

REGIONAL CENTER POLICY ON CONSUMER ABUSE AND NEGLECT

I. INTENT

It is the intent of San Andreas Regional Center that its consumers be protected from abuse and neglect, and that in situations where abuse or neglect is suspected, San Andreas Regional Center staff members and service providers will discharge their reporting responsibilities diligently.

II. DEFINITIONS

Abuse means physical abuse, neglect, financial abuse, abandonment, isolation, abduction, or other treatment which results in physical harm, pain, or mental suffering; or deprivation, by a person providing care and supervision, of goods and/or services which are necessary to avoid physical harm, pain, or mental suffering.

Physical Abuse means the use or attempt to use force on the person of another, unreasonable physical constraint or prolonged or continual deprivation of food, or water. Sexual abuse shall be considered a form of physical abuse. Physical abuse also means the use of isolation, physical or chemical restraint, or the use of psychotropic medication for punishment (without medical authorization/necessity).

Mental Suffering means fear, agitation, confusion, severe depression, or another form of emotional distress brought about by threat, harassment, or other forms of intimidating behavior.

Neglect is defined as the negligent failure of a person(s) having care or custody of a consumer to exercise a reasonable degree of care including, but not limited to, a failure to assist in personal hygiene and the provision of food, clothing, and shelter; or failure to provide medical care or protect the consumer from health and safety hazards.

III. POLICY

Consumer abuse committed by San Andreas Regional Center employees, employees of service providers, or employees of long term care facilities, will not be tolerated. All such abuse, or allegations of such abuse, will be thoroughly investigated. Any San Andreas Regional Center employee found to have engaged in abuse against a consumer will be subject to discipline up to and including discharge. Any abuse found to have been committed by a service provider or long term care facility employee will be referred to the appropriate authorities; and the service provider may also be subject to sanctions up to and including removal from the list of agencies or businesses authorized to services for regional center consumers.

All San Andreas Regional Center employees who are mandated reporters pursuant to the California Penal Code and all employees of service providers and long-term health care facilities who are mandated reporters shall strictly comply with the reporting laws at all times. A mandated reporter must (unless exempt under law) report all consumer abuse to the applicable governmental authorities immediately or as soon as practicable after his or her discovery or reasonable belief that consumer abuse has occurred.

San Andreas Regional Center and all San Andreas Regional Center service providers and all long-term health care facilities serving San Andreas Regional Center consumers shall ensure their employees are fully informed upon hire, and annually thereafter, regarding San Andreas Regional Center's Policy on Consumer Abuse and Neglect, as well as the relevant laws and regulations

regarding reporting of abuse and neglect. Each employee must be knowledgeable of her or his responsibility to protect consumers from abuse and neglect, the signs of abuse and neglect, the process for reporting suspected abuse or neglect, and the consequences of failing to follow the law and enforce this policy.

If San Andreas Regional Center or a San Andreas Regional Center service provider or long-term health care facility becomes aware of consumer abuse, it shall take immediate action, to the extent permitted by law, to ensure the health and safety of the affected consumer and all other consumers receiving services and supports from San Andreas Regional Center. This obligation is in addition to those obligations required of persons who are mandated reporters under existing laws and regulations regarding the reporting of abuse and neglect.