



REPORTING ABUSE OR EXPLOITATION; RECORDS.

- (1) Administrator, manager, physicians, nurse, nurse's aide, orderly, or other employee in a hospital or facility;
- (2) Medical examiner, dentist, osteopath, optometrist, chiropractor, podiatrist, social worker, coroner, clergyman, police officer, pharmacist, physical therapist, or psychologist; or
- (3) Employee of a public or private agency engaged in professional services to residents or responsible for inspection of long-term care facilities who has knowledge that any resident or former resident has been abused or exploited while residing in a long-term care facility shall immediately make a report as described in subsection (c) of this Code section by telephone or in person to the department. In the event that an immediate report to the department is not possible, the person shall make the report to the appropriate law enforcement agency. Such person shall also make a written report to the Department of Human Resources within 24 hours after making the initial report.
 - (a) Any: Immunity for liability.
 - (b) Any person who has knowledge that a resident or former resident has been abused or exploited while residing in a facility may report or cause a report to be made to the department or the appropriate law enforcement agency.
 - (c) A report of suspected abuse or exploitation shall include the following:
 1. The name and address of the person making the report unless such person is not required to make a report
 2. The name and address of the resident or former resident;
 3. The name and address of the facility;
 4. The nature and extent of any injuries or the condition resulting from the suspected abuse or exploitation;
 5. The suspected cause of the abuse or exploitation; and
 6. Any other information which the reporter believes might be helpful in determining the cause of the resident's injuries or condition and in

determining the identity of the person or persons responsible for the abuse or exploitation.

- (d) Upon receipt of an report of abuse or exploitation, the department may notify the appropriate law enforcement agency. In the event a report is made directly to a law enforcement agency, under subsection (a) or (b) that agency shall immediately notify the department
- (e) The department shall maintain accurate records which shall include all reports of abuse or exploitation, the results of all investigations and administrative or judicial proceedings and a summary of actions taken to assist the resident.

INVESTIGATIONS:

- (a) The department shall immediately initiate an investigation after the receipt of any report. The department shall direct and conduct all investigations; however, it may delegate the conduct of investigations to local police authorities or other appropriate agencies. If such delegation occurs, the agency to which authority has been delegated must report the results of its investigation to the department immediately upon completion.
- (b) The Investigation shall determine the nature, cause, and extent of the reported abuse or exploitation, an assessment of the current condition of the resident, and an assessment of needed actions and services. Where appropriate, the investigation shall include a prompt visit to the resident.
- (c) The Investigating agency shall collect and preserve all evidence relating to the suspected abuse or exploitation.
- (d) All State, County, and Municipal law enforcement agencies, employees of long-term care facilities, and other appropriate persons shall cooperate with the department or investigating agency in the administration of this article.

EVALUATION OF RESULTS OF INVESTIGATION; PROTECTION OF RESIDENT:

- (a) Upon the receipt of the results of an investigation, the department, in cooperation with the investigating agency, shall immediately evaluate such results to determine what actions shall be taken to assist the resident.
- (b) The department or any agency designated by the department shall assist and prevent further harm to a resident who has been abused or exploited. The department may also take appropriate legal actions to assure the safety and welfare of all other residents of the facility where necessary.
- (c) Within a reasonable time not to exceed 30 days after it has initiated action to assist a resident, the department shall determine the current condition of

the resident, whether the abuse or exploitation has been abated, and whether continued assistance is necessary.

- (d) If as a result of an investigation a determination is made that a resident has been abused or exploited, the department shall contact the appropriate prosecuting authority and provide all information and evidence to such prosecuting authority.

Employee's Signature

Date

Agency's Signature

Date