

CVMC Administrative Policy & Procedure Manual

APPROVALS	
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EMC	06/08/2005
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Section	Patient Rights & Organizational Ethics
Policy No.	RI-1
Pages	4
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SUBJECT: ABUSE/NEGLECT/EXPLOITATION - SCREENING and REPORTING

RI-1-I. POLICY

Catawba Valley Medical Center seeks to prevent abuse and neglect by fully supporting the Juvenile Code on Abuse and Neglect of minors; Code on Protection of the Abused, Neglected or Exploited Disabled Adult; and County Programs for Adult victims of family violence (see attached screening criteria).

RI-1-II. POLICY DETAIL

I. Child: Abuse, Neglect, Dependency and Maltreatment

- A. "Any person or institution who has cause to suspect that any juvenile is abused, neglected, or dependent, as defined by G.S. 7B-101, or has died as the result of maltreatment, shall report the case of that juvenile to the Director of the Department of Social Services in the county where the juvenile resides or is found. The report may be made orally, by telephone, or in writing." ¹
- B. "Abused juveniles. - Any juvenile less than 18 years of age whose parent, guardian, custodian, or caretaker:
 - 1. Inflicts or allows to be inflicted upon the juvenile a serious physical injury by other than accidental means;
 - 2. Creates or allows to be created a substantial risk of serious physical injury to the juvenile by other than accidental means;
 - 3. Uses or allows to be used upon the juvenile cruel or grossly inappropriate procedures or cruel or grossly inappropriate devices to modify behavior;
 - 4. Commits, permits, or encourages the commission of a violation of the following laws by, with, or upon the juvenile: first-degree rape, as provided in G.S. 14-27.2; second degree rape as provided in G.S. 14-27.3; first-degree sexual offense, as provided in G.S. 14-27.4; second degree sexual offense, as provided in G.S. 14-27.5; sexual act by a custodian, as provided in G.S. 14-27.7; crime against nature, as provided in G.S. 14-177; incest, as provided in G.S. 14-178 and G.S. 14-179; preparation of obscene photographs, slides, or motion pictures of the juvenile, as provided in G.S. 14-190.5; employing or permitting the juvenile to assist in a violation of the obscenity laws as provided in G.S. 14-190.6; dissemination of obscene material to the juvenile as provided in G.S. 14-190.7 and G.S. 14-190.8; displaying or disseminating material harmful to the juvenile as provided in G.S. 14-190.14 and G.S. 14-190.15; first and second degree sexual exploitation of the juvenile as provided in G.S. 14-190.16 and G.S. 14-190.17; promoting the prostitution of the juvenile as provided in G.S. 14-190.18; and taking indecent liberties with the juvenile, as provided in G.S. 14-202.1, regardless of the age of the parties;

5. Creates or allows to be created serious emotional damage to the juvenile; serious emotional damage is evidenced by a juvenile's severe anxiety, depression, withdrawal, or aggressive behavior toward himself or others; or
 6. Encourages, directs, or approves of delinquent acts involving moral turpitude committed by the juvenile.”²
- C. "Anyone who makes a report pursuant to this Article, cooperates with the county department of social services in a protective services inquiry or investigation, testifies in any judicial proceeding resulting from the protective services report or investigation, or otherwise participates in the program authorized by this Article is immune from any civil or criminal liability that might otherwise be incurred or imposed for such action provided that the person was acting in good faith. In any proceeding involving liability, good faith is presumed." ³
- D. To make a report, call the department of social services in the county the child resides or is found. Ask for "Child Protective Services". The telephone numbers to use for some of the local County Departments of Social Services are:
1. Catawba County: 828-695-5600; after hours: 911 or 324-9111
 2. Alexander County: 828-632-1080; after hours 828-632-4659
 3. Burke County: 828-439-2003; after hours 828-438-5500
 4. Caldwell County: 828-426-8200; after hours 828-758-2324
 5. Lincoln County: 704-736-8678; after hours 704-735-8202
 6. Iredell County: 704-873-5631; after hours 704-878-3100

II. Disabled Adult: Abuse, Neglect, and Exploitation

- A. “The words ‘disabled adult’ shall mean any person 18 years of age or over or any lawfully emancipated minor who is present in the State of North Carolina and who is physically or mentally incapacitated due to mental retardation, cerebral palsy, epilepsy or autism; organic brain damage caused by advanced age or other physical degeneration in connection therewith; or due to conditions incurred at any age which are the result of accident, organic brain damage, mental or physical illness, or continued consumption or absorption of substances.” ⁴
- B. “The ‘disabled adult’ shall be ‘in need of protective services’ if that person, due to his physical or mental incapacity, is unable to perform or obtain for himself essential services and if that person is without able, responsible, and willing persons to perform or obtain for his essential services.” ⁵
- C. Essential services are “those social, medical, psychiatric, psychological or legal services necessary to safeguard the disabled adult’s rights and resources and to maintain the physical or mental well-being of the individual. These services shall include, but not be limited to, the provisions of medical care for physical and mental health needs, assistance in personal hygiene, food, clothing, adequately heated and ventilated shelter, protection from health and safety hazards, protection from physical mistreatment, and protection from exploitation. The words “essential services” shall not include taking the person into physical custody without his consent except as provided for in G.S. 108A-106 and in Chapter 122C of the General Statutes.” ⁶
- D. “Duty to report; content of report; immunity
1. Any person having reasonable cause to believe that a disabled adult is in need of protective services shall report such information to the director (of social services of the county of residence).
 2. The report may be made orally or in writing. The report shall include the name and address of the disabled adult; the name and address of the disabled adult's caretaker; the age of the disabled adult; the nature and extent of the disabled adult's injury or condition resulting from abuse or neglect; and other pertinent information.

3. Anyone who makes a report pursuant to this statute, who testifies in any judicial proceeding arising from the report, or who participates in a required evaluation shall be immune from any civil or criminal liability on account of such report or testimony or participation, unless such person acted in bad faith or with a malicious purpose.”⁷
- E. To make a report, call the department of social services in the county the disabled adult resides or is found. Ask for "Adult Protection Services." The telephone numbers to use for some of the local County Departments of Social Services are:
 - a) Catawba County: 828-695-5609; 911 or 324-9111
 - b) Alexander County: 828-632-1080; 828-632-4658
 - c) Burke County: 828-439-2000; 828-438-5500
 - d) Caldwell County: 828-426-8200; 828-758-2324
 - e) Lincoln County: 704-736-8678; 704-735-8202
 - f) Iredell County: 704-873-5631; 704-878-3100

III. Adult Victims of Family Violence

- A. Battering is the repeated subjection of an independent adult to forceful, physical, social, and psychological behavior to coerce him or her without regard to her/his rights. Although there is no specific legal requirements for reporting this type of abuse, Catawba Valley Medical Center supports local efforts to control family violence. Hospital staff assesses and documents indications of abuse, provide counseling to victims, make appropriate referrals, and report abuse with consent of the victim.
 - B. Referral services include:
 1. Rape Crisis Center (Catawba County): 828-322-6011; after hours 911
 2. First Step Spouse Abuse Program (Catawba County): 828-322-1400; after hours 911
 3. Shelter Home of Caldwell County: 828-758-0888
 4. National Coalition Against Domestic Violence: 303-839-1852
 5. Options Victim Assistance Program (Burke County): 828-438-9444
 6. Domestic Violence Resource Center (Alexander County): 828-635-8881
 7. My Sister's House (Iredell County): 704-872-3403
 8. Lincoln County Coalition Against Domestic Violence: 704-736-1224
 - C. Clinical Resource Management Case Coordinators and Social Workers have contacts for other North Carolina counties as needed.
- IV. After reporting to the County Social Services Department, refer all admitted patients that are suspected victims of abuse to Clinical Resource Management. You may consult with the Clinical Resource Management staff for assistance in making referrals for any suspected victims of abuse, neglect or exploitation by calling 3895 during business hours and by calling the 0 after hours for the on call staff member.

¹ NCGS Article 3. Screening of Abuse and Neglect Complaints. 7B-101. Duty to report child abuse, neglect, dependency, or death due to maltreatment. 2004.

² IBID.

³ NCGS Article 3. Screening of Abuse and Neglect Complaints. 7B-309. Immunity of persons reporting and cooperating in an investigation. 2004.

⁴ NCGS Article 6. Protection of the Abused, Neglected, or Exploited Disabled Adult Act. 108A-101. Definitions. 1985.

⁵ IBID.

⁶ IBID.

⁷ NCGS Article 6. Protection of the Abused, Neglected, or Exploited Disabled Adult Act. 108A-102. Duty to report; content of report; immunity. 2004.

ABUSE AND NEGLECT SCREENING CRITERIA

These indicators signal the possibility of abuse or neglect. Use the criteria as guidelines in evaluating the need for protective services and/or referral.

- I. If any one of the following is present, consider abuse and/or neglect.
 - A. Patient reports experiencing abuse, neglect or threats.
 - B. Staff witnesses threats, abuse, neglectful behavior, or violence toward the patient.
 - C. Suspicious behavior or injuries such as:
 1. Significant delay between the injury and seeking treatment.
 2. Conflicting information about how the injury occurred or explanation inconsistent with the type/extent of the injury.
 3. Bruises and welts in various stages of healing
 4. Injuries or burns in the shape of objects (belt buckle, electric cord, clusters indicating repeated contact, cigarette burns, sock or glove like burns, donut shaped burns on buttocks/genitalia).
 5. Bruises on infant, especially facial bruises.
 - D. A positive drug or alcohol screen on a laboring patient where delivery of the newborn is eminent (unless the drug was prescribed/given by current caregivers).
 - E. Pattern of repeated visits for health care services with poor follow-through or vague symptoms.
 - F. Patient reports or evidence of financial misuse (signs checks over to others and the utilities cut off or lack of heat in winter).
- II. If you assess more than one of the following, consider abuse and/or neglect.
 - A. Current problem or history of serious psychosocial problems (substance abuse, suicide attempts, severe depression, repeated psychosomatic or emotional complaints).
 - B. Caregiver/significant other is absent or indifferent, interferes with the treatment plan, or will not leave the patient alone with health care providers.
 - C. Questionable physical condition (malnutrition, dehydration without cause, poor personal hygiene, decubitus ulcer, prenatal drug or HIV exposure, fetal alcohol syndrome, injuries hidden by clothing).
 - D. Patient and/or caregiver/significant other are nervous or have unusual behavior when questioned about the injuries or physical condition.