



PO 225.6: Suspected Abuse and Neglect of Disabled Adults (Age 18-59)

PR 225.6.

The DHS Office of Inspector General (OIG) operates a 24-hour telephone hotline to accept reports of alleged abuse and neglect of adults who:

- are between the ages of 18 and 59; and
- reside in a State-operated psychiatric or developmental facility certified, licensed, or funded by DHS; or
- receive services in the community from a mental health or developmental program certified, licensed, or funded by DHS; or
- reside in a private home and have a mental or physical disability impairing the ability to seek help.

a. Abuse and Neglect of Disabled Adults Defined

Abuse - causing any physical, sexual, or mental injury.

Physical abuse - physical harm caused by any non-accidental act or omission including the knowing, reckless use of force, confinement, or restraint; knowing, repeated, and unnecessary sleep deprivation; or knowing and reckless conduct that creates an immediate risk of physical harm.

Sexual abuse - inappropriate contact of a sexual nature between an individual with disabilities and another person including touching, fondling, sexual threats, sexually inappropriate remarks, or other sexual activity with an adult with disabilities when the adult is unable to understand, unwilling to consent, or is threatened or physically forced to engage in sexual behavior.

Mental injury - harm caused by an act or omission that causes emotional distress or maladaptive behavior, including the use of words, signs, gestures, or other actions in the presence of the individual.

Neglect - in a private residence, the failure to provide, or the willful withholding of, the basic necessities of life, including food, shelter, clothing, and medical and personal care.

Financial Exploitation - the illegal use of an individual's assets or resources.

NOTE: Reliance on spiritual treatment according to a recognized church is not considered abuse or neglect.

b. Reporting Abuse and Neglect of Disabled Adults

Report incidents of suspected abuse or neglect of disabled adults to the DHS Office of Inspector General (OIG) 24-hour Hotline at 1-800-368-1463. When calling the OIG Hotline, be prepared to give as much of the following information as possible:

- Name of the alleged victim;
- Address and phone number of alleged victim and/or address and phone number of mental health or developmental program providing services to the alleged victim;
- Nature of suspected abuse, neglect or exploitation;
- Time, date and location of specific incidents;
- Relevant information about alleged perpetrators, such as name, description, relationship to victim, employer, address, phone number;
- Reporter's name, address, and phone number;
- Any other helpful information, including the names of witnesses and how to contact them.

c. OIG Investigation

OIG initiates an assessment of a report immediately when risk of death or bodily harm is indicated. If the individual appears to be in danger, emergency protection may be provided. If it appears that a crime may have been committed, OIG contacts the appropriate law enforcement agency.

When OIG receives a report alleging abuse, neglect, or exploitation of a disabled adult, OIG staff inform the disabled adult, alleged perpetrator, legal guardian (if any), and authorized representatives of a facility or community program providing services to the adult. If legally competent, and residing in a private home, a disabled adult must give consent before an investigation of allegations which are of a non-emergency nature can continue.

If OIG determines that a report of domestic abuse, neglect or financial exploitation is substantiated, OIG refers the individual for services. The appropriate office within DHS is responsible for addressing the needs of the disabled adult. If a report against a DHS facility or agency employee is substantiated, OIG informs the employer for corrective action and administrative discipline.

If a report concerns a state-operated facility or a community agency, OIG will send a letter to the reporter telling whether an allegation was substantiated, couldn't be proved, or found to be unfounded.

d. Protection for Persons Reporting Abuse and Neglect of Disabled Adults

The reporter's name will be used in an investigation only with the reporter's written consent or by the order of a court.