



## TITLE: REPORTING OF ABUSE, NEGLECT OR MISTREATMENT

### Policy 2.1

Rev. September 2017

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#### PURPOSE AND SCOPE

The purpose of this policy is to ensure that all Kokua employees, volunteers, interns and work study students understand that they are “mandatory reporters” and are required by law to report observed or suspected abuse, neglect, abandonment, exploitation or financial exploitation of vulnerable adults and children.

#### A. REPORTING ABUSE

Any employee, volunteer, intern or work study student that suspects or observes abuse, neglect, abandonment or exploitation of a client must report that abuse or neglect to Residential Care Services within 24 hours. Individuals are also required to report any client bruises or injuries of unknown origin that require treatment beyond first aid. The report must be phoned into the Complaint Line at 1-800-562-6078. A report of abuse must include a description of the incident, the name of the victim, name of the alleged perpetrator, the address and telephone of the victim, the name of the client’s DDA case manager. A person making a report has the right to request anonymity when making a report. All employees are responsible to understand their responsibilities as mandatory reporters and to fulfill those responsibilities. Failure to report may result in disciplinary action up to and including termination.

Client Service Coordinators or other staff providing follow-up to an incident of suspected abuse or neglect should fax the follow-up material to APS at 725-2644 .

If there is reason to believe that there has been physical or sexual assault of a vulnerable adult, financial exploitation of a vulnerable adult, violation of a no-contact order held by a vulnerable adult or any alleged crime against a vulnerable adult, local law enforcement must also be notified within 24 hours, or as soon as the safety of the client is assured.

#### B. APS/RCS INVESTIGATIONS

Staff persons, volunteers, interns or work study students are prohibited by law from releasing any information regarding an ongoing abuse/neglect investigation. This prohibition includes discussing the report with anyone, even the client’s guardian. If a guardian or family member requests information, they are to be given only the name and phone number of the social worker conducting the investigation.

#### C. EMERGENCY PROTECTION OF CLIENTS

In any emergency, the first priority for all Kokua staff must always be protection of the client. Emergency protection includes, but is not limited to:

1. Immediate face-to-face contact at the scene.
2. Locating and transporting the client to a safe location.
3. Contacting 911.
4. Contacting the client’s case manager.
5. Contacting the Kokua On-Call System.
6. Assuring any alleged perpetrator no longer has access to the client or to any other client of Kokua.
7. Ensuring any immediate medical needs have been met.
8. Contacting the guardian or family of the client involved.

9. Preserving any evidence at the site and documenting all communications regarding the reported incident.

#### D. PROTECTION OF PHYSICAL EVIDENCE

If it is suspected that a client has been physically or sexually assaulted or has been the victim of any crime, gather and safeguard all physical evidence of the suspected crime until such time as the evidence can be turned over to the investigating authority.

#### E. COOPERATION WITH APS/RCS INVESTIGATION

Any time that a social worker from APS/RCS comes to a client's home to do an investigation, staff persons are required to cooperate fully. For the safety of the clients, verify the identity of the investigator by asking for picture identification and a business card. Make note of the investigator's name and phone number in the daily log. Assist the worker by providing a private area for the social worker to speak to the client in a confidential manner.

#### F. KOKUA INCIDENT REPORTING OF ABUSE, NEGLECT OR EXPLOITATION

The staff person who witnessed or suspected the abuse must also fill out an incident report prior to leaving his/her shift. Incident reports must be delivered to the Kokua office at the beginning of the next business day. If an incident of abuse or neglect happens on a weekend or a holiday, employees will complete an Incident Report, but also the incident must be phoned in to DDA. The hard copy of the Incident Report will be faxed on the next working day. The Kokua On-Call System must also be used to alert management of any incident involving potential abuse, neglect, abandonment or exploitation of a client or any vulnerable adult.

Client Service Coordinators will personally review all Incident Reports to assure that incidents meeting the requirement for notifying DDA are faxed to DDA within 24 hours.

Incident requiring faxing to DDA include:

- All injuries to clients resulting from the use of restrictive procedures or physical intervention techniques.
- Serious injuries of known cause that require treatment beyond first aid.
- Hospital, nursing home or psychiatric facility admissions.
- Patterns of client to client abuse.
- Property damage over \$100 or any type of damage that will result in a residential allowance request.
- Any use of restrictive procedures implemented under emergency guidelines as outlined in DDA Policies 5.15 Use of Restrictive Procedure or 5.17 Physical Intervention Techniques. Restrictive interventions described in an approved Positive Behavior Support Plan are not considered emergency applications.
- Medication errors or other nurse delegation errors that have or may have resulted in serious injury or harm as assessed by a nursing or medical professional or by a pharmacist. These incidents must also be reported to the Department of Health.
- Suicidal gestures or attempts by someone with the capacity or the means to do harm to themselves.

#### G. REPORTING OF CRITICAL INCIDENTS

In the following circumstances, the Executive Director, the Program Coordinator or designee will notify the designated Region 3 S DDA representative within 1 hour.

- The death of any client when the circumstances are unusual or suspicious.
- Any condition that threatens the operation of the agency, including natural disaster.
- When a client receiving 24-hour support is missing

- When a client receiving less than 24-hour support has uncharacteristically missed a scheduled appointment and in any circumstance where the client is deemed to be in immediate jeopardy.
- Any time law enforcement is notified about a missing client and law enforcement independently finds a client, this will be reported regardless of the length of time the client is missing.
- Injuries of unknown origin requiring hospitalization.
- Any event involving known media interest or litigation.

In the following circumstances, the Executive Director, the Program Coordinator or designee will notify the designated Region 3S DDA representative within 1 business day.

- The death of a client which does not meet the criteria listed in Section H. above. (Kokua must also submit DSHS 10-331, DDA Mortality Report within 14 calendar days of the client's death.)
- Alleged or suspected abuse, neglect, abandonment, assault or exploitation of a client other than client to client.
- Alleged or suspected criminal activity perpetrated against a client.
- Alleged or suspected criminal activity by a client resulting in a case number being assigned by law enforcement or if a client is taken into custody.
- Injuries resulting from alleged or suspected client to client altercations that require treatment beyond first aid. This means care that needs to be administered by a medical professional (e.g. fractures, sutures, staples, intravenous fluids or x-rays.)
- Life-threatening medically emergent conditions that cannot be classified as injuries and that require treatment by medical personnel or inpatient admission.