



REPORTING LAW: ADULTS

The California Reporting Law

“Any mandated reporter who, in his or her professional capacity, or within the scope of his or her employment, has observed or has knowledge of an incident that reasonably appears to be
physical abuse,
abandonment,
abduction,
isolation,
financial abuse, or
neglect,
or reasonably suspects that abuse, shall report the known or suspected instance of
abuse by telephone immediately or as soon as practically possible, and by written report within two working days.”
(Welfare and Institutions Code, §15630-15632)

WHO reports? Clergy, care providers and health practitioners are mandated, yet anyone may report suspected abuse to protect a dependent adult or someone over 65 years old.

WHO to? Report to Adult Protective Service or police department.

WHAT is the risk?
The reporter’s name is held confidential.
Reporters are provided immunity from civil or criminal liability (unless the report was made maliciously).
But failure for a mandated reporter to report =
misdemeanor + possible civil liability.

WHAT then? Report goes to District Attorney and Dept. of Justice.
Adult is contacted (family *may* be).
Report is determined to be “unfounded,”
“inconclusive,” or “substantiated.”
Criminal investigation *may* begin.
Licensing Agency *may* begin investigation.

The reporting duties of a mandated reporter are individual, and cannot be delegated to another individual. However, it is permissible to establish internal procedures to facilitate reporting and apprise supervisors and administrators of reports so long as:

- these procedures are consistent with the reporting act
- supervisors or administrators cannot impede or inhibit reporting
- supervisors or administrators may not take any actions against the reporter for making a report
- procedures not require any employee making a report to disclose his or her identity to the employer.