary.)			
			☐ Continued on a separa	ite sheetij			
OTHER PARTIES INVOLVED NOT LISTED IN S	UMMARY: (List any additional	parties on a ser	parate sheet)				
1) Name:	☐ Employee (Gender:	Emp#/DOB/Age:	12.1			
2) Name:	☐ Employee	Gender:	Emp#/DOB/Age:				
3) Name:		Gender:	Emp#/DOB/Age:				
II. WORKPLACE VIOLENCE CHECKLIST:							
☐ The VICTIM is a County employee?	☐ The SUSP	ECT is a Count	y employee.				
☐ There was a physical ACT OF VIOLENCE?			THREAT OF VIOLENCE				
□ FIREARM (gun) used	☐ Other WE	APON used, no	n-firearm. Type:				
□ HATE CRIME (per 422.55-75 PC)	□ RECURRE	NT ISSUE: Pre	vious incident(s) Reported Not	t Reporte			
□ Law Enforcement RESPONDED-Agency:	□ Complaint	☐ Complaint/Crime REPORT Taken-Report #:					
III. SAFETY PLAN: The actions below should be considered	lered when dealing with an act or	threat of violence	e if necessary, check ALL that apply:				
1) On-site security notified.		Involved were					
3) Offer/obtain medical treatment for affected employee	n(s). 4) Offer Se	ecurity escort t	their vehicle/modify parking assignment	ent.			
5) Offer employee reassignment/alternate workplace	☐ 6) Offer C	ounty Employe	Assistance Program (EAP) services				
7) Law enforcement patrol check requested for workpla			ies of written witness affidavits/statem	ents.			
9) Emergency Protective Order obtained from law enfor	rcement. 🔲 10) Consul	It with Security	Operations Unit (SOU) personnel.				
11) Seek/request assistance in obtaining a Restraining	Order from the Office of County	Counsel at (2	13) 974-8394.				
12) Initiate an incident Event Log (per DHR620) and mai							
13) Other action(s) taken:							
REPORTED BY:	TELEPHONE:		EMAIL:	- 1			
MANAGER:	TELEPHONE:		EMAIL:				
				-			

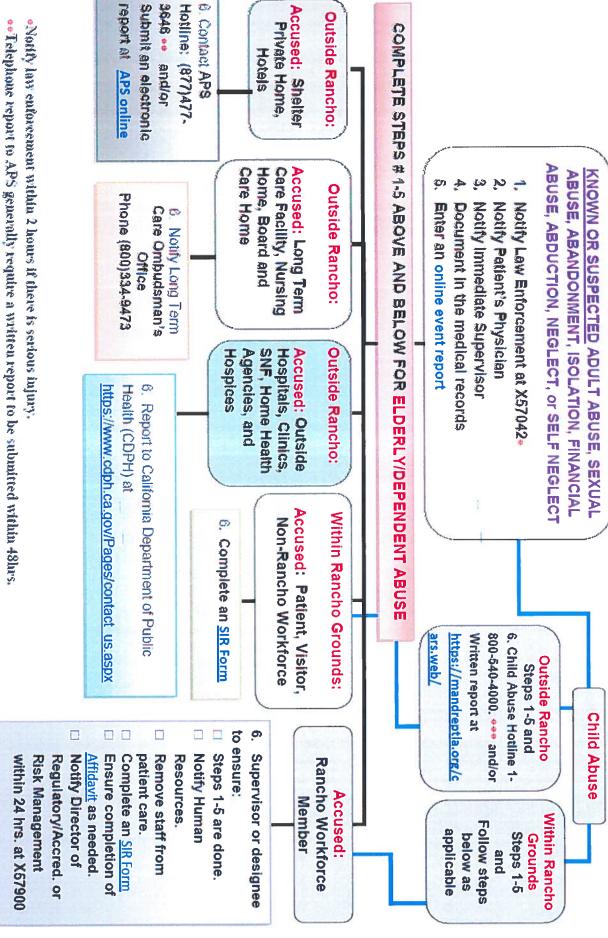


Reporting Guidelines for Known or Suspected Abuse

Elder Adults-65 years old or older Dependent Adults—18 to 64 years old who are disabled

Child—persons under the age 18

Reference: Admin - B708 - Reporting Known or Alleged Patient Abuse



- *** Telephone report to DCFS generally require a written report to be submitted within 36 hrs.