

Confidentiality and Mandated Reporting

As an In-Home Supportive Services (IHSS) provider, you are a “Mandated Reporter.” Being a mandated reporter means that by law you must report any suspected abuse immediately to the County Adult Protective Services (APS) or Children’s Protective Services (CPS) agency. The abuse might be of the consumer you serve, someone else in the consumer’s home, or anyone else you may not even be working with. You must report suspected abuse within two business days.

You are not expected to judge whether or not the abuse occurred, nor are you required to have observed an incident of abuse. Having been told of a situation that sounds like abuse or becoming aware of something that may be abuse is sufficient grounds for a report. During the abuse investigation, your name will not be given to the suspected abuser or the person who may be the victim of abuse. If the investigation reveals no abuse, you cannot be held liable for making the report unless it can be proved that you knowingly made a false report. Thus, you are protected if you had reasonable grounds for making the report.

Adult Abuse

Adult abuse happens when an elder or dependent adult:

- Is slapped, hit, choked, pinched, kicked, shoved, or given too much or too little medication
- Is constantly yelled at, threatened with physical harm, or threatened with being left alone
- Is deserted by a caregiver when he/she cannot get necessary food, water, clothing, shelter or health care
- Is kept from getting mail, telephone calls, or visitors, or prevented from going outside or to public places
- Loses money, property, or items of value by force or without their knowledge or approval
- Is neglected by someone who should be providing care, food, water, paying the rent or utilities or other bills
- Is taken out of state when the person is not capable of giving their consent
- Is raped or molested

Self-neglect of an elder or dependent adult is also abuse. An elder is anyone aged 65 or older. A dependent adult is anyone between the ages of 18 and 64 who has physical or mental limitations that keep them from carrying out normal daily activities or protecting their own rights.

Child Abuse

Child abuse happens when a child:

- Has a physical injury by other than accidental means
- Is subjected to willful cruelty or unjustifiable punishment
- Is abused or exploited sexually
- Is neglected by a parent or caretaker who fails to provide adequate food, clothing, shelter, medical care, or supervision

If you see or suspect abuse, you should report it as soon as possible.

The county is responsible for investigating suspected abuse – that is not your job. Your report is confidential and you can report abuse any time. The phone line is answered 24 hours a day, 365 days a year.

If you witness physical and/or sexual abuse in progress, you should notify law enforcement immediately by calling 911.

Except for reporting abuse or dangerous situations to the police or protective services, it is against the law to tell anyone the identity of a consumer you are working for or to share any of the consumer's personal or private affairs with anyone else. Violating a consumer's confidentiality is punishable by a fine and/or imprisonment.