

REQUIREMENTS FOR REPORTING ABUSE AND NEGLECT

Section 722, Public Act 258 of 1974,

Public Act 238 of 1975

Public Act 519 of 1982

Section 723, Public Act 258 of 1974
as amended

(Mental Health Code-Recipient Abuse)

(Child Protection Law)

(Adult Protective Services Law)

(Mental Health Code-Criminal Abuse)

	The Office of Recipient Rights www.mi.gov/recipientrights	ADULT OR CHILDRENS PROTECTIVE SERVICES REPORTING HOTLINE 855-444-3911		Police MSP 517-332-2521
WHERE is the report made?	Michigan Department of Community Health Community Mental Health Service Programs Licensed Private Psychiatric Hospitals or Units	Michigan Department of Human Services (DHS)	Michigan Department of Human Services (DHS)	State Police County Sheriff Local Police Department
WHAT must be reported?	Sexual, Physical, Emotional or Verbal Abuse, Neglect, Serious Injury, Death, Retaliation or Harassment	Sexual, Physical or Mental Abuse, Neglect, Sexual Exploitation	Sexual, Physical or Mental Abuse, Neglect, Maltreatment, Exploitation	Assault (other than patient-patient assault/battery), Criminal Sexual Abuse, Homicide, Vulnerable Adult Abuse, Child Abuse
WHO is required to report?	All employees, contract employees, or volunteers of Michigan Department of Community Health, Community Health Services Programs, Licensed Private Psychiatric Hospitals or Units	Physicians, nurses, coroners, medical examiners, dentists, licensed emergency care personnel, audiologists, psychologists, social workers, school administrators, teachers, counselors, law enforcement officers, and child care providers.	Any person employed by an agency licensed to provide, anyone who is licensed, registered, or certified to provide health care, education social, or other human services, law enforcement officers and child care providers.	All employees, contract employees of: Michigan Department of Community Health, Community Mental Health Services Programs, Licensed Private Psychiatric Hospitals or Units, all mental health professionals.
WHAT is the CRITERIA for reporting?	You must report if you: Suspect a recipient has been abused or neglected or any allegations of abuse or neglect made by a recipient.	You must report if you: Have reasonable cause to suspect a child has been abused, neglected, or sexually exploited.	You must report if you: Have reasonable cause to suspect or believe an adult has been abused, neglected, exploited or maltreated.	You must report if you: Suspect a recipient or vulnerable adult has been abused or neglected, sexually assaulted, or if you suspect a homicide has occurred. You do not have to report if the incident occurred more than one year before your knowledge of it.
WHEN must the report be made and in what format?	A verbal report must be made immediately. A written report on an incident report form must be made before the end of your shift.	A verbal report must be made immediately. A written report on DHS form 3200 must be made within 72 hours.	A verbal report must be made immediately. A written report at the discretion of the reporting person.	A verbal report must be made immediately. A written report must be made within 72 hours of oral report (330.1723)
TO WHOM are reports made?	To your immediate supervisor and to the Recipient Rights Office at your agency or hospital	Report to Protective Services Reporting Hotline 855-444-3911	Report to Protective Services Reporting Hotline 855-444-3911	The law enforcement agency for the county or city in which the alleged violation occurred or the State Police. A copy of the written report goes to the chief administrator of the agency responsible for the recipient.
If there is more than one person with knowledge must all of them make a report?	Not necessarily. Reporting should comply with the policies and procedures set up by each agency.	Someone who has knowledge must report or cause a report to be made in the case of a school, hospital or agency, one report is adequate.	Everyone who has knowledge of a violation or an alleged violation must make a report. DHS has typically accepted one report from agencies.	Someone who has knowledge must report or cause a report to be made.
Is there a penalty for failure to report? YES	Disciplinary action may be taken and you may be held civilly liable.	You may be held civilly liable. Failure to report is also a criminal misdemeanor.	You may be held civilly liable and have to pay a \$500 fine.	The law states that failure to report or false reporting is a criminal misdemeanor.
Is it necessary to report to more than one agency? YES	Each of these laws requires that the designated agency be contacted, if an allegation suspected to have occurred, falls under its specific jurisdiction. There are several references in each law indicating that reporting to one agency does not absolve the reporting person from the responsibility to report to other agencies, as statutorily required.			
Are there other agencies to which a report can be made? YES	<p>The Bureau of Health Systems (LARA) is responsible for investigating abuse and neglect in Nursing Homes. Call the NURSING HOME ABUSE HOTLINE 1-800-882-6006</p> <p>The Michigan Attorney General's Office has an Abuse Investigation Unit which may also investigate abuse in Nursing homes. ATTORNEY GENERAL 24 hour Health Care Fraud Hotline 1-800-24-ABUSE/ 1-800-242-2873</p> <p>The MDHS Bureau of Children and Adult Licensing is responsible for investigating abuse or neglect in a licensed foster care home. MDHS-BCAL Complaint Intake Unit 1-866-856-0126</p>			