

Summary of Abuse and Neglect Reporting Requirements

	DCH and CMH Office of Recipient Rights Section 722 of Act 258 Public Acts 1974	FIA Child Protective Services Act 238 Public Acts 1975	FIA Adult Protective Services Act 519 Public Acts 1982	State or Local Police Agencies Sec.723 of Act 258 Public Acts 1974, as ammended
What must be reported?	Physical Abuse Verbal Abuse Excessive use of force Sexual Abuse Neglect Serious injury or death	Physical Abuse Mental Abuse Sexual Abuse Neglect Sexual exploitation	Physical Abuse Mental Abuse Sexual Abuse Maltreatment Neglect Exploitation	Assault (other than patient to patient simple assault) Criminal Sexual contact Criminal Homicide EXCEPTIONS: Occurred more than one year before your knowledge or neither occurred at a mental health provider work site nor by a mental health employee.
Who is required to report?	All DCH/CMH employees All contract employees All employees of contract agencies All volunteers	The law requires it of "mandated reporters," such as physicians, nurses, coroners, medical examiners, dentists, licensed emergency care personnel, audiologists, psychologists, family therapists, social workers, school administrators, school teachers/counselors, law enforcement officers and child care providers.	Any person employed, licensed, registered or certified to provide, or an employee of an agency licensed to provide health care, educational, social welfare, mental health or other human services; or a law enforcement officer or an employee of the county medical examiner.	All mental health professionals. All persons employed by DCH or under contract to DCH. All persons employed by CMH or under contract to CMH. All persons employed by a facility or under contract to a facility. All persons employed by entities under contract to DCH, CMH or a facility.
What are the criteria for reporting?	All suspected abuse or neglect	Reasonable cause to suspect.	Suspicion or reasonable cause to suspect or believe.	Reasonable cause to suspect.
What are the timeframes and types of reports that must be made?	Verbal report, immediately. Written report (DCH2500A) before the end of shift on which the alleged violation occurred.	Verbal report, immediately. Written report (FIA3200) within 72 hours.	Verbal report, immediately. Written report at the discretion of reporting person.	Verbal report, immediately. Written report (DCH2408) within 72 hours of oral report.
To whom do I make reports?	Verbal and written reports to immediate supervisor, forwarded through chain of command to Rights Office. If immediate supervisor is not available, contact the local Rights Office, or call 1-800-854-9090, and contact the responsible mental health agency.	Verbal and written report to the Children's Protective Services in the FIA Office in the county in which the violation is alleged to have occurred. If reporting person is an employee of an agency, hospital or school, he/she must also report to the chief administrator where he/she works.	Verbal and written report to the Adult Protective Services in the FIA Office in the county in which the violation is alleged to have occurred.	Verbal and written report to the law enforcement agency for the county or city in which the violation is suspected to have occurred; or to the State Police. Written report must be filed with the chief administrator of the facility or agency responsible for the recipient or resident. (Note: some copies have some info. Deleted)
Is there a penalty for failure to report?	Yes- disciplinary action, civil liability.	Yes- civil liability for damages caused by failure to report Misdemeanor.	Yes- civil liability for damages caused by failure to report. \$500.00 civil fine.	Yes- Sec.723c states that failure to report or false reporting is a misdemeanor.
Is it necessary to report to multiple agencies?	Yes. In all cases each agency must be contacted regarding an allegation suspected to have occurred which falls under its specific jurisdiction. There are several citations in each law or rule stating that reporting to one agency does not absolve the reporting person of the responsibility to report under other existing laws or to other responsible agencies.			
If there is more than one person with knowledge, must all of them report?	Yes. All employees, contract employees, and volunteers must report.	You must report or "cause a report to be made." In the case of a school, hospital or agency, one report is adequate.	You must report. There is no provision for "causing a report to be made." However, FIA agencies have typically accepted one report from agencies, not requiring multiple reports.	You must report or cause a report to be made. This law provides that you need not report if you have knowledge that the incident of abuse has been reported to the appropriate law enforcement agency.
Are there other agencies to which reports can be made?	Yes. The Michigan Department of Public Health is responsible for investigating abuse and neglect in nursing homes. The Michigan Attorney General's Office has an abuse investigation unit which may investigate abuse in nursing homes. Typically, licensing laws under which care facilities are required to operate, mandate that the provider must notify the licensing agency when complaints of abuse or neglect are received. For example, Public Health licenses nursing homes; write FIA licensees about foster care facilities and child care organizations.			