

# 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
<b>When to Report</b>	<p>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, neglect or serious emotional damage</p> <p><b>Includes:</b> 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</p> <p><b>Applies to:</b> minors age 17 and under</p> <p><b>Note:</b> reporting of a minor’s sexual activity varies with age and circumstances</p>	<p>Mandated reporter has observed or has knowledge of (including being told by the elder/dependant adult) an incident that reasonably appears to be abuse</p> <p><b>Includes:</b> 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</p> <p><b>Applies to:</b> elder persons age 65 or older; dependent adults ages 18 to 64 with physical or mental limitations; adult inpatients in an acute care hospital or other 24-hour health facility</p>	<p>Health practitioner and physician providing medical services to a patient whom they reasonably suspect has a <i>physical</i> condition resulting from:</p> <ol style="list-style-type: none"> <li>1. A wound or injury by a firearm (self-inflicted or by another person) or</li> <li>2. A wound or injury resulting from assaultive or abusive conduct (as defined by Penal Code 11160(d))</li> </ol> <p><b>Includes:</b> murder, mayhem, assault, rape, battery, abuse of spouse or cohabitant and additional offenses as defined by Penal Code 11160(d)</p> <p>Duty to report applies even if treating a condition not related to 1. or 2. above</p>
<b>To Whom to Report</b>	Local law enforcement, designated county probation department or county welfare department	<p>Varies depending on where the suspected/alleged abuse occurred:</p> <ol style="list-style-type: none"> <li>1. <b>Long-term care facility:</b> report to local ombudsperson or local law enforcement</li> <li>2. <b>State mental health hospital or state development center:</b> report to designated investigators at State Department of Mental Health, Department of Developmental Services, or local law enforcement</li> <li>3. <b>Anywhere other than the above:</b> report to adult protective services agency or local law enforcement</li> </ol>	<p>Local law enforcement</p> <p>Report must be made, even if victim dies, and even if evidence is discovered during an autopsy</p>
<b>Timeframe</b>	<ol style="list-style-type: none"> <li>1. Immediate telephone report</li> <li>2. Follow up with written report by mail, fax or email within 36 hours</li> </ol>	<ol style="list-style-type: none"> <li>1. Immediate telephone report</li> <li>2. Follow up with written report within two working days from receipt of information</li> </ol>	<ol style="list-style-type: none"> <li>1. Immediate telephone report</li> <li>2. Follow up with written report within two working days</li> </ol>
<b>Required Form</b>	“Suspected Child Abuse Report,” Department of Justice, Form SS 8572. Obtain from local social services or child protective services agency or download at <a href="http://www.caag.state.ca.us/childabuse/forms.htm">www.caag.state.ca.us/childabuse/forms.htm</a>	“Report of Suspected Dependent Adult/Elder Abuse,” state Department of Social Services, Form SOC 341 (CHA Appendix 19-B) or download at <a href="http://www.dss.cahwnet.gov/pdf/soc341.pdf">www.dss.cahwnet.gov/pdf/soc341.pdf</a>	“Suspicious Injury Report,” Office of Emergency Services (OES), Form OES 920 (CHA Appendix 19-A) or download at <a href="http://www.oes.ca.gov/Operational/OESHome.nsf/CJPD_Documents?OpenForm">www.oes.ca.gov/Operational/OESHome.nsf/CJPD_Documents?OpenForm</a>
<p><b>Sexual Assault/Rape</b> In addition to reporting child abuse or injury by assaultive/abusive conduct, 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 (or parent or guardian). Local law enforcement must be notified by telephone prior to beginning the required medical examination. Proper forensic report forms may be downloaded at <a href="http://www.oes.ca.gov/Operational/OESHome.nsf/CJPD_Documents?OpenForm">www.oes.ca.gov/Operational/OESHome.nsf/CJPD_Documents?OpenForm</a></p>			

See chapter 19, “Assault and Abuse Reporting Requirements” of the CHA *Consent Manual* for additional information.

