

Oakland County Medical Control Authority

Procedure Protocols

MANDATED REPORTING OF ABUSE OR NEGLECT OF: CHILDREN, VULNERABLE ADULTS, AND ELDERLY ADULTS

January, 2015

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***Mandated Reporting of Abuse or Neglect of; Children, Vulnerable Adults, and Elderly Adults***

Purpose: To identify the reporting process for suspicion of Abuse or Neglect, as required by Law.

As a licensed medical provider, the State of Michigan requires you to report suspicions of abuse or neglect in Children, Vulnerable Adults, and Elderly Adults. As a Mandated reporter, the Department of Human Services relies on your enhanced capacity and understanding of your surroundings to be keenly aware of, or suspicious of, circumstances out of the *Ordinary*. This report is required by law whether the patient is transported for injuries sustained or not.

**I. Reporting Suspicions of Child Abuse, Neglect, or Exploitation: Mandated reporting of suspected child abuse, neglect, or exploitation is defined by the Michigan Child Protection Act.**

Michigan Child Protection Act of 1975, PA 238 (MCL 722.623)

*A provider who has reasonable cause to suspect child abuse or neglect shall make immediately, by telephone or otherwise, an oral report, or cause an oral report to be made, of the suspected child abuse or neglect to the department. Within 72 hours after making the oral report, the reporting person shall file a written report as required in this act. If the reporting person is a member of the staff of a hospital, agency, or school, the reporting person shall notify the person in charge of the hospital, agency, or school of his or her finding and that the report has been made, and shall make a copy of the written report available to the person in charge. A notification to the person in charge of a hospital, agency, or school does not relieve the member of the staff of the hospital, agency, or school of the obligation of reporting to the department as required by this section. One report from a hospital, agency, or school is adequate to meet the reporting requirement.*

The Act requires a 3-step process of reporting your suspicions of abuse or neglect in children.

1. Call the Department, (DHS/CPS) immediately (within 24 hours). ***A centralized intake system is available 24 hours a day at 1-855-444-3911 for reporting suspicions of abuse, neglect, or exploitation of both children and adults.***
2. Make the written report within 72 hours. The [DHS3200](#) fulfills the written reporting requirement of the Act. The DHS3200 form is available at every hospital, as well as editable PDF on the website: [http://michigan.gov/documents/dhs/DHS-3200\\_224934\\_7.pdf](http://michigan.gov/documents/dhs/DHS-3200_224934_7.pdf)
3. Notify your supervisor. Local agency protocol dictates organizationally who to notify.

Note: These actions should be completed in the most convenient fashion, though never to interfere or delay patient care.

**Remember: A notification to the person in charge of a hospital, agency, or school does not relieve the member of the staff of the hospital, agency, or school of the obligation of reporting to the department as required.**

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**II. Reporting Suspicion of Abuse, Neglect or Exploitation of Vulnerable or Elder Adult: Mandated reporting of suspected adult abuse, neglect, or exploitation is defined by the Michigan Social Welfare Act (Act 280 of 1939).**

***400.11a Reporting abuse, neglect, or exploitation of adult; oral report; contents of written report; reporting criminal activity***

*(1) A person who is employed, licensed, registered, or certified to provide health care, ... an employee of an agency licensed to provide health care... a law enforcement officer; or an employee of the office of the county medical examiner who suspects or has reasonable cause to believe that an adult has been abused, neglected, or exploited shall make immediately, by telephone or otherwise, an oral report to...department of social services. After making the oral report, the reporting person may file a written report with the department*

*(4) A report made under this section shall contain the name of the adult and a description of the abuse, neglect, or exploitation. If possible, the report shall contain the adult's age and the names and addresses of the adult's guardian or next of kin, and of the persons with whom the adult resides, including their relationship to the adult. The report shall contain other information available to the reporting person that may establish the cause of the abuse, neglect, or exploitation and the manner in which the abuse, neglect, or exploitation occurred or is occurring. The... department shall reduce to writing the information provided in an oral report received pursuant to this section.*

The Act requires a one step process of reporting your suspicions of abuse, neglect, or exploitation in adults.

1. Call the Department, (DHS/APS) immediately (within 24 hours). *A centralized intake system is available 24 hours a day at 1-855-444-3911 for reporting suspicions of abuse, neglect, or exploitation of both adults and children.* The centralized intake system operator may suggest you fill out a DHS3200, as a follow-up form when reporting suspicions of adult abuse or neglect.

Note: These actions should be completed in the most convenient fashion, though never to interfere or delay patient care.

3. **Treatment & Transport:** Treatment and transport of abused or neglected patients should be consistent with any injury present, and the protocols regarding that injury.

4. **Definitions**

“Child Abuse” means harm or threatened harm to a child’s health or welfare by a parent, legal guardian, or any other person responsible for the child’s health or welfare...that occurs through non-accidental physical or mental injury; sexual abuse; sexual exploitation, or maltreatment.

“Child Neglect” means harm or threatened harm to a child’s health or welfare by a parent, legal guardian, or any other person responsible for the child health or welfare that occurs through either of the following: 1) Negligent treatment, including the failure to provide adequate food, shelter, or medical care; 2) Placing a child at an unreasonable risk to the child’s health or welfare by failure of the parent, legal guardian, or any other person responsible for the child’s health or welfare to intervene to eliminate that risk when that

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person is able to do so and has, or should have, knowledge of the risk.

“Adult Abuse” means harm or threatened harm to an adult’s health or welfare caused by another person. Abuse includes, but is not limited to, non-accidental physical or mental injury, sexual abuse, or maltreatment.

“Adult Exploitation” means an action that involves the misuse of an adult’s funds, property, or personal dignity by another person.

“Neglect” means harm to an adult’s health or welfare caused by the inability of the adult to respond to a harmful situation or by the conduct of a person who assumes responsibility for a significant aspect of the adult’s health or welfare. Neglect includes the failure to provide adequate food, clothing, shelter, or medical care.