

# SUMMARY OF ABUSE AND NEGLECT REPORTING REQUIREMENTS

## LAWS

<b>ACTION</b> ↓	<b>Section 722, Public Act 258 of 1974, as amended</b> (Mental Health Code: Recipient Abuse)	<b>Public Act 238 of 1975</b> (Child Protection Law)	<b>Public Act 519 of 1982</b> (Adult Protective Services Act)	<b>Section 723, Public Act 258 of 1974, as amended</b> (Mental Health Code: Criminal Abuse)
<b>WHERE is the report made?</b>	<b>The Office of Recipient Rights</b> See: <a href="http://www.mi.gov/recipientrights">www.mi.gov/recipientrights</a>  Michigan Department of Community Health Community Mental Health Service Programs Licensed Private Psychiatric Hospitals or Units	<b>Children's Protective Services</b> CPS Hotline 1-800-942-4357 Wayne County Only 1-800-716-2234  Michigan Department of Human Services (DHS)	<b>Adult Protective Services</b> APS Hotline 1-800-996-6228  Michigan Department of Human Services (DHS)	<b>Police</b> MSP 517-332-2521  State Police County Sheriff Local Police Department
<b>WHAT must be reported?</b>	Emotional Abuse, Sexual Abuse Neglect, Serious Injury or Death Physical or Verbal Abuse, Exploitation	Physical Abuse, Mental Abuse Sexual Abuse, Neglect, Sexual Exploitation	Physical Abuse, Mental Abuse Sexual abuse, Maltreatment, Neglect, Exploitation	Assault (other than patient assault), Criminal Sexual Abuse, Criminal Homicide Vulnerable Adult Abuse, Child Abuse
<b>WHO is required to report?</b>	All employees, contract employees, or volunteers of: Michigan Department of Community Health, Community Health Services Programs, Licensed Private Psychiatric Hospitals or Units	Physicians, nurses, coroners, medical examiners, dentists, licensed emergency care personnel, audiologists, psychologists, social workers, school administrators, teachers, counselors, law enforcement officers, and child care providers.	Any person employed by an agency licensed to provide, anyone who is licensed, registered, or certified to provide health care, education social, or other human services, law enforcement officers and child care providers.	All employees, contract employees of: Michigan Department of Community Health, Community Mental Health Services programs, Licensed Private Psychiatric Hospitals or Units; all mental health professionals.
<b>WHAT is the CRITERIA for reporting?</b>	You must report if you: Suspect a recipient has been abused or neglected; become aware of any allegations of abuse or neglect made by a recipient.	You must report if you: Have reasonable cause to suspect a child has been abused, neglected, or sexually exploited.	You must report if you: Have reasonable cause to suspect or believe an adult has been abused, neglected, exploited or maltreated.	You must report if you: Suspect a recipient or vulnerable adult has been abused or neglected, sexually assaulted, or if you suspect a homicide has occurred. You do not have to report if the incident occurred more than one year before your knowledge of it.
<b>WHEN must the report be made and in what format?</b>	A verbal report must be made immediately. A written report, on an incident report form, must be made before the end of your shift.	A verbal report must be made immediately. A written report on DHS form 3200 must be made within 72 hours.	A verbal report must be made immediately. A written report at the discretion of the reporting person.	A verbal report must be made immediately. A written report must be made within 72 hours of oral report.
<b>TO WHOM are reports made?</b>	To your immediate supervisor and to the Recipient Rights Office.	Children's Protective Services in the county in which the alleged violation occurred.	Adult Protective Services in the county in which the alleged violation occurred.	The law enforcement agency for the county or city in which the alleged violation occurred or the state police; a copy goes to the chief administrator of the agency responsible for the recipient
<b>If there is more than one person with knowledge must all of them make a report?</b>	Not necessarily. Reporting should comply with the policies and procedures set up by each agency	Someone who has knowledge must report or cause a report to be made in the case of a school, hospital or agency, one report is adequate.	Everyone who has knowledge of a violation or an alleged violation must make a report. DHS has typically accepted one report from agencies.	Someone who has knowledge must report or cause a report to be made.
<b>Is there a penalty for failure to report?</b>	Yes. Disciplinary action may be taken and you may be held civilly liable	Yes. You may be held civilly liable. Failure to report is also a criminal misdemeanor.	Yes. You may be held civilly liable and have to pay a \$500 fine.	Yes. The law states that failure to report or false reporting is a criminal misdemeanor.
<b>Is it necessary to report to more than one agency?</b>	<b>Yes</b> Each of these laws requires that the designated agency be contacted if an allegation suspected to have occurred falls under its specific jurisdiction. There are several references in each law indicating that reporting to one agency does not absolve the reporting person from the responsibility to report to other agencies as statutorily required.			
<b>Are there other agencies to which a report can be made?</b>	<b>Yes</b> <b>FOR NURSING HOMES</b> The MDCH Bureau of Health Systems is responsible for investigating alleged abuse and neglect <b>Nursing Home Abuse Hotline: 1-800-882-6006</b> The Michigan Attorney General's Office has an abuse investigation unit which may also investigate abuse <b>Attorney General 24-hour Health Care Fraud Hotline: 1-800-24-ABUSE / 1-800-242-2873</b> <b>FOR LICENSED ADULT FOSTER CARE HOMES</b> The Michigan Department of Human Services Bureau of Children and Adult Licensing is responsible for investigating abuse and neglect <b>Children and Adult Licensing Complaint Hotline: 1-866-856-0126</b>			

