

Elder Abuse / Dependent Adult Abuse Reporting

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Elder abuse reporting can be a tricky area for some and may at times be overlooked. Here are some questions to ponder. How is an “elder” defined in the law? Does there have to be a physical or mental impairment of the elder in order for a mandatory report to be made regarding physical abuse, financial abuse, neglect, abandonment or isolation? What types of elder abuse require a mandatory report vs. a permissive report? To whom is the report made? Within what period of time must the telephone and/or written report be made? How broadly is the term “dependent adult” or a similar term (“vulnerable adult”) defined? Is emotional abuse reportable, and if so, how broadly is it defined?

The answers to these questions are often illuminating.

I have found that while most practitioners are fairly knowledgeable regarding child abuse reporting, the same is not true for elder or dependent adult abuse reporting. In one state, an elder is defined as a person residing in the state who is 65 years of age or older. The phrase “residing in this state” is interesting, since a similar phrase does not appear in the same state’s child abuse reporting law. In some states, “elders” must suffer from some disability that prevents them from protecting themselves or their rights before reports are required. In other states, the mere fact of reaching a particular age is sufficient for one to be an elder for purposes of the mandatory reporting law. Additionally, the time frame within which reports must be made may differ from that applicable to reports of child abuse, so one must always be familiar with the particulars of the law.

Be careful. Seek the answers now and get illuminated!