

City and County of San Francisco



Department of Aging & Adult Services Adult Protective Services

PO Box 7988

San Francisco, CA 94120

1-800-814-0009 (24-hr Hotline) or

(415) 355- 6700 (24-hr Hotline)

(415) 355- 6750 (Fax)

Key Definitions:

Elder: Any person 65 years of age or older.

Dependent Adult: Any person, between the ages of 18 and 64 years, who has physical or mental limitations that restrict his or her ability to carry out normal activities or to protect his or her rights including, but not limited to, persons who have physical or developmental disabilities or whose physical or mental abilities have diminished because of age.

Mandated Reporter: Any person who has assumed full or intermittent responsibility for the care or custody of an elder or dependent adult, whether or not that person receives compensation, including administrators, supervisors and any licensed staff of a public or private facility that provide care or services for elder or dependent adults, or any elder or adult care custodian, health practitioner or employee of a financial institution, a county APS agency, or local law enforcement agency is a mandated reporter.

Types of Elder and Dependent Adult Abuse:

Physical Abuse: Assault, battery, or force likely to produce injury. Sexual assault. Punitive or inappropriate physical or chemical restraint. Intentional deprivation of food or water.

Financial Abuse: Taking, hiding, or misappropriating an elder person's or dependent adult's money or property for personal use or gain in violation of that person's trust.

Abandonment: The desertion or willful forsaking of an elder or dependent adult by anyone having the care or custody of that person under circumstances in which a reasonable person would continue to provide care.

Abduction: The removal from this state of any elder or dependent adult who does not have the capacity to consent to the removal or is a conservatee without the consent of the conservator or the court.

Isolation: Violation of personal rights, such as: false imprisonment and restraint. Preventing delivery of mail, telephone calls, or visiting.

Neglect of Another: Failure of person having care or custody of an elder to exercise a reasonable degree of care, e.g., not assisting in personal hygiene, not providing medical care, not preventing malnutrition.

Self-Neglect: The inability of an individual to perform essential self-care tasks, resulting in a great risk to his/her health or safety.

Mental Suffering: Subjecting a person to serious emotional distress through threats, harassment, or other forms of intimidating behavior.

Exception to the Reporting Requirements:

A mandated reporter who is a physician and surgeon, a registered nurse, or a psychotherapist shall not be required to report, as a suspected incident of abuse, an incident where **all** of the following conditions exist:

1. The mandated reporter has been told by an elder or dependent adult that he or she has experienced behavior constituting physical abuse, abandonment, isolation, financial abuse, or neglect; **and**
2. The mandated reporter is not aware of any independent evidence that corroborates the statement that the abuse has occurred; **and**
3. The elder or dependent adult has been diagnosed with a mental illness or dementia, or is the subject of a court-ordered conservatorship because of a mental illness or dementia; **and**
4. In the exercise of clinical judgment, the physician and surgeon, the registered nurse, or the psychotherapist reasonably believes that the abuse did not occur.

Penalties for Not Reporting:

Any mandated reporter who willfully fails to report abuse of an elder or dependent adult, where the abuse results in death or great bodily injury to the victim, may be punished by up to one year in county jail, a fine of up to \$5,000, or both imprisonment and fine.

Adult Protective Services Program:

Emergency Response/Intake: APS provides in-person response 24 hours per day, seven days per week to reports of abuse to an elder or dependent adult and responds to all reports by either **immediate/24 hour** face-to-face contact to immediate life threatening circumstances **or within 10 days** to all other reports of abuse.

Case Management: Services or activities performed by APS worker which include investigation of the protective issues; assessing the needs of the client and the client's family; services plan development; referral and service arrangement; counseling; monitoring; and follow-up.

Emergency Services: As part of the APS 24 hour emergency response system, a number of emergency services are available to clients, including emergency **food**; emergency **shelter**; emergency **in home support services** and emergency **transportation**.

Emergency Fund for Support Services: Emergency service needs that are necessary to maintain the safety of an elder or dependent adult may be provided. Examples of these services are purchase of clothing, repair or replacement of essential appliances, plumbing & electrical repair, nursing services and emergency medical supplies.

APS Remains a Voluntary Service:

Any victim of elder or dependent adult may refuse or withdraw consent at any time to an investigation or the provision of protective services by an APS agency or long term care ombudsman program. The Adult Protective Services agency shall only act with consent of the victim unless a violation of the penal code has been alleged. A local long term care ombudsman shall act only with the consent of the victim and shall discuss confidential information only after consent to disclose is given by the victim or pursuant to a court order.

If you suspect elder or dependent adult abuse, call APS Hotline immediately at (415)355-6700, complete and mail the form SOC 341 or SOC 342 for use by financial institutions to report financial abuse within 48 hours to APS, PO Box 7988, SF., CA 94120