

MARIN COUNTY SHERIFF'S OFFICE  
GENERAL ORDER

CHAPTER 5 - OPERATIONS  
GO-05-10  
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DATE  
11/02/05

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SUSPECTED ELDER / DEPENDENT ADULT ABUSE INVESTIGATION AND REPORTING

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POLICY

It shall be the policy of this Department to investigate and report suspected elder/dependent adult abuse cases to the proper agencies as required by law.

DEFINITIONS

Abuse of an elder or dependent adult - physical abuse, neglect, intimidation, cruel punishment, fiduciary abuse, abandonment or other treatment with resulting physical harm, pain or mental suffering or the deprivation by a care custodian of goods or services which are necessary to avoid physical harm or mental suffering.

Elder - Any person who is 65 years of age or older.

Dependent Adult - Any person between the ages of 18 and 64, who has physical or mental limitations that restrict his/her ability to carry out normal activities or to protect his/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. Dependent adult includes any person between the ages of 18 and 64, who is admitted as an "In-patient" to a 24-hour health care facility.

Ombudsman - W&I Code Chapter 11, Section 15600 and 15635 defines ombudsman as a local program mandated by state and federal legislation to investigate complaints on behalf of individuals in long-term care facilities and to advocate in their behalf.

Caretaker - Any person who has the care, custody or control of, or who stands in a position of trust with an elder or dependent adult.

Health Practitioners

- Physician and surgeon, psychologist, resident, intern, chiropractor, dental hygienist, licensed clinical social worker, psychiatrist, dentist, podiatrist, licensed nurse, paramedic, pharmacist, optometrist.
- Marriage, family and child counselor trainee or a licensed intern as defined in Subdivision "C" of Section 4980.03 and Section 4980.44, respectively, of the Business and Professions Code.
- Marriage, family and child counselor or any other person licensed under Division 2 of the Business and Professions Code.
- Any emergency medical Technician I or II.

- Any person certified, pursuant to Division 2.5 of the Health and Safety Code.
- State or County Public Health or Social Service employee who treats an elder or dependent adult for any condition.
- Coroner or religious practitioner who diagnoses, exams or treats elder or dependent adults.

#### Mandated Reporters

Any elder or dependent adult care custodian, health practitioner or employee of a County Adult Protective Services agency or a local law enforcement agency.

- Care Custodian is defined as an administrator or an employee of any of the following public or private facilities that provide care for elders and dependent adults, except persons who do not work directly with elder and dependent adults as part of their official duties. This includes support and maintenance staff.

24-hour health facilities (as defined in Health & Safety 1250, 1250.2, 1250.3), clinics, home health agencies, adult day health care centers, camps, independent living centers, respite care facilities, residential care facilities for the elderly, community care facilities, regional centers for persons with developmental disabilities, State Departments of Social Services and of Health Services Licensing Divisions, patients' rights advocates, clients' rights advocates, ombudsman, public conservators, guardians, court investigators and any protection or advocacy agency designated by the Governor.

### **PROCEDURE**

#### INVESTIGATING CASES

Suspected elder/dependent adult abuse cases, either physical, sexual or fiduciary, may be received from a variety of sources including APS, victims, witnesses, banks, counseling personnel, doctors or anonymous persons.

Whenever a suspected elder/dependent adult abuse is reported by anyone, it shall be given the appropriate priority number and dispatched.

When an officer receives a report of a suspected elder/dependent adult abuse from any source other than APS, it is that officer's responsibility to immediately cross-report the incident to the local Adult Protective Services. The phone number is 499-7118.

#### REPORT FORM SOC 341.

A "Report of suspected Dependent Adult/Elder Abuse" form (SOC 341) shall be completed on every case of reported abuse. This form will be sent to Adult Protective Services within two working days as mandated by law.

Complete this form for each incident and each victim of suspected abuse of an elder person or a dependent adult.

Complete the shaded section on the form when a telephone report of abuse is received.

If any item of information is unknown, write "Unknown" beside the item.

In addition, the investigating officer shall immediately, or as soon as practically possible, report

by telephone, every instance of suspected elder/dependent adult abuse to the Department of Social Services.

Adult Protective Services Office may be reached at 499-7118 during regular business hours (Monday - Friday, 8:30 a.m. - 4:30 p.m.)

A 24-hour Hot Line, at 507-2774, can be used for after-hours and weekends.

RELATED STANDARDS:

W & I 15600  
W & I 15630

PC 368  
PC 484  
PC 502.9  
PC 503  
PC 515  
PC 518  
PC 525

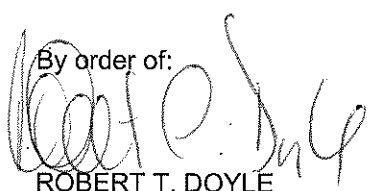
B & P 4980.03 (c)  
B & P 4980.44

AFFECTED DIVISIONS:

All.

DATE OF REVISIONS:

By order of:



ROBERT T. DOYLE  
SHERIFF