

**State of Vermont
Division of Disability and Aging Services
TBI Program**

MANDATED REPORTER PROTOCOL

The following protocols are specific to adults, age 18 and above:

Who needs to report:

Most public and private service related employees or providers are mandated reporters. Everyone, whether mandated or not, is encouraged to make reports to APS if a vulnerable adult is being abused, neglected or exploited (see definitions below).

When do I need to report:

Mandated reporters must make an initial report to APS within 48 hours when they have a reason to suspect that a vulnerable adult has been abused, neglected or exploited (see definitions below).

Who is a vulnerable adult?

Anyone 18 years old or older that is a resident of a licensed residential facility or psychiatric unit, or someone who has received personal care services in their home for a least one month. A vulnerable adult may also be an adult with a physical, mental or developmental disability (including infirmities of aging), that interferes with their ability to provide for their care without assistance or that impairs their ability to protect themselves from abuse, neglect or exploitation.

How do I make a report:

Call 1-800-564-1612 or Fax the report to: 802-241-2358. The report can be found in the Appendix C. Click on the following link to fill out an online report form:
<http://www.dad.state.vt.us/lp/New%20APS%20Pages/reportingform.htm>.

What information will APS need:

As much information as possible including a description of the event, names, addresses, phone numbers of the alleged victim, perpetrator, witnesses, service providers and any other individuals that may have additional information. DO NOT DELAY reporting because you are missing some of the above information, you can always call again with more details.

What is Abuse:

Abuse can be any action (including unnecessary restraint or confinement) that threatens a vulnerable adults' physical or emotional health or welfare. Any sexual activity between a vulnerable adult and a volunteer or paid caregiver employed by a facility of program is also abuse. Providing or threatening to provide a drug or other potentially harmful substance to a vulnerable adult for other than lawful and legitimate medical or therapeutic treatment is abuse.

What is Neglect:

Neglect is the purposeful or reckless failure by a caregiver to provide adequate care (the goods, services and plans needed to maintain reasonable health and safety) to a vulnerable adult. Neglect is also the failure of a caregiver to report significant changes in the health of a vulnerable adult or the failure to make a reasonable effort to protect a vulnerable adult from abuse, neglect or exploitation by others.

What is Exploitation:

Exploitation is the willful unauthorized transfer or use of a vulnerable adult's property and includes interest in or control of assets or gained through undue influence or fraud. It is exploitation to force or compel a vulnerable adult to perform services for the profit or advantage of another. Exploitation also covers any non-consensual sexual activity with a vulnerable adult.

The following protocols are specific to children, under the age of age 18:

Who needs to report:

Most public and private service related employees or providers are mandated reporters, specifically: Chiropractor, dentist, licensed practical nurse, medical examiner, mental health professional, osteopath, physician, physician's assistant, psychologist, registered nurse, surgeon, or any other health care professional; Hospital administrator, intern, or resident physician in any hospital in the state; School guidance counselor, librarian, principal, superintendent, or teacher; childcare worker; police officer or probation worker; social worker; member of the clergy; or residential and non-residential camp administrator, counselor, or owner. Everyone, whether mandated or not, is encouraged to make reports to if a child is being abused or neglected.

What is child abuse and neglect:

Vermont's child protection law defines an abused or neglected child as one whose physical health, psychological growth and development, or welfare is harmed or is at substantial risk of harm by the acts or omissions of his or her parent or other person responsible for the child's welfare. It also means a child who is sexually abused or at substantial risk of sexual abuse by any person (including another child).

Harm can occur by: abandonment of the child; emotional maltreatment, physical injury, or sexual abuse; failure to supply a child with adequate food, clothing, shelter, or health care. A child means an individual under age 18. Emotional maltreatment means a pattern of malicious behavior that results in impaired psychological growth and development. Physical injury means death, permanent or temporary disfigurement, or impairment of any bodily organ or function other than by accidental means. Sexual abuse consists of any act or acts by any person involving sexual molestation or exploitation of a child including, but not limited to, incest, rape, prostitution, sodomy, child pornography, or any lewd and lascivious conduct involving a child. Risk of harm means a significant danger that a child will suffer serious harm other than by accidental means.

How do I make a report:

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Call or visit your local Family Services Office during regular business hours: Monday through Friday, from 7:45 a.m. to 4:30 p.m. Please do not leave a message on someone's voice mail (keep in mind that we must *receive* your report within 24 hours).

After-hours, on weekends, or on state holidays, you can make a report by calling our Emergency Services Program at 1-800-649-5285. Try to have as much information on hand as possible, including the names of the child's parents/caretakers; the child's name, date of birth, and school or childcare facility; and the nature and extent of the injuries or allegations of abuse. A social worker will question you about the child's situation, record the information you provide, ask you to complete a written report, and, in some cases, ask you to gather more information.

Local Family Services Offices numbers can be found online at:
<http://www.dcf.state.vt.us/fsd/districtoffices.html>