

## Contact Information

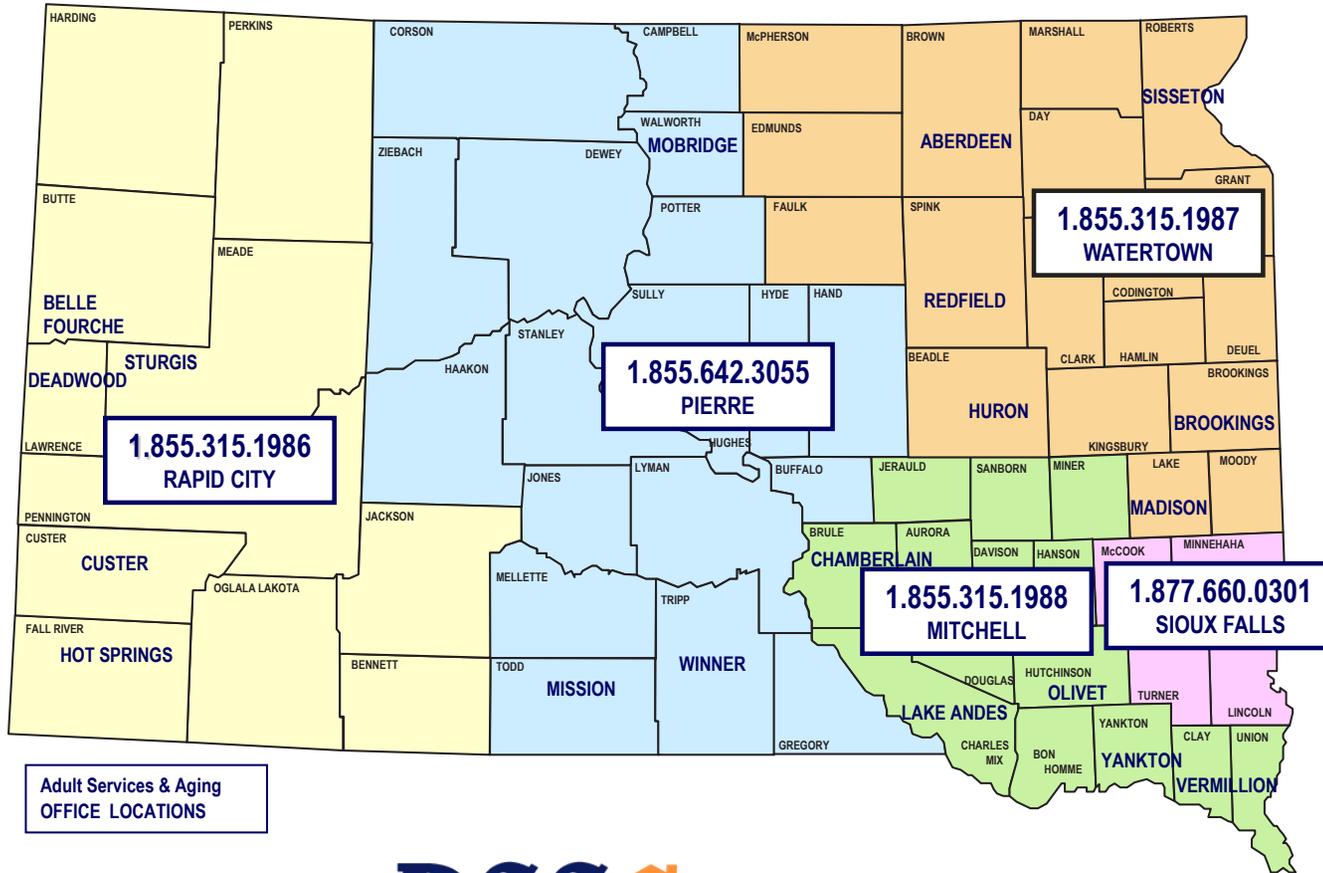
To report abuse, neglect or exploitation of an elder or an adult with disabilities, please contact one of the following: DSS ADRC call center (South Dakota's protective services agency), law enforcement or the local state's attorney office.

## Reporting in Tribal Communities

Tribal communities may have different definitions of abuse, neglect, exploitation and different reporting requirements. Please check with the appropriate authority in your area.

# Department of Social Services Division of Adult Services & Aging

## Aging and Disability Resource Connections Call Centers



**DSS**   
Strong Families - South Dakota's Foundation and Our Future



**Abuse, Neglect & Exploitation  
of Elders or Adults with  
Disabilities**

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South Dakota law requires individuals in the medical and mental health professions and employees or entities with ongoing contact with and exposure to elders and adults with disabilities, to report knowledge or reasonable suspicion of abuse or neglect of elders and adults with disabilities.

## **Mandatory Reporters**

There are two groups of mandatory reporters and the process for reporting is different for each group.

### **The first group of mandatory reporters includes:**

- ✓ Physician, dentist, doctor of osteopathy, chiropractor, optometrist, podiatrist, religious healing practitioner, hospital intern or resident, nurse, paramedic, emergency medical technician, social worker or any health care professional;
- ✓ Psychologist, licensed mental health professional or counselor engaged in professional counseling; or
- ✓ State, county or municipal criminal justice employee or law enforcement officer.

These individuals must make an oral or written report within 24 hours to DSS, law enforcement or the state's attorney.

### **The second group of mandatory reporters includes:**

- ✓ Any staff member of a nursing facility, assisted living facility, adult day care center or community support provider; or any residential care giver, individual providing homemaker services, victim advocate; or hospital personnel engaged in the admission, examination, care or treatment of elders or adults with disabilities.

Any individual in this group must report to the person in charge of the institution where the elderly or adult with disabilities resides or is present, or the person in charge of providing the services within 24 hours.

The person in charge must also make an oral or written report within 24 hours to DSS, law enforcement or the state's attorney.

## **Abuse**

Abuse is physical harm, bodily injury or attempt to cause physical harm or injury, or the infliction of fear of imminent physical harm or bodily injury on an elder or an adult with disabilities.

## **Neglect**

Neglect is harm to the health or welfare of an elder or an adult with disabilities, without reasonable medical justification, caused by the conduct of a person responsible for the health or welfare of an elder or adult with disabilities, within the means available for the elder or adult with disabilities, including the failure to provide adequate food, clothing, shelter or medical care.

## **Exploitation**

Exploitation is the wrongful taking or exercising of control over property of an elder or an adult with disabilities with intent to defraud the elder or adult with disabilities.

## **Signs**

Below are signs of possible abuse, neglect or exploitation:

- ✓ Signs of physical injury such as bruises, welts, burns, lacerations, scars, broken bones or serious internal injuries.
- ✓ Lack of necessities such as heat, food, water, medical care and/or unsafe conditions in the home.
- ✓ Multiple injuries, repeated or untreated injuries, or injuries not compatible with history.
- ✓ Behavioral signs such as agitation, anxiety, resignation, hesitation to reply, anger, depression or fear.
- ✓ Inappropriate and/or inadequate clothing for the weather conditions.
- ✓ Social isolation or inappropriately leaving an older person alone for long periods of time.

- ✓ Caregiver shows aggressive behavior such as threats, insults or other verbal harassment towards the care receiver.
- ✓ Misuse of money or property for another person's monetary or personal gain.
- ✓ Unauthorized sale of real or personal property.

## **Report**

To report abuse, neglect or exploitation of an elder or an adult with disabilities, please contact your local law enforcement agency, local state's attorney's office or the Department of Social Services' ADRC call center for your area as listed on the back of this brochure.

In addition to mandatory reporting, people can make reports on a voluntary basis. Any person who knows or has reason to suspect that an elder or adult who is disabled has been abused or neglected may report that information. Persons who in good faith make a report of abuse or neglect of an elder or adult with disabilities are immune from liability.

Facilities or programs that are licensed or regulated by the Department of Health or Department of Human Services will follow department procedures in place for reporting.

A mandatory reporter who knowingly fails to make the required report is guilty of a Class 1 misdemeanor.

Report the following if you know or have reason to believe an elder or adult with disabilities needs protection from abuse, neglect or exploitation:

- ✓ Name, age and address of the adult who is in danger.
- ✓ Names and addresses of guardian or relatives, if known.
- ✓ Names of other people involved, if any.
- ✓ Description of the situation causing the concern.