

PRINCIPLES OF CAREGIVING DEVELOPMENTAL DISABILITIES MODULE

CHAPTER 5: ABUSE AND NEGLECT

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- A. Introduction
- B. Reporting abuse and neglect
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- D. Responding to abuse and neglect
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COMPETENCIES:

1. Identify physical signs and symptoms of suspected abuse and/or neglect.
2. Identify behavioral signs and symptoms of suspected abuse and/or neglect.
3. Identify environmental signs that may be related to suspected abuse and/or neglect.
4. Identify what information is necessary for reporting suspected abuse and neglect.
5. Explain what you need to do if you suspect abuse or neglect.

KEY TERMS:

Abuse

Exploitation

Abusive treatment

Mandatory reporting

Adult Protective Services (APS)

Neglect

Child Protective Services (CPS)

Vulnerable

A. INTRODUCTION

Some children and adults with developmental disabilities are vulnerable. This requires support providers and families to be aware of signs and symptoms of maltreatment and neglect.

Characteristics that increase a person's vulnerability include:

- Powerlessness
- Dependency
- Compliance
- Inability to prevent, escape, or disclose abuse
- Lack of body ownership
- Desire to fit in
- Denial or failure to recognize signs of abuse

People with developmental disabilities are more likely to be abused and neglected than the general population. People with disabilities are more likely to experience:

- Multiple forms of abuse and neglect
- Multiple perpetrators of abuse
- Abuse and neglect over a long period of time
- Lack of appropriate health care
- Inappropriate use of prescribed medications (use of medication to subdue or overmedicate)
- Misleading statements and behavior by support providers
- Using the disability to explain or minimize abuse
- Blaming injuries on the child (adult)
- Empathy for the support provider/caregiver clouds concerns for child(adult)
- Concerns and reports overruled by authority figures
- Multiple contacts with health care providers and other professionals, with failure to recognize or respond to abuse
- Ignoring, misunderstanding, or misinterpreting signs and symptoms of abuse

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B. REPORTING ABUSE AND NEGLECT

All health care providers, social workers and Direct Care Workers have an ethical and legal responsibility to report to Child Protective Services (CPS), Adult Protective Services (APS), or law enforcement any suspected abuse, neglect, or exploitation. In addition to your mandated reporting responsibility, any concerns you have about the care or treatment of a person you are working with must be reported to your employer and to the Division of Developmental Disabilities.

The Mandatory Reporting Laws of the State of Arizona

(Arizona Revised Statute 13-3620)

“Any person who reasonably believes that a minor is or has been the victim of physical injury, abuse, child abuse, a reportable offense or neglect that appears to have been inflicted on the minor by other than accidental means...shall immediately report or cause reports to be made of this information to a peace officer or to Child Protective Services in the Department of Economic Security, except if the report concerns a person who does not have care, custody or control of the minor, the report shall be made to a peace officer only.”

(Arizona Revised Statute 46-454)

*Duty to report abuse, neglect and exploitation of vulnerable adults;
duty to make medical records available; violation; classification*

A physician, registered nurse practitioner, hospital intern or resident, surgeon, dentist, psychologist, social worker, peace officer or other person who has responsibility for the care of a vulnerable adult and who has a reasonable basis to believe that abuse or neglect of the adult has occurred or that exploitation of the adult's property has occurred shall immediately report or cause reports to be made of such reasonable basis to a peace officer or to a protective services worker. The guardian or conservator of a vulnerable adult shall immediately report or cause reports to be made of such reasonable basis to the superior court. All of the above reports shall be made immediately in person or by telephone and shall be followed by a written report mailed or delivered within forty-eight hours or on the next working day if the forty-eight hours expire on a weekend or holiday.

C. DEFINITIONS OF ABUSE AND NEGLECT

Abusive Treatment:

Abusive Treatment includes, but is not limited to:

- a. **Physical abuse** by inflicting pain or injury to an individual. This includes hitting, kicking, pinching, slapping, pulling hair or any sexual abuse (including inappropriate touch).
- b. **Emotional abuse** which includes ridiculing or demeaning an individual, making derogatory remarks to an individual or cursing directed towards an individual.
- c. **Programmatic abuse** is the use of procedures or techniques, which are not part of the support/service plan or are prohibited.

Neglect:

Neglect means a pattern of conduct without the person's informed consent resulting in deprivation of food, water, medication, medical services, shelter, cooling, heating, or other services necessary to maintain physical or mental health.

It also includes:

- a. Intentional lack of attention to physical needs of the individual such as using the bathroom, bathing, meals and safety.
- b. Intentional failure to report medical problems or changes in health condition to immediate supervisor or nurse.
- c. Sleeping on duty or abandoning work station (including leaving the individual unsupervised).
- d. Intentional failure to carry out a prescribed treatment plan for the individual.
- e. Failure to provide required supervision, propping a pool fence open, not following traffic laws, or taking other unnecessary risks.

Exploitation happens when a direct care worker or other person responsible for the individual takes or uses that person's money, possessions, or other resources for their own benefit.

D. RESPONDING TO ABUSE AND NEGLECT

Reporting abuse and neglect

All known or suspected abuse and/or neglect ***must*** be reported to:

Adult Protective Services (if the person is 18 years old or older)
1-877-767-2385

Child Protective Services (if the person is 17 years old or younger)
1-888-767-2445

The Division of Developmental Disabilities (DES/DDD) written report in the form of an Incident Report (see the chapter on Incident Reports) must be completed.

Failure to report abuse or neglect can also be considered abuse with consequences that could include:

- Termination
- Fine
- Imprisonment

**If abuse or neglect is suspected and/or observed, it must be reported immediately to:
The DES/DDD Support Coordinator
Child Protective Services (children under the age of 18)
or Adult Protective Services (adults 18 years of age or older).**

This includes abuse, physical injury, denial or deprivation of medical surgical care to a minor or abuse neglect or exploitation of an incapacitated or vulnerable adult

**Child Protective Services 24 Hour
Reporting Number
1-888-767-2445**

**Adult Protective Services 24 Hour
Reporting Number
1-877-767-2385**

As a mandatory reporter, it is the responsibility of the Direct Care Worker to assure a report is made to Child Protective Services or Adult Protective Services depending on the age of the individual.

What to Report	
Abuse or Neglect of a Child	Abuse or Neglect of a Vulnerable Adult
Name of the child	Name of the adult
Address of the child	Name of responsible person – if it is someone other than the individual
Name of parents or the responsible person	Adults age
Age of the child	Nature and extent of their vulnerability
Nature and extent of injuries or neglect	Nature and extent of injuries, neglect or exploitation
Any evidence of previous injuries or neglect	Other information that may be helpful in investigating the case
Any other information that may be helpful in investigating the case	Other information as requested
Other information as requested	
When to Report	
Any time you are concerned for the immediate health and safety of the individual you are supporting, call law enforcement!	
IMMEDIATELY report to a local Child Protective Services Worker	IMMEDIATELY report to a local adult protective services worker.
Submit written report (serious incident report) to the Division of Developmental Disabilities within one working day.	Submit written report (serious incident report) to the Division of Developmental Disabilities within one working day.

Steps to take if you suspect abuse and/or neglect

If you know or suspect that one of the individuals you are supporting is being abused or neglected, here are the steps to follow:

Protect the person.

Report it verbally to your supervisor.

Write an Incident Report.

Participate in the investigation process as requested.

Remember, abuse and neglect are prohibited in all services and programs operated or supported by the Department of Economic Security, Division of Developmental Disabilities, and anyone doing so is subject to dismissal and prosecution.

We, as Direct Care Workers, have additionally been identified by law as mandatory reporters. That means we have a legal obligation to report any reasonable suspicion that abuse, neglect or exploitation are occurring.

IMPORTANT! Your job is to *report!* You are not the person doing the investigation! By reporting your concerns, you have done your job. There is no need for you to go back to do follow-up regarding the allegations. In fact, you are not allowed to do any investigating! Although it may create temporary turmoil or upset, the benefit to the person you support is the top priority. You have done your job, and should feel confident that you are doing your part.

E. ADDITIONAL RESOURCES FOR PARTICIPANTS

Physical signs of abuse or neglect can include:

- Bruises
 - On different parts of body
 - In unusual shapes (circling the arm or in the shape of a handprint or object)
 - Unusually large
 - Frequent, high numbers
 - In unusual places
 - In different stages of healing
- Burns
 - Unusual shapes
 - Unusually large
 - Unusual places
- Cuts / Abrasions
- Fractures
 - Any bone breakage of the face, jaw, or skull should be regarded as suspicious as should spiral fractures of the long bones
- Poor hygiene
- Vaginal/Rectal pain
- Medication issues
- Dehydration
- Malnutrition
- Sunburn
- Frequent illness/stress related illnesses
- Untreated long term illness
- Skin infections
- Sexually transmitted diseases in a person not known to be sexually active
- Pregnancy in a person not known to be sexually active
- Malnourishment
- Failure to thrive
- Frequently dirty
- Body odor
- Rotting teeth

Behavioral signs of abuse or neglect can include:

- Avoidance of significant family, friends or care workers
- Delays in seeking treatment
- Regression / Deterioration of skills
- Incontinence (lack of bladder control)
- Fear of a specific person or location
- Fear of being touched
- Flinching / Startle response
- Significant change in interest in sexual acts
- Changes in eating habits
- Changes in sleeping habits
- Withdrawal
- Depression
- Expression of poor self esteem and self image
- Overly critical of self and others
- Extremes in behavior
- Sudden unexplained changes in behavior
- Reporting of abuse and/or neglect
- Running away
- Extremes in relationships
- Poor peer relationships
- Not able to be consoled
- Vaguely expressed fear of being in the abusive environment
- Perfectionism
- Loss of joy, fun
- Promiscuity, prostitution
- Wearing multiple layers of clothing
- Violent symbolic play, artwork, and/or storytelling

Environmental signs of abuse or neglect can include:

- Lack of necessities like food, water, heating, cooling
- Lack of utilities
- Lack of adequate space
- Lack of ventilation
- Animal or insect infestation
- Unsafe conditions due to lack of maintenance i.e. bare wires, uncovered outlets, broken pipes etc.
- Filth including garbage, human or animal waste, rotten food, etc.
- Clothing is filthy and in disrepair
- The individual has responsibility far beyond what is fair and developmentally appropriate
- Caregivers cannot be located in cases of emergencies
- Individual fails to attend schools or programs without explanation
- Bad odor in the environment
- Animals in the environment are neglected and/or abused