

**DEPARTMENT OF SOCIAL SERVICES**

744 P Street, Sacramento, CA 95814



December 17, 1985

ALL-COUNTY LETTER NO. 85-125

TO: ALL COUNTY WELFARE DIRECTORS

SUBJECT: DEPENDENT ADULT ABUSE REPORTING

Assembly Bill (AB) 238 (Chapter 1164, Statutes of 1985) and Assembly Bill 1603 (Chapter 1120, Statutes of 1985) were signed into law by the Governor in September 1985. AB 238 is an urgency measure which took effect immediately upon signature, and AB 1603 becomes effective January 1, 1986. The bills significantly revise dependent adult abuse reporting definitions and requirements. The major change is the designation of certain professions, organizations and their employees as mandated reporters of physical abuse of dependent adults (WIC 15630).

Under these bills, the number of mandated reporters is extremely large. AB 238 also mandates a specific documentation process for notifying mandated reporters of their responsibilities (WIC 15632). The statute is very specific as to what the notification must contain; who must be notified; and who is responsible for the printing, distribution, and filing of notification statements. Consequently, the Department considers this portion of the bill self-implementing and will not be issuing forms or regulations. The Department is in the process of notifying the Departments of Aging, Education, Developmental Services, Mental Health Services, Justice and Health Services of the bill's requirements so that they can notify their appropriate agencies. We strongly recommend that County Welfare Departments notify their own affected staff as soon as possible, and request that they contact local organizations which they have previously notified of adult abuse reporting requirements and other agencies as needed.

The bills require the Department of Social Services and the Department of Justice to initiate the development of guidelines on investigations of abuse allegations (WIC 15640). The Department is in the process of developing a plan to implement these requirements which will include participation by county welfare departments.

The enactment of these bills, as well as previously identified needs for more specific adult abuse characteristics data, has resulted in a need for revision of abuse reporting forms. The Department, with the assistance of the Adult Services Committee of The County Welfare Directors Association has initiated the

revision of reporting forms. Pending completion of revisions, existing forms should continue to be used.

In addition to the items noted above, other major provisions of the bills include:

1. Makes changes and additions to abuse definitions. (WIC 156101)
2. Requirements for cross reporting of abuse allegations between social services and law enforcement agencies. [WIC 15630 (a)]
3. Specification of the type of information which must be obtained when receiving an abuse report by telephone. [WIC 15633(a)]
4. Specification of the circumstances under which agencies may share information related to abuse investigations. (WIC 15633(c) (d), 15633.51)
5. Extension of the life of statutory dependent adult abuse reporting requirements from, January 1, 1986 to January 1, 1990. (WJC JC, 6021)
6. Requires notification to the licensing agency by the county elder protective agency when there is a report of abuse of an elder or dependent adult who resides in a community care facility. [WIC 9383(b)]

We have attached a copy of both bills and a separate listing of mandated reporters from the bills for your information and review. If you have any questions, please contact your county Adult and Family Service Operations Consultant at (916) 445-0623.

  
LOREN D. SUTER  
Deputy Director  
Adult and Family Services Division

Attachments:

[AB 1603](#)

cc: CDWA