Protecting Our Patients: Abuse Detection & Mandated Reporting

2013 Annual Mandatory Education

Content Owner: Social Services, Patient Care Services
Objectives

- Identify mandated reporters
- Define 4 types of common abuse or neglect categories
- Describe warning signs for each type of abuse
What is a Mandated Reporter?

• Persons who, as a result of their profession, are more likely to be aware of abuse

• Mandated reporters are required by law, to report cases of suspected abuse

• Mandated reporters are immune from civil or criminal liability as a result of filing a report
Who Are Mandated Reporters?

- Physicians
- Nurses
- Social Workers
- Paramedics/EMTs
- Mental Health Professionals
- Pastoral Care
- Teachers and other school personnel
- Child Care Providers
- Law Enforcement Officers
What is Reportable?

• Any situation where there is reasonable suspicion to believe that abuse or neglect exists
Failure to Report

• May result in severe consequences for the alleged victim, other potential victims and the mandated reporter

• In Massachusetts, if a mandated reported FAILS to file a report, they are subject to a fine of up to $1,000.00
Types of Abuse

- Domestic Violence
- Elder Abuse
- Sexual Assault
- Persons with Disabilities
- Child Abuse
Domestic Violence
Domestic Violence-Definition

- A pattern of assaultive and coercive behaviors, including physical, sexual and psychological attacks, as well as economic coercion that adults and adolescents use against their intimate partners
Warning Signs of Domestic Violence

• Injuries: most common sites are:
  • Head
  • Face
  • Neck
  • Chest
  • Breasts
  • Abdomen

• Maxillo-facial Trauma:
  • Eye and Ear Trauma
  • Hearing Loss
  • Soft Tissue Injuries
  • Fractures of the mandible, nasal bones and orbits
Medical Presentations

- Persistent headaches, chest pain, back pain, pelvic/abdominal pain

- Sleep and appetite disturbances, decrease energy, fatigue, difficulty concentrating, sexual dysfunction, palpitations and dizziness

- Exacerbations or poor control of chronic medical conditions such as diabetes, heart disease and hypertension
Psychiatric Presentations

- Depression
- Anxiety
- Panic Disorders
- Eating Disorders
- Alcoholism
Substance Abuse

• Use of alcohol and drugs dramatically increase with onset of physical abuse

• Substance abuse patients should be screened for domestic violence

• All battered persons (men and women) should be asked about the use of drugs and alcohol by themselves and their partners
Screening Questions

• Domestic violence is common, and occurs more frequently in women than in men, although it does occur with men

Every woman should be screened for domestic violence:

– Do you ever feel afraid of your partner?
– Do you feel you are in danger?
– Is it safe for you to go home?
– How are things in your relationship?
– All couples argue sometimes. Are you having fights?
– Do you fight physically?
Interventions

• Suicide Assessment
• Mandated Reporting
• Referral to Social Work Department
  – Daytime: 6-5136
  – Nights and weekends: Beeper #2646

• Address immediate safety needs
  – Call Security: 6-5100
Is Domestic Violence Mandated Reporting?

• Medical personnel are not generally required by law to report cases of domestic violence to police or other state agencies unless there is a child in the home

• Exceptions to this general statement include the required reporting of child abuse, elder abuse, disabled abuse, and rape/sexual

• Hospital Policy: #1019
Elder Abuse/Neglect
Elder Abuse/Neglect

- An act or omission which results in a serious physical or emotional injury to an elderly person or financial exploitation of an elder; the inability or resistance of an elder to provide for himself one or more of the necessities essential for physical or emotional well being without which the elderly person would be unable to safely remain in the community

(www.mass.gov/Elders/docs/pi_04_17.pdf)
Emotional Abuse of Elders

• **Behavior**: Infliction of mental distress through verbal and nonverbal acts, including verbal assaults, threats, intimidation or harassment. Infantilizing or socially isolating the elder as means of punishment.

• **Signs**: Elder is continually agitated or consistently withdrawn; fearful when near alleged abuser

• **Risk Factors**: Social Isolation of elder and caregiver
Financial Abuse of Elders

• **Behavior**: Inappropriate use of elder’s financial resources, personal property, or other items of value including forging checks or legal documents

• **Signs**: Abrupt changes in banking practices, sudden change in will, elder complaining about not having any money, problems with utility companies, credit card companies, etc.

• **Risk Factors**: Cognitive limitations in elder, large amounts of cash or valuables lying around the house
Neglect by Others

• **Behavior:** An active or passive failure to fulfill responsibility for the physical or emotional well being of an elder, including failure to provide food, shelter, clothing, medical care and/or physical protection

• **Signs:** Poor hygiene, untreated pressure ulcers, poor hydration or nutrition, unsafe or unsanitary living conditions

• **Risk Factors:** Cognitive or physical limitations in the elder, substance abuse by caregivers, depression/mental illness in caregivers
Mandated Reporting of Elder Abuse/Neglect

• If the elder is residing in the community, a verbal report of such information must be made to the Department of Elder Affairs by calling the Elder Abuse Hotline at 1-800-922-2275 to find out which local office should receive the written report.

• If the elder is a nursing home resident, the report must be made to the Department of Public Health at 1-800-462-5540

• Hospital Policy #1021
Sexual Assault
Sexual Assault

Manifestations may include:

- Chronic pelvic pain, painful intercourse, sexual dysfunction, frequent vaginal and urinary tract infections, bruises around breasts or genitalia

- Miscarriages, spontaneous and/or multiple abortions

- Late or no prenatal care

- Unexplained pain, anxiety, depression, suicide attempts, substance abuse during pregnancy
Sexual Assault

• **Behavior:** Nonconsensual sexual behavior, all types of sexual assault

• **Signs:** Bruises around the breasts or genitalia, unexplained STDs, abnormal vaginal bleeding

• **Risk Factors:** Cognitive or Physical Limitations

• **Warning Signs:** Nature of relationship with abuser is sexually charged
Sexual Assault Mandated Reporting

• The physician attending, treating, or examining a victim of rape or sexual assault must report the rape or sexual assault at once to the Massachusetts Criminal History Systems Board and to the police of the town where the rape or sexual assault occurred without revealing the victim’s name, address, or any other identifying information

• Hospital Policy #1022
Persons With Disabilities
Persons with Disabilities

- Persons with disabilities are a vulnerable population
- May have an impairment of those abilities critical for self defense
- It is a common misperception that they are asexual and not able to engage in sexual acts
- When a person discloses that he or she is the victim of sexual violence or abuse, they are frequently not believed
Mandated Reporting

• If abuse or neglect of a person with disability is suspected, it must be reported to the Disabled Persons Protection Commission (DPPC) at 1-800-426-9009 (24 hour hotline)

I understand that my electronic signature carries the same legal weight and authority as my written signature.
Child Abuse/Neglect
Child Physical Abuse

• Act or failure to act by the parent or caretaker which results in serious injury or injuries.

• Suspicious findings:
  – Explanation does not correlate with pattern or severity of injury
  – Mechanism of injury is not consistent with developmental age of the child

Examples of physical abuse injuries:
  • Head trauma, abdominal trauma, bruises, fractures, burns
Involvement of children in any sexual activities that:

• They cannot understand
• They are not developmentally prepared for
• They cannot give informed consent for
• Violate societal taboos
Child Neglect

- Most prevalent form of child maltreatment
- Caretaker not meeting the basic health and safety needs of a child
  - Lack of supervision/abandonment
  - Delay or failure to get health care
  - Failure to thrive
  - Drug exposure-newborn
  - Education/truancy
  - Inadequate clothing
  - Poor hygiene
If you suspect child abuse of any form, you must file a report with the Department of Children and Family Services (DCF) which receives,screens and investigates such reports. The law requires a report when a mandated reporter in his/her professional capacity has reasonable cause to believe that a child under the age of 18 years is suffering physical or emotional injury (Hospital Policy #1020)
The Child Protection Team (CPT) at Tufts Medical Center provides consultation to staff regarding child abuse and neglect, including assisting staff in the identification and evaluation of suspected cases of child abuse and neglect.

All children with injuries requiring a report to DCF should be reviewed by the CPT social worker.

The CPT pager can be accessed by pager ID SAFE (7233) and is staffed 24 hours a day 7 days a week.