

Policy / Procedure :

Reporting of Possible Abuse and Neglect

KEY TERMS: Abuse, Neglect, Exploitation, Reporting, Mandated, Social Services, Forensic Nurse, FNE

I. PURPOSE:

The following Policy is intended to provide guidance to employees and promote the proper reporting of alleged or suspected abuse or neglect to external agencies that have a functional or statutory responsibility to respond. Proper reporting promotes the care and welfare of vulnerable populations, adheres to our responsibilities under Virginia Code, and is consistent with Carilion Clinic values.

II. SCOPE/FACILITY/DEPARTMENT(S):

This Policy applies to all Carilion Clinic employees, entities, and locations, as well as entities and organizations contracted by Carilion Clinic.

III. POLICY STATEMENT(S)

- A. During the course of work, any Carilion Clinic employee may encounter circumstances in which they have reason to believe a patient or visitor may be neglected or abused.
- B. While State law imposes an obligation upon many employees to directly report abuse and neglect to a social services agency, based upon their identified status as mandated reporters, it is the policy of Carilion Clinic that, to protect the welfare of vulnerable individuals, all employees shall report a reason to suspect abuse and neglect in the following manner:
 - 1. By reporting to social services agency from the jurisdiction where the suspected abuse or neglect occurred, Carilion Clinic assures that entities with the responsibility and expertise of investigating and assuring the welfare of the abused or neglected party can provide for the individual's continued safety.
 - 2. The Forensic Nurse Examiner (FNE) may also be contacted via PerfectServe.
- C. To this end, employees should interpret a reason to suspect abuse and neglect liberally. When employees have a reason to believe that abuse and neglect occurred, they shall immediately report such suspicion. In addition, for the purposes of this Policy, an individual stating that abuse or neglect occurred or was attempted shall be construed by the employee as a reason to believe it occurred.

- D. **Managers and employees are responsible for assuring the below detailed actions take place regardless of any additional notifications, inquiries, investigations, or activities a department engages in based upon other internal procedures or managerial decision making.**

IV. PROCEDURE:

Reporting circumstances may occur in one of the following two situations, the responses to which are outlined below:

- A. Abuse or neglect is suspected or alleged to have **occurred in a Carilion facility (Including those that involve a Carilion Clinic employee):**
1. The identifying employee shall report such suspicion to their direct manager who will, in addition to other procedures they may follow within their department:
 - a. Take measures to protect the welfare of the patient if they are on Carilion Clinic property.
 - b. Place a Safe Watch Report.
 - c. Refer to Disclosures About Victims of Abuse, Neglect or Domestic Violence Policy for guidance on appropriate PHI (Protected Health Information) disclosure.
 - d. Assure the identifying employee is clear as to their responsibilities and takes the following actions.
 2. The identifying employee with a reason to believe abuse or neglect occurred will directly:
 - a. Notify the social service agency representing the jurisdiction in which the abuse or neglect is suspected to occur, by either the agency phone number, or the State abuse and neglect hotline at:
 - i. Child Abuse/Neglect: (800) 552-7096
 - ii. Adult Abuse or Neglect: (888) 832-3858
 3. Both manager and identifying employee shall document all the above conversations within the patient's medical record as a *sensitive note*.
- B. If abuse or neglect is **otherwise suspected or alleged, not occurring in Carilion Clinic facility:**
1. The identifying employee shall report such suspicion to their direct manager who will:
 - a. Take measures to protect the welfare of the patient if they are on Carilion property.
 - b. If you suspect, there is a *serious and imminent threat* (reasonable cause to believe the life, or physical, emotional, or financial well-being of an individual is in danger if no intervention is immediately initiated) to the person, notify the police

agency representing the jurisdiction in which the abuse or neglect is suspected to have occurred.

- c. Refer to Disclosures About Victims of Abuse, Neglect or Domestic Violence Policy for guidance on appropriate PHI (Protected Health Information) disclosure.
- d. Assure the identifying employee is clear as to their responsibilities and takes the following actions.

2. The identifying employee suspecting abuse or neglect will directly:

- a. Notify the Social Service agency representing the jurisdiction in which the abuse or neglect is suspected to occur by either the agency phone number, or the State abuse and neglect hotline at:
 - i. Child Abuse/Neglect: (800) 552-7096
 - ii. Adult Abuse or Neglect (888) 832-3858

3. Both manager and identifying employee shall document all the above conversations in the patient's medical record as a *sensitive note*.

V. OTHER ISSUES / CONCERNS:

- A. **Belief of Prior Reporting:** If employees are told by another Carilion Clinic staff member that a suspicion of abuse and neglect has already been reported in the manner articulated above, the employee should document both the identity of the person making this statement and the time of this assertion in the EMR as a *sensitive note*. If there is doubt as to whether appropriate notification was made in accordance with this Policy, the employee should assume that it has not occurred, and must make the appropriate notifications. If an external party tells staff that a report has been made after suspicion of abuse or neglect, the staff member should assume that it has not occurred, making appropriate notifications.
- B. **Additional Guidance:** If employees have questions as to their responsibilities under this Policy, they should contact the Compliance Department for clarification or further guidance.
- C. **Contracted Employees:** If contracted employees suspect possible abuse and neglect, they should contact their Carilion Clinic administrative contact.

VI. DEFINITIONS:

For simplicity and to promote proper reporting, given the intent of this Policy, abuse and neglect are combined in the following definitions.

“Adult Abuse”: For the purposes of this Policy, adult abuse is experienced by an elder 60 years of age or older, or a vulnerable adult, 18 years of age or older with mental or physical incapacitation. These behaviors may include physical, emotional, or psychological abuse,

unreasonable confinement, sexual abuse, neglect by a caregiver, self-neglect, abandonment, and financial abuse.

“Child Abuse”: For the purposes of this policy, child abuse is when a parent or guardian inflicts, creates, or allows, upon a child (under the age of eighteen) physical abuse or neglect, by failing to provide for health of the child or unreasonable absence, sexual abuse, exploitation, or emotional abuse. Abuse may also occur as a result of exposure to drugs or drug manufacture, or sale of the same.

“Serious and Imminent Threat”: For the purposes of this policy, imminent threat is reasonable cause to believe the life, or physical, emotional, or financial well-being of an individual is in danger if no intervention is immediately initiated.

VII. REFERENCES/OTHER SOURCES:

- Virginia Code Section 18.2-371.1. – Abuse and Neglect of Children
- Virginia Code Section 63.2-1606. – Protection of Aged or (Incapacitated) Vulnerable Adults
- Carilion Clinic Policy. (2021). *Disclosures About Victims of Abuse, Neglect, or Domestic Violence*. Systemwide, Privacy.

VIII. APPENDICES:

None.

IX. APPROVALS: This P&P is a Systemwide Policy. Change can only be made with the approval of the appropriate committee below.

Facility	Dept. / Committee	Name / Title	Date
System		Jeanne Armentrout, EVP/CAO	8-9-2022
CFMH			
CGCH			
CMC			
CNRV			
CRBH			
CTCH			