REPORTING SUSPECTED ABUSE, NEGLECT, AND EXPLOITATION OF CHILDREN, ELDERLY AND/OR DISABLED PERSONS

Policy

The Health Science Center (HSC) requires employees who believe or suspect that:

- a child is being abused or neglected; or
- a person sixty-five years of age or older or adult with disabilities is being abused, neglected, or exploited

to immediately report the circumstances to the Texas Department of Family and Protective Services (DFPS).

An employee making a report may do so confidentially, and is immune from civil or criminal liability if they make the report in good faith. However, any employee who suspects abuse or neglect but fails to report it may be subject to criminal penalties, discipline by the appropriate state licensing board, and/or institutional discipline up to and including termination.

NOTE: This policy does not apply if the suspected victim is a competent adult between the ages of 18 and 65, in which event the authorities may be notified only at the patient’s request or with their consent.

Definitions

ABUSE: Abuse means mental, emotional, physical, or sexual injury to a child, person 65 years or older, or adult with disabilities, or failure to prevent such injury.

CHILD: Child means a person under 18 years of age who has not been legally married or emancipated.

DISABLED: Disabled means a person with a mental, physical, or developmental disability that substantially impairs the person’s ability to provide adequately for the person’s care or protection, and who is either
18 years of age or older, or under 18 years of age but who has had the disabilities of minority removed.

ELDERLY: Elderly means a person 65 years of age or older.

EXPLOITATION: Exploitation means misusing the resources of a person 65 years or older or an adult with disabilities for personal or monetary benefit. This includes using the person's Social Security or other identifying information.

NEGLECT: Neglect means failure to provide goods or services, including medical services, which are necessary to avoid physical or emotional harm or pain.

### Duty to Report

#### Child Abuse and Neglect

The HSC requires any person having cause to believe that a child's physical or mental health or welfare has been adversely affected by abuse or neglect by any person to immediately make a report to DFPS.

Additional reporting requirements also apply to "professionals" (e.g., teachers, nurses, doctors, employees of a clinic or health care facility that provides reproductive services):

- Professional must make a report within forty-eight hours of first suspecting that a child has or may have been abused or neglected.

- This duty to report cannot be delegated, and the professional cannot rely on another person to make the report.

#### Elderly or Disabled Persons Abuse, Neglect and Exploitation

The HSC requires any employees having cause to believe that an elderly or disabled person is being abused, neglected, or exploited to immediately make a report to DFPS.
There are two ways to report suspected abuse, neglect, and exploitation to DFPS:

- By phone: DFPS Abuse Hotline (24/7) 1-800-252-5400

- Online:  [www.txabusehotline.org](http://www.txabusehotline.org)

Employees suspecting abuse, neglect or exploitation should also notify:

- UT Police
- Employee’s supervisor
- Medical Director of clinic
- Department administrator

### Reporting Documentation

Information that may be asked when filing an abuse report includes:

- The name, age, and address of the child or person 65 years of older or and adult with disabilities.

- Your name and contact information.

- A brief description of the situation and the child or vulnerable adult.

- Current injuries, medical problems, or behavioral problems.

- Parents' names and names of siblings in the home (for a child).

- Name of relatives in or outside the home and name of the perpetrator (for an adult).

- Explain how you know about the situation.
Immunity

A person acting in good faith who reports alleged abuse or neglect is immune from civil or criminal liability that might otherwise be incurred or imposed.

A person who reports the abuse or neglect of a child, elderly person or disabled person, and acts in bad faith or with malicious purpose in reporting alleged abuse or neglect is not immune from civil or criminal liability.

A person who knowingly makes a false report with the intent to deceive, or who has cause to believe a child, elderly person, or disabled person may be adversely affected by abuse or neglect and knowingly fails to report may be subject to criminal penalties.

The Health Science Center may not suspend or terminate employment of a professional who in good faith reports child abuse or neglect to:

- their supervisor;
- administrator of facility;
- law enforcement agency, or;
- state regulatory agency.

Staff Education and Training

Training will be required for all professionals in prevention techniques for and the recognition of symptoms of sexual abuse and other maltreatment of children and the responsibility and procedure of reporting suspected occurrences of sexual abuse and other maltreatment.

Child protection training will be required of employees or volunteers who participate in youth camps. Youth camps are defined as at least four days in length with at least 20 campers. The department sponsoring the camp will be responsible to provide the approved training slides and test to the staff. The certificate of the training needs to be maintained in the
<table>
<thead>
<tr>
<th>Chapter 2</th>
<th>General Policies and Procedures</th>
</tr>
</thead>
<tbody>
<tr>
<td>Section 2.6</td>
<td>Miscellaneous</td>
</tr>
<tr>
<td>Policy 2.6.7</td>
<td>Reporting Suspected Abuse, Neglect, and Exploitation of Children, Elderly and/or Disabled Persons</td>
</tr>
<tr>
<td>Effective:</td>
<td>January 2014</td>
</tr>
<tr>
<td>Revised:</td>
<td>Vice President for Human Resources</td>
</tr>
</tbody>
</table>

---

department. This training needs to be provided at least every two years. The trainings are available through the Knowledge Center.

**Helpful Links**


https://www.txabusehotline.org/Login/Default.aspx