



## 2.6.7 Reporting Suspected Abuse, Neglect and Exploitation of Children, Elderly or Disabled Persons

Chapter 2 - General	Original Effective Date: January 2014
Section: 2.6 Miscellaneous	Date Last Reviewed:
Responsible Entity: Chief Compliance and Privacy Officer	Date Last Revised:

### I. Purpose

UT Health San Antonio is committed to protecting children, the elderly and disabled individuals as vulnerable members of society and in fulfilling the institution's obligation to report suspected abuse or neglect as required by Texas law.

### II. Scope

This policy applies to all members of the UT Health community, including but not limited to faculty, students, staff, individuals authorized to act on behalf of UT Health San Antonio, and independent contractors.

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.

### III. Policy

#### A. General Policy

UT Health San Antonio (UTHSA) requires employees who believe or suspect that

1. A child is being abused or neglected; or
2. 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

## 2.6.7 Reporting Suspected Abuse, Neglect and Exploitation of Children, Elderly or Disabled Persons

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.

### B. Duty to Report

#### 1. Child Abuse and Neglect

UTHSA 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.

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

- a. Professional must make a report within forty-eight hours of first suspecting that a child has or may have been abused or neglected.
- b. This duty to report cannot be delegated, and the professional cannot rely on another person to make the report.

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

UTHSA 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:

- a. By phone: DFPS Abuse Hotline (24/7)  
1-800-252-5400
- b. Online: [www.txabusehotline.org](http://www.txabusehotline.org)

Employees suspecting abuse, neglect or exploitation should also notify:

- a. UT Police
- b. Employee's supervisor
- c. Medical Director of clinic
- d. Department administrator

### C. Reporting Documentation

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

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

## 2.6.7 Reporting Suspected Abuse, Neglect and Exploitation of Children, Elderly or Disabled Persons

2. Your name and contact information.
3. A brief description of the situation and the child or vulnerable adult.
4. Current injuries, medical problems, or behavioral problems.
5. A brief description of the situation and the child or vulnerable adult.
6. Current injuries, medical problems, or behavioral problems.
7. Parents' names and names of siblings in the home (for a child).
8. Name of relatives in or outside the home and name of the perpetrator (for an adult).
9. Explain how you know about the situation.

### D. 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.

UTHSA may not suspend or terminate employment of a professional who in good faith reports child abuse or neglect to:

1. Their supervisor;
2. Administrator of facility;
3. Law enforcement agency, or;
4. State regulatory agency.

### E. 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.

## 2.6.7 Reporting Suspected Abuse, Neglect and Exploitation of Children, Elderly or Disabled Persons

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 department. This training needs to be provided at least every two years.

The trainings are available through the Knowledge Center.

### IV. Definitions

*When used in this document, the following words have the meaning set forth below unless a different meaning is required by context.*

Abuse – 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 – a person under 18 years of age who has not been legally married or emancipated.

Disabled – a person with a mental, physical, or developmental disability that substantially impairs the person's ability to provided adequately for the person's care or protections, 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 – a person 65 years of age or older.

Exploitation – 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 – failure to provide goods and services, including medical services, which are necessary to avoid physical or emotional harm or pain.

### V. Related References

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

### VI. Review and Approval History

- A. The approving authority of this policy is the University Executive Committee.
- B. The review frequency cycle is set for three years following the last review date, a time period that is not mandated by regulatory, accreditation, or other authority.

2.6.7 Reporting Suspected Abuse, Neglect and Exploitation of Children, Elderly or Disabled Persons

<b>Effective Date</b>	<b>Action Taken</b>	<b>Approved By</b>	<b>Date Approved</b>
<b>01/2014</b>	Policy Origination		