



POLICIES AND PROCEDURES

SUBJECT: CHILD & ELDER/DEPENDENT ABUSE, DOMESTIC/INTIMATE PARTNER VIOLENCE, SEXUAL ABUSE/INAPPROPRIATE BEHAVIOR, SUSPICIOUS INJURY REPORTING

POLICY NO: 321.001

PURPOSE:

To reiterate State law and County policy on the reporting of child and elder/dependent abuse, domestic/intimate partner violence, sexual abuse/coercion/misconduct, and suspicious injuries, inclusive of suspicious injury to patients by law enforcement personnel and to comply with the Los Angeles Board of Supervisor's (herein BOS) mandate that DHS medical personnel report all suspicious injuries of patients/inmates to the Internal Affairs Unit or the Captain of the jail facility where the patient/inmate is housed.

SCOPE:

The following policy statements apply to all Workforce Members. "Workforce Members" includes employees, contract staff, affiliates, volunteers, trainees, students, and other persons whose conduct, in the performance of work for the Department of Health Services (DHS), is under its direct control, whether or not they receive compensation from the County to include all County medical personnel. "Employ/employment" as referenced in the statements below include non-County workforce member assigned to a DHS facility.


All workforce members employed or assigned to a DHS facility are considered "mandated reporters."

CHILD ABUSE REPORTING

DEFINITIONS

Mandated Reporter - A teacher, an instructional aide, a teacher's aide or teacher's assistant employed by any public or private school, a classified employee of any public school, an administrative officer or supervisor of child welfare and attendance, or a certificated pupil personnel employee of any public or private school, an administrator of a public or private day camp, an administrator or employee of a public or private youth center, youth recreation program, or youth organization, an administrator or employee of a public or private organization whose duties require direct contact and supervision of children, any employee of a county office of education or the California Department of Education, whose duties bring the employee into contact with children on a regular basis. A licensee, an administrator, or an employee of a licensed community care or child day care facility, a Head Start program teacher, a licensing worker or licensing evaluator employed by a licensing agency as defined in Section 11165.11.

A public assistance worker, an employee of a child care institution, including, but not limited to, foster parents, group home personnel, and personnel of residential care facilities, a social worker, probation officer, or parole

APPROVED BY: 
REVIEW DATES:

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SUPERSEDES:

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officer, an employee of a school district police or security department, any person who is an administrator or presenter of, or a counselor in, a child abuse prevention program in any public or private school, a district attorney investigator, inspector, or local child support agency caseworker unless the investigator, inspector, or caseworker is working with an attorney appointed pursuant to Section 317 of the Welfare and Institutions Code to represent a minor, a peace officer, as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2, who is not otherwise described in this section.

A physician, surgeon, psychiatrist, psychologist, dentist, resident, intern, podiatrist, chiropractor, licensed nurse, dental hygienist, optometrist, marriage, family and child counselor, clinical social worker, or any other person who is currently licensed under Division 2 (commencing with Section 500) of the Business and Professions Code, any emergency medical technician I or II, paramedic, or other person certified pursuant to Division 2.5 (commencing with Section 1797) of the Health and Safety Code, a psychological assistant registered pursuant to Section 2913 of the Business and Professions Code, a marriage, family, and child therapist trainee, as defined in subdivision (c) of Section 4980.03 of the Business and Professions Code, an unlicensed marriage, family, and child therapist intern registered under Section 4980.44 of the Business and Professions Code, a state or county public health employee who treats a minor for venereal disease or any other condition.

A coroner, a medical examiner, or any other person who performs autopsies, a commercial film and photographic print processor, as specified in subdivision (e) of Section 11166. As used in this article, "commercial film and photographic print processor" means any person who develops exposed photographic film into negatives, slides, or prints, or who makes prints from negatives or slides, for compensation. The term includes any employee of such a person; it does not include a person who develops film or makes prints for a public agency, a child visitation monitor. As used in this article, "child visitation monitor" means any person who, for financial compensation, acts as monitor of a visit between a child and any other person when the monitoring of that visit has been ordered by a court of law, animal control officer or humane society officer. For the purposes of this article, the following terms have the following meanings:

(A) "Animal control officer" means any person employed by a city, county, or city and county for the purpose of enforcing animal control laws or regulations.

(B) "Humane society officer" means any person appointed or employed by a public or private entity as a humane officer who is qualified pursuant to Section 14502 or 14503 of the Corporations Code.

A clergy member, as specified in subdivision (d) of Section 11166. As used in this article, "clergy member" means a priest, minister, rabbi, religious practitioner, or similar functionary of a church, temple, or recognized denomination or organization, any custodian of records of a clergy member, as specified in this section and subdivision (d) of Section 11166.

Any employee of any police department, county sheriff's department, county probation department, or county welfare department, an employee or volunteer of a Court Appointed Special Advocate program, as defined in Rule 1424 of the California Rules of Court, a custodial officer as defined in Section 831.5.

Any person providing services to a minor child under Section 12300 or 12300.1 of the Welfare and Institutions Code.

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An alcohol and drug counselor. As used in this article, an "alcohol and drug counselor" is a person providing counseling, therapy, or other clinical services for a state licensed or certified drug, alcohol, or drug and alcohol treatment program. However, alcohol or drug abuse, or both alcohol and drug abuse, is not in and of itself a sufficient basis for reporting child abuse or neglect.

Except as provided in paragraph (35) of subdivision (a), volunteers of public or private organizations whose duties require direct contact with and supervision of children are not mandated reporters but are encouraged to obtain training in the identification and reporting of child abuse and neglect and are further encouraged to report known or suspected instances of child abuse or neglect to an agency specified in Section 11165.9. Child abuse reports may be made directly to the Los Angeles County Department of Children and Family Services through their 24-hour hotline at (800) 540-4000, and written reports submitted through their website at <http://dcfs.lacounty.gov>.

Employers are strongly encouraged to provide their mandated reporters with training in the duties of a mandated reporter: identification and reporting of child abuse and neglect. School districts that do not train their mandated reporters must report the reasons why it was not done to the State Department of Education. Public and private organizations are encouraged to provide their volunteers whose duties involve direct contact with and supervision of children with training on identification and reporting of child abuse and neglect. Absence of the training does not excuse a mandated reporter from fulfilling their duties under these provisions.

Child – A "child" is defined as a person under the age of 18 years of age (Section 11165).

Child Abuse or Neglect in Out-of-Home Care – includes physical injury or death inflicted upon a child by another person by other than accidental means. Sexual abuse or neglect, the unlawful corporal punishment or injury or willful harming or injuring of a child or the endangering of the person or health of a child (child endangerment), where the person responsible for the child's welfare is a licensee, administrator, or employee of any facility licensed to care for children or an administrator or employee of a public or private school or other institution or agency.

Child Abuse or Neglect – includes physical injury or death inflicted by other than accidental means upon a child by another person, sexual abuse, neglect, the willful harming or injuring of a child or the endangering of the person or health of a child (child endangerment), and unlawful corporal punishment or injury. *Child abuse or neglect does not include a mutual affray between minors or injury caused by reasonable and necessary force used by a peace officer acting in the scope of his or her employment as a peace officer.*

- Sexual Abuse – includes sexual assault or physical exploitation as defined in Section 11165.1
- Neglect – the negligent treatment or the maltreatment of a child by a person responsible for the child's welfare under circumstances indicating harm or threatened harm to the child's health or welfare. The term includes both acts and omissions on the part of the responsible person. General neglect includes the failure of a responsible person to provide adequate food, clothing, shelter, medical care, or appropriate supervision. A child receiving medical treatment through spiritual means cannot be automatically determined to be neglected on that basis.
- Willful Harming or Injuring/Endangering – the responsible person causes or permits any child to suffer, inflicts unjustifiable physical pain or mental suffering, or in having the care and custody of any child,

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willfully causes or permits the person or health of the child to be placed in a situation in which his or her person or health is endangered.

- Unlawful Corporal Punishment or Injury – willfully inflicting upon any child by cruel or inhuman corporal punishment or injury resulting in a traumatic condition. Does not include reasonable force needed by a person employed by or engaged in public school to quell a disturbance, self-defense, to take control of a weapon or other dangerous object or device.

Patient/Inmate – Any minor or adult in the custody of law enforcement who receives medical care from medical personnel at a DHS Health Care Facility.

Reasonable Suspicion – Confirmation of abuse is not required. Reporters must report whenever they have a "reasonable suspicion" that abuse has occurred. "Reasonable Suspicion" means that it is objectively reasonable for a person to entertain a suspicion, based upon facts that could cause a reasonable person in a like position, drawing, when appropriate, on his or her training and experience, to suspect child abuse or neglect, Cal.Penal Code § 11166(a)(1).

POLICY

California Penal Code Section 11166.5 requires Los Angeles County Department of Health Services (DHS) to provide all mandated reporters who commence employment or are assigned to a DHS facility on and after January 1, 1985, with the following statement. California law requires this statement to be signed by the workforce member as a prerequisite to employment or assignment and be retained by Los Angeles County Department of Health Services.

Section 11166 of the Penal Code requires a mandated reporter who, in his/her professional capacity or within the scope of his/her employment or assignment, has knowledge of or observes a child whom the mandated reporter knows or reasonably suspects has been the victim of child abuse or neglect to report the known or suspected abuse immediately or as soon as practicably possible by telephone and to prepare and send, fax or electronically submit a written follow-up report thereof within 36 hours of receiving the information concerning the incident. The report shall be prepared on the Department of Justice (DOJ) Form SS8572 may include any non-privileged documentary evidence the mandated reporter possesses related to the incident.

If after reasonable efforts, a mandated reporter is unable to submit an initial report by telephone, he or she shall immediately or as soon as practicably possible, by fax or electronic submission, make a one-time automated written report on the DOJ Form SS8572 (see: http://ag.ca.gov/childabuse/pdf/ss_8572.pdf) and shall also be available to respond to a telephone follow-up call by the agency in which he or she filed the report. The report must also indicate the reason why the mandated reporter was not able to make an initial report by telephone.

Reports of suspected child abuse or neglect pursuant to Section 11166 or Section 11166.05 shall include the name, business address, and telephone number of the mandated reporter; the capacity that makes the person a mandated reporter; and the information that gave rise to the reasonable suspicion of child abuse or neglect and the source or sources of that information. As required by BOS' mandate, this would include all suspicious injuries suspected to be inflicted on a patient/inmate by law enforcement. If a report is made, the following information, if

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known, shall also be included in the report: the child's name, the child's address, present location, and, if applicable, school, grade, and class; the names, addresses, and telephone numbers of the child's parents or guardians; and the name, address, telephone number, and other relevant personal information about the person or persons who might have abused or neglected the child. The mandated reporter shall make a report even if some of this information is not known or is uncertain to him or her.

This reporting requirement exists even if the child has expired, regardless of whether or not the possible abuse was a factor contributing to the death, and even if the suspected abuse was discovered during an autopsy.

The identity of all persons who report under these provisions shall be confidential and disclosed only among agencies receiving or investigating mandated reports, to the prosecutor in a criminal prosecution or in an action initiated under Section 602 of the Welfare and Institutions Code arising from alleged child abuse, or to counsel appointed pursuant to subdivision (c) of Section 317 of the Welfare and Institutions Code, or to the county counsel or prosecutor in a proceeding under Part 4 (commencing with Section 7800) of Division 12 of the Family Code or Section 300 of the Welfare and Institutions Code, or to a licensing agency when abuse or neglect in out-of-home care is reasonably suspected, or when those persons waive confidentiality, or by court order or as required by BOS' mandate, if the injury is to a patient/inmate to the Internal Affairs Unit or the Captain of the jail facility where the patient/inmate is housed.

Reports of suspected child abuse or neglect shall be made by mandated reporters to the local law enforcement agency, county probation or county welfare departments. As required by BOS' mandate, if the abuse involves a patient under the authority of and due to a law enforcement agency, a report shall be sent to the Internal Affairs Unit or the Captain of the jail facility where the patient/inmate is housed. Child abuse reports may be made directly to the Los Angeles County Department of Children and Family Services (DCFS) 24-hour hotline at (800) 540-4000, and written reports may be submitted through their website at <http://dcfs.lacounty.gov>.

ELDER/DEPENDENT ADULT ABUSE REPORTING

DEFINITIONS

Care Custodian – An administrator or an employee of any of the following public or private facilities or agencies, or persons providing care or services for elders or dependent adults, including members of the support staff and maintenance staff:

- a) Twenty-four-hour health facilities, as defined in Sections 1250, 1250.2, and 1250.3 of the Health and Safety Code
- b) Clinics
- c) Home health agencies
- d) Agencies providing publicly funded in-home supportive services, nutrition services, or other home and community-based support services
- e) Adult day health care centers and adult day care
- f) Secondary schools that serve 18-to-22 year old dependent adults and postsecondary education institutions that serve dependent adults or elders
- g) Independent living centers

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- h) Camps
- i) Alzheimer's Disease day care resource centers
- j) Community care facilities, as defined in Section 1502 of the Health and Safety Code, and residential care facilities for the elderly, as defined in Section 1569.2 of the Health and Safety Code
- k) Respite care facilities
- l) Foster homes
- m) Vocational rehabilitation facilities and work activity centers
- n) Designated area agencies on aging
- o) Regional centers for persons with developmental disabilities
- p) State Department of Social Services and State Department of Health Services licensing divisions
- q) County welfare departments
- r) Offices of patients' rights advocates and clients' rights advocates, including attorneys
- s) The office of the long-term care ombudsman
- t) Offices of public conservators, public guardians, and court investigators
- u) Any protection or advocacy agency or entity that is designated by the Governor to fulfill the requirements and assurances of the following:
 - 1) The federal Developmental Disabilities Assistance and Bill of Rights Act of 2000, contained in Chapter 144 (commencing with Section 15001) of Title 42 of the United States Code, for protection and advocacy of the rights of persons with developmental disabilities.
 - 2) The Protection and Advocacy for the Mentally Ill Individuals Act of 1986, as amended, contained in Chapter 114 (commencing with Section 10801) of Title 42 of the United States Code, for protection and advocacy of the rights of persons with mental illness.
- v) Humane societies and animal control agencies
- w) Fire departments
- x) Offices of environmental health and building code enforcement
- y) Any other protective, public, sectarian, mental health, or private assistance or advocacy agency or person providing health services or social services to elders and dependent adults.

Health Practitioner – A physician and surgeon, psychiatrist, psychologist, dentist, resident, intern, podiatrist, chiropractor, licensed nurse, dental hygienist, licensed clinical social worker or associate clinical social worker, marriage, family and child counselor, or any other person who is currently licensed under Division 2 (commencing with Section 500) of the Business and Professions Code, any emergency medical technician I or II, paramedic, or person certified pursuant to Division 2.5 (commencing with Section 1797) of the Health and Safety Code, a psychological assistant registered pursuant to Section 2913 of the Business and Professions Code, a marriage, family and child counselor trainee, as defined in subdivision (c) of Section 4980.03 of the Business and Professions Code, or an unlicensed marriage, family, and child counselor intern registered under Section 4980.44 of the Business and Professions Code, state or county public health or social service employee who treats an elder or a dependent adult for any condition, or a coroner.

Dependent Adult – Any person between the ages of 18 and 64 years who resides in this state and who has physical or mental limitations that restrict his or her ability to carry out normal activities or to protect his or her rights, including, but not limited to, persons who have physical or developmental disabilities, or whose physical or mental abilities have diminished because of age.

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Elder – Any person residing in this state, 65 years of age or older.

Abuse – For purposes of elder or dependent adult, “abuse” means (a) physical abuse, neglect, financial abuse, abandonment, isolation, abduction, or other treatment with resulting physical harm or pain or mental suffering, (b) the deprivation by a care custodian of goods or services that are necessary to avoid physical harm or mental suffering.

POLICY

California Welfare and Institutions Code Section 15659 requires Los Angeles County Department of Health Services to provide all “care custodians,” “clergy members,” “health practitioners,” and “employees of an adult protective services agency” who enter into employment on or after January 1, 1995, with the following statement prior to commencing his/her employment or assignment and as a prerequisite to that employment or assignment. California law requires this statement to be signed by the workforce member as a prerequisite to employment or assignment and be retained by Los Angeles County Department of Health Services.

Section 15630(b)(1) of the Welfare and Institutions Code provides as follows:

Any mandated reporter who, in his or her professional capacity, or within the scope of his or her employment, has observed or has knowledge of an incident that reasonably appears to be physical abuse, as defined in Section 15610.63 of the Welfare and Institutions Code, abandonment, abduction, isolation, financial abuse, or neglect, or is told by an elder or dependent adult that he or she has experienced behavior, including an act or omission, constituting physical abuse, as defined in Section 15610.63 of the Welfare and Institutions Code, abandonment, abduction, isolation, financial abuse, or neglect, or reasonably suspects that abuse, shall report the known or suspected instance of abuse by telephone immediately or as soon as practicably possible, and by written report within two working days, as follows: If the abuse has occurred in a long-term care facility, except a state mental health hospital or a state development center, the report shall be made to the local ombudsman or to a local law enforcement agency. If the suspected or alleged abuse occurred in a state mental hospital or a state developmental center, the report shall be made to designated investigators of the State Department of Mental Health or the State Department of Developmental Services or to local law enforcement agencies.

INJURIES BY FIREARM; ASSAULTIVE OR ABUSIVE CONDUCT; REPORTING DUTIES BY HEALTH FACILITIES

DEFINITIONS

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, 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.

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Domestic Violence (Penal Code 13700) – 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) whether the parties hold themselves out as husband and wife, (5) the continuity of the relationship, and (6) the length of the relationship.

Abuse – 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, 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.

Health Practitioner – A physician and surgeon, psychiatrist, psychologist, dentist, resident, intern, podiatrist, chiropractor, licensed nurse, dental hygienist, licensed clinical social worker or associate clinical social worker, marriage, family and child counselor, or any other person who is currently licensed under Division 2 (commencing with Section 500) of the Business and Professions Code, any emergency medical technician I or II, paramedic, or person certified pursuant to Division 2.5 (commencing with Section 1797) of the Health and Safety Code, a psychological assistant registered pursuant to Section 2913 of the Business and Professions Code, a marriage, family and child counselor trainee, as defined in subdivision (c) of Section 4980.03 of the Business and Professions Code, or an unlicensed marriage, family, and child counselor intern registered under Section 4980.44 of the Business and Professions Code, state or county public health or social service employee who treats an elder or a dependent adult for any condition, or a coroner and as required by BOS' mandate, this shall include all medical personnel.

Intimate Partner – 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)).

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.

Patient/Inmate – Any minor or adult in the custody of law enforcement who receives medical care from medical personnel at a DHS Health Care Facility.

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POLICY

California Penal Code Section 11160 requires any health practitioner employed in a health facility, clinic, physician's office, local or state public health department, or a clinic or other type of facility operated by a local or state public health department who, in his or her professional capacity or within the scope of his or her employment, provides medical services for a physical condition to a patient whom he or she knows or reasonably suspects is a person described as follows, shall immediately, or as soon as practically possible, make a report to local law enforcement by telephone and a written report within two working days of receiving information regarding the person and as required by BOS' mandate, all medical personnel shall report all suspicious injuries of patient/inmates to the Internal Affairs Unit or the Captain of the jail facility where the inmate is housed for:

- 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
- 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.

Reports made to local law enforcement agencies regarding suspicious injuries to patients/inmates should be escalated to the facility Regulatory Affairs Unit for tracking and enterprise reporting purposes.

SEXUAL ABUSE/INAPPROPRIATE BEHAVIOR TOWARD A PATIENT

DEFINITIONS

Abuse – 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 abuse includes sexual harassment, sexual coercion and sexual assault (JC).

POLICY

Each patient in a Department of Health Services (DHS) facility has the right to be free from verbal, mental, physical, and sexual abuse, exploitation, neglect and harassment. Each DHS facility will evaluate all allegations, observations, and suspected cases of abuse, exploitation, neglect, and harassment that occur within the facility and report such incidents in accordance with the provisions of this policy and guidance.

Sexual contact between a workforce member and a patient is:

- Strictly prohibited;
- Unprofessional conduct; and
- Will constitute sexual misconduct and/or abuse.

Examples of inappropriate sexual conduct include but are not limited to:

- Intercourse;
- Touching the patient's body with sexual intent;
- Inappropriately watching the patient undress/dress;
- Making inappropriate comments;

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- Conducting physical exams not needed, not within the scope of treatment or not based on the patient's medical complaint;
- Conducting treatment/exams outside the scope of the health care worker's license, registration, certificate, or permit;
- Making phone calls or communications not of a patient care or business nature; and/or
- Any demeaning or undignified treatment.

Sexual conduct that occurs concurrent with the patient-physician or other healthcare provider relationship constitutes sexual misconduct. If a physician or healthcare provider has reason to believe that non-sexual contact with a patient may be perceived as or may lead to sexual contact, then he or she should avoid the non-sexual contact. At a minimum, a physician's or healthcare provider's ethical duties include terminating the physician or healthcare provider-patient relationship before initiating a dating, romantic, or sexual relationship with a patient. Sexual or romantic relationships with former patients are unethical if the physician or healthcare provider uses or exploits trust, knowledge, emotions, or influence derived from the previous professional relationship.

Unwanted or nonconsensual sexual conduct (with or without force) involving a patient and health care worker, another patient, contract staff, unknown perpetrator or spouse/significant other, while being treated or occurring on the premises of a DHS facility may constitute a criminal act punishable by law.

Any workforce member who witnesses or reasonably suspects that a patient was or is being subjected to inappropriate sexual conduct and/or sexual abuse shall report it to his/her supervisor using DHS Policy No. 321.000 Security Incident Report. The supervisor/manager shall immediately report, within twenty-four (24) hours, complaints and allegations of sexual abuse, exploitation, neglect, or harassment to the facility HR Administrator/designated staff. Facility HR Administrator/designated staff will assess the complaint, in consultation with DHS HR Performance Management and/or Organizational Management, and within twenty-four (24) hours, determine whether the investigation can be handled internally or referred to the facility Los Angeles County Sheriff's Department using a Security Incident Report. The reporting party shall report the suspected abuse using a Security Incident Report *and to the appropriate agency as required by State law.*

The Department is prohibited from taking disciplinary action against a workforce member for making a good faith report. However, any workforce member who deliberately makes a false accusation will be subject to discipline. Moreover, reporting a violation does not protect individuals from appropriate disciplinary action regarding their own misconduct.

REPORTING SUSPICIOUS INJURIES

DEFINITIONS

A suspicious injury includes any wound or other physical injury that either was:

- Inflicted by the injured person's own act or by another where the injury was by means of a firearm; or
- Is suspected to be the result of assaultive or abusive conduct inflicted upon the injured person.

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POLICY

In accordance with California Penal Code Section 11160, DHS requires any health practitioner working in a DHS health facility who in his or her professional capacity or within the scope of his or her assignment provides medical services to a patient/inmate who he or she knows or reasonably suspects has a suspicious injury to report such injury by telephone to local law enforcement immediately or as soon as practicable. Section 11160 requires the reporter to make a written follow-up report within two (2) business days to the same local law enforcement agency (see <http://domesticabuse.stanford.edu/documents/calema%202-920%20DV.pdf> and <http://www.calema.ca.gov/PublicSafetyandVictimServices/Documents/Forms%202011/Numeric%20forms%20listi ng/Suspicious%20Injury%20Report%202-920i.pdf> or **Attachment I**)

If the suspicious injury is to a patient/inmate, per BOS mandate, it must be reported to the Internal Affairs Unit or the Captain of the jail facility where the patient/inmate is housed. The Los Angeles County Sheriff's Department Internal Affairs Bureau can be reached at (323) 890-5300 or (800) 698-8255, and is located at 4900 S. Eastern Ave., Suite 100, Commerce, CA 90040.

It should be noted that the health practitioner's reporting obligation applies to any law enforcement agency delivering a patient/inmate for intake with a suspicious injury. **Attachment II** provides contact information for the forty-seven (47) current County of Los Angeles Law Enforcement Agencies. Additionally, four (4) federal agency contacts have been inserted to assist DHS facilities in fulfilling their suspicious injury reporting obligations.

Reports made to local law enforcement agencies regarding suspicious injuries to patients/inmates should be escalated to the facility Regulatory Affairs Unit for tracking and enterprise reporting purposes.

Health practitioners working in a DHS health facility who are engaged in compiling evidence during a forensic medical examination for a criminal investigation of sexual assault may be asked to release the report to local law enforcement and other agencies, the reports must be prepared on specific forms as required by statute. Health practitioners must follow DHS HIPAA procedures documenting the release of such information.

AUTHORITY:

California Penal Code
California Welfare & Institutions Code
Los Angeles County Board of Supervisors Mandate

CROSS REFERENCE:

DHS Policy 321.000 Patient Safety: Sexual Abuse and/or Inappropriate Behavior Toward a Patient

EFFECTIVE DATE: December 19, 2011

SUPERSEDES:

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CALIFORNIA EMERGENCY MANAGEMENT AGENCY
SUSPICIOUS INJURY REPORT
 Cal EMA 2-290 (4/1/09)

STATE OF CALIFORNIA

INFORMATION DISCLOSURE

This form is for law enforcement use only and is confidential in accordance with Section 11163.2 of the Penal Code. This form shall not be disclosed except by local law enforcement agencies to those involved in the investigation of the report or the enforcement of a criminal law implicated by this report. In no case shall the person identified as a suspect be allowed access to the injured person's whereabouts. The person making this report shall not be required to disclose his/her identity to their employer (PC 11160).

Part A: PATIENT WITH SUSPICIOUS INJURY

1. PATIENT'S NAME (Last, First, Middle)		2. BIRTHDATE	3. GENDER <input type="checkbox"/> M <input type="checkbox"/> F	4. SAFE PHONE NUMBER ()	
5. PATIENT'S RESIDING ADDRESS (number and Street / Apt – NO P.O. Box)			City	State	Zip
6. PATIENT SPEAKS ENGLISH <input type="checkbox"/> Y <input type="checkbox"/> N – Identify language spoken: _____			7. DATE AND TIME OF INJURY Date: _____ Time: _____ <input type="checkbox"/> am <input type="checkbox"/> pm <input type="checkbox"/> unknown		
8. LOCATION / ADDRESS WHERE INJURY OCCURRED, IF AVAILABLE – Check here if unknown: <input type="checkbox"/>					

9. PATIENT'S COMMENTS ABOUT THE INCIDENT – Include any identifying information about the person the patient alleges caused the injury and the names of any persons who may know about the incident.	<input type="checkbox"/> ADDITIONAL PAGES ATTACHED
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10. NAME OF SUSPECT – If identified by the patient	11. RELATIONSHIP TO PATIENT, IF ANY
12. SUSPICIOUS INJURY DESCRIPTION – include a brief description of physical findings and the final diagnosis.	
<input type="checkbox"/> ADDITIONAL PAGES ATTACHED	

Part B: REQUIRED – AGENCIES RECEIVING PHONE AND WRITTEN REPORTS

13. LAW ENFORCEMENT AGENCY NOTIFIED BY PHONE (Mandated by PC 11160)		14. DATE AND TIME REPORTED Date: _____ Time: _____ <input type="checkbox"/> am <input type="checkbox"/> pm	
15. NAME OF PERSON RECEIVING PHONE REPORT (First and Last)	16. JOB TITLE	17. PHONE NUMBER ()	
18. LAW ENFORCEMENT AGENCY RECEIVING WRITTEN REPORT (Mandated by PC 11160)		19. AGENCY INCIDENT NUMBER	

Part C: PERSON FILING REPORT

20. EMPLOYER'S NAME		21. PHONE NUMBER ()	
22. EMPLOYER'S ADDRESS (Number and Street)		City	State Zip
23. NAME OF HEALTH PRACTITIONER (First and Last)		24. JOB TITLE	
25. HEALTH PRACTITIONER'S SIGNATURE		26. DATE SIGNED	

ATTACHMENT II

County of Los Angeles - Law Enforcement Agencies

There are currently 47 law enforcement agencies in Los Angeles County. Two agencies, the Los Angeles Police Department and Los Angeles Sheriff Department, are responsible for law enforcement services for two-thirds of the County's population. The remaining one-third of the County receives law enforcement services from the other 45 independent law enforcement agencies.

All law enforcement agencies are members of the Los Angeles County Police Chief's Association, an organization which attempts to coordinate and standardize enforcement issues amongst the various agencies. Furthermore, 4 federal law enforcement agencies have been included to assist with possible federal reporting functions/obligations.

<p>Alhambra Police Department 211 S. First Street Alhambra, California 91801 (626) 570-5107 http://www.cityofalhambra.org/government/police_department</p>	<p>Burbank Police Department 200 N. Third Avenue Burbank, California 91502 (818) 238-3333 http://www.ci.burbank.ca.us/police</p>
<p>Arcadia Police Department 250 W. Huntington Drive Arcadia, California 91066-6021 (626) 574-5150, Chief http://www.arcadiapd.com</p>	<p>California Highway Patrol Los Angeles Communication Center 4016 Rosewood Avenue Los Angeles, California 90004 (800) 835-5247 http://www.chp.ca.gov</p>
<p>ATF – Bureau of Alcohol, Tobacco, Firearms and Explosives Los Angeles Field Division 550 North Brand Blvd Suite 800 Glendale, CA 91203 (818) 265-2500 (818) 265-2501 – Fax LosAngelesDiv@atf.gov http://www.atf.gov/field/losangeles/</p>	<p>Central Intelligence Agency Office of Public Affairs Washington, D.C. 20505 (703) 482-0623 (703) 482-1739 – Fax https://www.cia.gov/cgi-bin/comment_form.cgi - Web Report Form https://www.cia.gov</p>
<p>Azusa Police Department 725 N. Alameda Avenue Azusa, California 91702 (626) 812-3200 http://www.ci.azusa.ca.us/police</p>	<p>Claremont Police Department 570 W. Bonita Avenue Claremont, California 91711 (909) 399-3460 http://www.claremontpd.org</p>
<p>Baldwin Park Police Department 14403 E. Pacific Avenue Baldwin Park, California 91706-4297 (626) 960-4011 http://www.baldwinpark.com</p>	<p>Covina Police Department 444 N. Citrus Covina, California 91723-2066 (626) 331-3391 http://www.ci.covina.ca.us/police/</p>
<p>Bell Police Department 6326 Pine Avenue Bell, California 90201 (323) 585-1245 http://www.cityofbell.org</p>	<p>Culver City Police Department 4040 Duquesne Avenue Culver City, California 90232 (310) 837-1221 http://www.ci.culvercity.ca.us/police</p>
<p>Bell Gardens Police Department 7100 Garfield Avenue Bell Gardens, California 90201-3293 (562) 806-7600 http://www.bellgardens.org</p>	<p>Department of Homeland Security 245 Murray Lane SW Washington, DC 20528-0075 (202) 282-8000 http://www.dhs.gov/index.shtm</p>
<p>Beverly Hills Police Department 464 Rexford Drive Beverly Hills, California 90210-4818 (310) 550-4951 http://www.beverlyhills.org</p>	<p>Downey Police Department 10911 Brookshire Avenue Downey, California 90241 (562) 861-0771 http://www.downeypd.org</p>

<p>El Monte Police Department 11333 Valley Blvd El Monte, California 91731-3292 (626) 580-2100 http://www.ci.el-monte.ca.us/citygov/police/pdmain.html</p>	<p>Inglewood Police Department 1 Manchester Boulevard P.O. Box 6500 Inglewood, California 90301 (310) 412-5111 http://www.inglewoodpd.org</p>
<p>El Segundo Police Department 348 Main Street El Segundo, California 90245 (310) 524-2268 http://www.elsegundo.org</p>	<p>Irwindale Police Department 5050 N. Irwindale Avenue Irwindale, California 91706 (626) 962-3601 http://ci.irwindale.ca.us/police_dept</p>
<p>Federal Bureau of Investigation 11000 Wilshire Blvd, Suite 1700 Los Angeles, CA 90024-3603 (310) 477-6565 (310) 996-3359 – Fax http://www.fbi.gov/losangeles/</p>	<p>La Verne Police Department 2061 Third Street La Verne, California 91750 (909) 596-1913 http://www.lvpd.org</p>
<p>Gardena Police Department 1718 W. 162nd Street Gardena, California 90247-3732 (310) 327-7911 http://www.gardenapd.org</p>	<p>Long Beach Police Department 400 W. Broadway Long Beach, California 90802 (562) 570-7260 http://www.longbeach.gov/police</p>
<p>Glendale Police Department 131 N. Isabel Street Glendale, California 91206-4382 (818) 548-4840 http://www.ci.glendale.ca.us/police</p>	<p>Los Angeles Police Department 150 N. Los Angeles Street Los Angeles, California (877) 275-5273 http://www.lapdonline.org LAPD Divisions</p>
<p>Glendora Police Department 150 S. Glendora Avenue Glendora, California 91740 (626) 914-8250 http://www.ci.glendora.ca.us</p>	<p>Los Angeles County Sheriffs Department 4700 Ramona Boulevard Monterey Park, California 91754-2169 (323) 526-5541 http://www.lasd.org LASD Stations</p>
<p>Hawthorne Police Department 4460 W. 126th Street Hawthorne, California 90250 (310) 349-2700 http://www.cityofhawthorne.com</p>	<p>Los Angeles County Sheriffs Department Internal Affairs Bureau 4900 S. Eastern Ave Suite 100 Commerce, CA 90040 (323) 890-5300 (800) 698-8255 (323) 728-0186 – Fax <i>iaboperations@lasd.org</i> – E-mail Reporting</p>
<p>Hermosa Beach Police Department 530 Pier Avenue Hermosa Beach, California 90254 (310) 524-2750 http://www.hermosabch.org/police</p>	
<p>Huntington Park Police Department 6542 Miles Avenue Huntington Park, California 90255-4386 (323) 584-6254 http://www.huntingtonparkpd.org</p>	<p>Los Angeles School Police Department 1330 W. Pico Boulevard Los Angeles, California 90015 (213) 625-6631 http://www.laspd.com</p>
<p>Inglewood Police Department 1 Manchester Boulevard P.O. Box 6500 Inglewood, California 90301 (310) 412-5111 http://www.inglewoodpd.org</p>	<p>Manhattan Police Department 420 15th Street Manhattan Beach, California 90266 (310) 802-5000 http://www.ci.manhattan-beach.ca.us</p>
<p>Irwindale Police Department 5050 N. Irwindale Avenue Irwindale, California 91706 (626) 962-3601 http://ci.irwindale.ca.us/police_dept</p>	<p>Maywood Police Department 4317 E. Slauson Avenue Maywood, California 90270 (323) 562-5700 http://www.cityofmaywood.com/police</p>

<p>Monrovia Police Department 140 E. Lime Avenue Monrovia, California 91016-2888 (626) 256-8000 http://www.ci.monrovia.ca.us/</p>	<p>Sierra Madre Police Department 242 W. Sierra Madre Boulevard Sierra Madre, California 91024 (626) 355-1414 http://ci.sierra-madre.ca.us</p>
<p>Montebello Police Department 1600 W. Beverly Boulevard Montebello, California 90640 (323) 887-1265 http://www.cityofmontebello.com/departments/police.htm</p>	<p>Signal Hills Police Department 1800 E. Hill Street Signal Hill, California 90806 (562) 989-7200 http://www.signalhillpd.org</p>
<p>Monterey Park Police Department 320 W. Newman Avenue Monterey Park, California 91754 (626) 307-1211 http://ci.monterey-park.ca.us/home/index.asp?page=31</p>	<p>South Gate Police Department 8620 California Avenue South Gate, California 90280-3073 (323) 563-5400 http://www.cityofsouthgate.org</p>
<p>Palos Verdes Police Department 340 Palos Verdes Dr. West Palos Verdes Estates, California 90274 (310) 378-4211 http://www.palosverdes.com/pvepd</p>	<p>South Pasadena Police Department 1422 Mission Street South Pasadena, California 91030-3299 (626) 403-7270 http://www.ci.south-pasadena.ca.us</p>
<p>Pasadena Police Department 207 N. Garfield Avenue Pasadena, California 91101 (626) 744-4501 http://www.ci.pasadena.ca.us/police</p>	<p>Torrance Police Department 3300 Civic Center Drive Torrance, California 90503-5056 (310) 328-3456 http://www.tpd.torrcnet.com</p>
<p>Pomona Police Department 490 W. Mission Boulevard Pomona, California 91766 (909) 622-1241 http://www.ci.pomona.ca.us/city_departments/police</p>	<p>Vernon Police Department 4305 Santa Fe Avenue Vernon, California 90058 (323) 587-5171 http://www.cityofvernon.org/departments/police/police.htm</p>
<p>Redondo Beach Police Department 401 Beach Street Redondo Beach, California 90277 (310) 379-2477 http://www.redondo.org/depts/police</p>	<p>West Covina Police Department 1444 W. Garvey Avenue West Covina, California 91793 (626) 939-8500 http://www.wcpd.org</p>
<p>San Fernando Police Department 910 First Street San Fernando, California 91340-2928 (818) 898-1267 http://www.ci.san-fernando.ca.us</p>	<p>Whittier Police Department 7315 S. Painter Avenue Whittier, California 90602 (562) 945-8250 http://www.whittierpd.org</p>
<p>San Gabriel Police Department 625 S. Del Mar San Gabriel, California 91776 (626) 308-2828 http://www.sgpd.com</p>	
<p>San Marino Police Department 2200 Huntington Drive San Marino, CA 91108 (626) 300-0720 http://cityofsanmarino.org/police</p>	
<p>Santa Monica Police Department 1685 Main Street Santa Monica, California 90401 (310) 458-8491 http://santamonicapd.org</p>	