

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, California 95814



December 19, 2006

ALL-COUNTY LETTER NO.: 06-59

Reason For This Transmittal

- State Law Change
- Federal Law or Regulation Change
- Court Order or Settlement Agreement
- Clarification Requested by one or More Counties
- Initiated by CDSS

TO: ALL COUNTY WELFARE DIRECTORS
ALL COUNTY ADULT PROTECTIVE SERVICES (APS)
PROGRAM MANAGERS

SUBJECT: NEW FORM: REPORT OF SUSPECTED DEPENDENT
ADULT/ELDER FINANCIAL ABUSE, FORM SOC 342 AND
REVISED FORM: REPORT OF SUSPECTED DEPENDENT
ADULT/ELDER ABUSE, FORM SOC 341

REFERENCE: SENATE BILL 1018 (CHAPTER 140, STATUTES OF 2005)
WELFARE AND INSTITUTIONS CODE (WIC) SECTION 15630.1

The purpose of this All-County Letter (ACL) is to provide counties with a new form, SOC 342, Report of Suspected Dependent Adult/Elder Financial Abuse. This form will be used only by financial institutions to report suspected incidents of financial abuse of dependent adults or the elderly. This ACL also addresses the revision of an existing form, SOC 341, Report of Suspected Dependent Adult/Elder Abuse. The revised version includes additional fields, which may be completed when incidents of suspected financial abuse are being reported by persons not affiliated with financial institutions.

BACKGROUND

Development of SOC 342 was necessary to implement the requirements of Senate Bill (SB) 1018 (Chapter 140, Statutes of 2005), which established officers and employees of financial institutions as mandated reporters of suspected financial abuse. WIC Section 15630.1 provides the definition of financial institutions. This section also describes the civil penalties assessed for failure to report incident(s) by officers and employees of financial institutions. These requirements become effective January 1, 2007 and shall sunset January 1, 2013.

To satisfy the requirements of SB 1018, officers and employees of financial institutions are required to submit both a telephone report and a written report (form SOC 342) to the local APS agency or the local law enforcement agency.

USE OF FORM SOC 342

Form SOC 342 contains sections specifically addressing issues relevant to financial abuse, such as bank accounts, power of attorney for finances, direct deposit income, and trust accounts. Assistance with the development of this form came from county APS Programs and the California Bankers Association. Similar to form SOC 341, form SOC 342 includes instructions to assist with its completion. A suspected incident of abuse is required to be phoned to the local APS agency or the local law enforcement agency immediately, or as soon as practical and a written report (form SOC 342) shall be sent within two working days. Form SOC 342 directs the use of form SOC 341 to report all other suspected incidents of physical abuse or neglect.

Development of regulations that provide for financial institutions to report financial abuse is underway. These regulations will require the use of form SOC 342 only by financial institutions.

REVISION OF FORM SOC 341

Form SOC 341 was revised for clarity and consistency with form SOC 342. It now includes a section that addresses information pertaining to suspected incidents of financial abuse, such as bank accounts, power of attorney for finances, direct deposit income, and trust accounts. Form SOC 341 is used by persons reporting suspected financial abuse who are not officers or employees of financial institutions. The instructions were amended to include officers and employees of financial institutions in the definition of mandated reporters.

FORMS DISTRIBUTION AND TRANSLATIONS

For all public and private agencies, mandated reporters, and the general public, form SOC 341 is available in English and Spanish. For financial institutions, form SOC 342 will be available in English only. For camera-ready versions of these forms, please contact the Forms Management Unit at (916) 657-1907. If your office has internet access, you may obtain the forms from the [CDSS Forms/Brochures web page](https://www.cdss.ca.gov/inforesources/forms-brochures) at:

<https://www.cdss.ca.gov/inforesources/forms-brochures>

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For questions regarding the use of these forms, please contact Adult Protective Services at (916) 653-5403.

Sincerely,

Original Document Signed By:

EVA L. LOPEZ
Deputy Director
Adult Programs Division

Attachments: [SOC 341](#); [SOC 342](#)

c: CWDA

Kevin Gould, Vice President
California Bankers Association
State Government Relations