

To report abuse call 1-855-503 SAFE (7233)

As an individual providing services to adults with developmental disabilities, you are a **Mandatory Reporter** according to Oregon law (ORS 430.765). According to the law, if you have reasonable cause to believe an adult with developmental disabilities has been abused, or that any person with whom you come in contact has abused such an adult, you must **immediately** report the abuse to the community developmental disability program, the Oregon Department of Human Services (ODHS), or to a local law enforcement agency. Law enforcement must be called if there is reason to believe a crime has been committed. When applicable, you should also follow your agency policies and procedures so that immediate steps are taken to protect the victim of the abuse.

Abuse of an adult with developmental disabilities means:

1. Abandonment:

Abandonment, including desertion or willful forsaking of an adult or the withdrawal or neglect of duties and obligations owed a person with a developmental disability by a caregiver or other person.

2. Physical abuse:

- Any physical injury to an adult caused by other than accidental means, or that appears to be at variance with the explanation given of the injury.
- Willful infliction of physical pain or injury upon an adult.

3. Sexual abuse:

- Sexual contact with a nonconsenting adult or with an adult considered incapable of consenting to a sexual act under ORS163.315.
- Sexual harassment, sexual exploitation or inappropriate exposure to sexually explicit material or language.
- Any sexual contact between an employee of a facility or paid caregiver and an adult served by the facility or caregiver.
- Any sexual contact between an adult and a relative of the adult other than a spouse.
- Any sexual contact that is achieved through force, trickery, threat or coercion.
- Sexual Abuse (Criminal) An act that constitutes a crime under ORS 163.375, 163.405, 163.411, 163.415, 163.425, 163.427, 163.465 or 163.467.

“Sexual abuse” does not mean consensual sexual contact between an adult and a paid caregiver who is the spouse of the adult.

“Sexual contact” has the meaning given that term in ORS163.305.

4. Neglect:

- Failure to provide the care, supervision or services necessary to maintain the physical and mental health of an adult that may result in physical harm or significant emotional harm to the adult.
- The failure of a caregiver to make a reasonable effort to protect an adult from abuse.
- Withholding of services necessary to maintain the health and well-being of an adult that leads to physical harm of an adult.

5. Verbal abuse:

To threaten significant physical or emotional harm to an adult using:
Derogatory or inappropriate names, insults, verbal assaults, profanity or
ridicule. Harassment, coercion, threats, intimidation, humiliation, mental
cruelty or inappropriate sexual comments.

6. Financial exploitation:

- Wrongfully taking the assets, funds or property belonging to or intended for the use of an adult.
- Alarming an adult by conveying a threat to wrongfully take or appropriate money or property of the adult if the adult would reasonably believe that the threat conveyed would be carried out.
- Misappropriating, misusing or transferring without authorization any money from any account held jointly or singly by an adult.
- Failing to use the income or assets of an adult effectively for the support and maintenance of the adult.

7. Involuntary seclusion:

Involuntary seclusion of an adult for the convenience of the caregiver or to discipline the adult.

8. Wrongful Restraint:

A wrongful use of a physical or chemical restraint upon an adult, excluding an act of restraint prescribed by a physician licensed under ORS chapter 677, physician assistant licensed under ORS 677.505 to 677.525, naturopathic physician licensed under ORS chapter 685 or nurse practitioner licensed under ORS 678.375 to 678.390 and any treatment activities that are consistent with an approved treatment plan or in connection with a court order.

9. Death:

Any death of an adult caused by other than accidental or natural means.

10. Public Education Programs through 12th grade:

- The restraint or seclusion of an adult with a developmental disability in violation of ORS 339.288, 339.291 or 339.308.
- The infliction of corporal punishment on an adult with a developmental disability in violation of ORS 339.250 (9).

These abuse definitions can be found in ORS 430.735.

In accordance with law, your identity as the person making the report is confidential. Further, the law protects you from retaliation from a community facility, community program or individual when you make a report in good faith. You may not be discharged or transferred from one location of an agency to another, terminated from your job, demoted or have your pay lowered, or denied contact with the facility or its residents because you made a good faith report of suspected abuse. If you feel you have been retaliated against, you have the right to seek private legal action. Any agency, program or individual who retaliates against someone because of a good faith report of suspected abuse may be liable to that person for actual damages.

By signing this form, you are acknowledging that you understand the Oregon's mandatory abuse reporting requirements concerning adults with developmentally disabilities. If you do not understand the mandatory requirements, ask to have them explained to you before signing this form.

I received and read this notice about my mandatory abuse reporting obligations.

Please sign your name

Today's Date

Please print or type your name

Today's Date

PLEASE RETURN THIS FORM TO YOUR PROGRAM

Mandatory Reporting Notice – Adults, IDD Updated Jan 2024

You can get this document in other languages, large print, braille or a format you prefer free of charge. Contact the ODHS |OHA Office of Training, Investigations and Safety by email to OTIS.Communications@odhsoha.oregon.gov, by phone (503) 945-9495 or toll free at 1-866-406-4287 (voice). We accept all relay calls.