

# What Mandated Reporters Need to Know

## **Adult Protective Services**

Adult Protective Services (APS) receives and investigates reports of abuse, neglect, and exploitation of adults 60 years of age or older and incapacitated adults age 18 or older. If protective services are needed and accepted by the individual, local APS workers may arrange for a wide variety of health, housing, social and legal services to stop the mistreatment or prevent further mistreatment. Services offered may include home-based care, transportation, adult day services, adult foster care, nutrition services and legal intervention in order to protect the adult. Services may also be arranged for individuals in emergency situations who lack the capacity to consent to services.

⇒ To report suspected adult abuse, neglect, or exploitation, call your [local departments of social services](#) or the 24-hour, toll-free Adult Protective Services (APS) hotline at: **(888) 832-3858**.

## **Mandated Reporters**

Any person licensed, certified, or registered by health regulatory boards listed in § 54.1-2503, except persons licensed by the Board of Veterinary Medicine:

- **Board of Audiology and Speech Pathology:** Audiologists; Speech-Language Pathologists; School Speech-Language Pathologists
- **Board of Counseling:** Licensed Professional Counselors; Certified Substance Abuse Counselors; Counseling Assistants; Certified Rehabilitation Providers; Marriage and Family Therapists; Licensed Substance Abuse Treatment Practitioners
- **Board of Dentistry:** Dentists and Dental Hygienists
- **Board of Funeral Directors and Embalmers:** Funeral Establishments, Services Providers, Directors, and Embalmers; Resident Trainees; Crematories; Surface Transportation and Removal Services; Courtesy Card Holders
- **Board of Long-Term Care Administrators:** Nursing Home and Assisted Living Facility (ALF) Administrators

- **Board of Medicine:** Doctors of Medicine, Surgery, Osteopathic Medicine, Podiatry, and Chiropractic; Interns and Residents; University Limited Licensees; Physician Assistants; Respiratory and Occupational Therapists; Radiological Technologists and Technologists Limited; Licensed Acupuncturists; Certified Athletic Trainers
- **Board of Nursing:** Registered Nurses (RN); Licensed Nurse Practitioners (LNP); Licensed Practical Nurses (LPN); Clinical Nurse Specialists; Certified Massage Therapists; Certified Nurse Aides (CNA)
- **Board of Optometry:** Optometrists
- **Board of Pharmacy:** Pharmacists, Pharmacy Interns, and Technicians; Permitted Physicians; Medical Equipment Suppliers; Restricted Manufacturers; Humane Societies; Physicians Selling Drugs; Wholesale Distributors; Warehousemen
- **Board of Physical Therapy:** Physical Therapists and Physical Therapist Assistants
- **Board of Psychology:** School, Clinical, and Applied Psychologists; Sex Offender Treatment Providers; School Psychologists – Limited
- **Board of Social Work:** Registered Social Workers; Associate Social Workers; Licensed Social Workers; Licensed Clinical Social Workers
- Any mental health services provider as defined in § 54.1-2400.1
- Any emergency medical services personnel certified by the Board of Health pursuant to § 32.1-111.5, unless such personnel immediately reports the suspected abuse, neglect or exploitation directly to the attending physician at the hospital to which the adult is transported, who shall make such report forthwith
- Any guardian or conservator of an adult
- Any person employed by or contracted with a public or private agency or facility and working with adults in an administrative, supportive, or direct care capacity
- Any person providing full, intermittent or occasional care to an adult for compensation, including but not limited to companion, chore, homemaker and personal care workers
- Any law-enforcement officer

### **What Are Mandated Reporters Required to Report?**

Mandated reporters are required to report suspected abuse, neglect, or exploitation of elders or incapacitated adults. Reporters should provide the name, age and address or location of the person who is suspected of being abused, and as much information about the abusive situation as possible.

### **Common Signs of Adult Abuse, Neglect, and Exploitation**

- Burns, welts, scratches, bruises, cuts
- Fractures, dislocations, sprains
- Inappropriate or inadequate clothing
- Lacks needed dentures, glasses, hearing aids or medication
- Lacks needed supervision
- Malnourishment
- Mistrust of others
- Personal belongings are missing
- Property or savings are mismanaged
- Severe anxiety, fearfulness, depression
- Sudden change in will or power of attorney
- Unpaid bills
- Unsanitary or unsafe housing
- Untreated medical condition

### **Who Should Be Contacted?**

A mandated reporter must make a report to the local department of social services or to the toll-free 24-hour APS hotline at (888) 832-3858. A mandated reporter must report a suspicious death of an adult to the local medical examiner and law enforcement.

### **What Is the Timeframe for Making Reports?**

Virginia law § 63.2-1606 says that reports should be made “immediately.”

### **What Other Responsibilities are Given to Mandated Reporters?**

Mandated reporters are also required to share with the local department of social services any records and reports which document the basis for the report and without regard to who made the report.

## **What Rights do Mandated Reporters Have?**

- A person who reports is immune from civil and criminal liability unless the reporter acted in bad faith or with a malicious purpose.
- A person who reports has a right to have his/her identity kept confidential unless consent to reveal his/her identity is given or unless the court orders that the identity of the reporter be revealed.
- A person who reports has a right to hear from the investigating local department of social services confirming that the report was investigated.

## **Is There a Penalty for Failure to Report?**

Mandated reporters who fail to make a report may be fined up to \$500 for the first failure and up to \$1,000 for subsequent failures. The Commissioner of the Department for Aging and Rehabilitative Services shall determine and impose the fine for all mandated reporters except law enforcement. APS also will refer matters as necessary to the appropriate licensing, regulatory or legal authority for administrative action or criminal investigation

[Mandated Reporters: What You Need to Know](#) brochure.

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