

# REPORTING NEGLECT & ABUSE

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## PUBLIC HEALTH ISSUE

Adult and child protection laws in New Hampshire identifies five types of abuse: physical, emotional, sexual, neglect, and exploitation. In addition, adult protection law identifies self-neglect as a form of abuse in situations where adults cannot or do not care appropriately for themselves. New Hampshire law mandates that *any person* who has reason to suspect that a person is being abused or neglected *must* make a report to the police or State agencies. If you suspect a problem, use the form at the end of this chapter to collect information and report the situation.

## ROLE OF THE HEALTH OFFICER

- Know the signs of abuse or self-neglect.
- Report any suspected abuse or self-neglect to police or NH Department of Health & Human Services (DHHS).
- Gather evidence of abuse or self-neglect within the limits of your authority. This could include gathering first-hand reports, photos, or physical evidence of unsanitary conditions.
- Notify the property owner or landlord that any unsanitary conditions related to self-neglect need to be corrected in order to protect public health in your community. In addition, you may need to enforce any applicable State health laws or municipal health codes.
- Collaborate with State agencies & community partners to assess and resolve the problem. If a Health Officer makes a report to the Bureau of Elderly & Adult Services (BEAS) or the Division of Children, Youth, & Families (DCYF), the Agency *may* ask you to accompany them on a site visit. This is not always the case and is dependent on the nature of the report.

## LAWS AND REGULATIONS

Adult and child abuse and neglect is addressed by the following two laws:

[RSA 161-F, 42-57 Adult Protection Law](#) Persons 18 years old and over.

[RSA 169-C, Child Protection Act](#) Children under 18 years old.

As a Health Officer, part of your job is to assess conditions related to health and sanitation that may relate to neglect, including and not limited to: 1) rental housing standards under RSA 48-A, 2) public health nuisances under RSA 147, and 3) hazardous and dilapidated buildings under RSA 155-B.

## BACKGROUND

Anybody can encounter difficult life challenges and may need help. Older adults may be solo agers lacking a support network leading to self-neglect. Anyone can experience overwhelming frustration raising children or taking care of vulnerable adults, especially those who are facing physical, emotional, or financial stress. Although they may only want to do what is best, challenges may lead to situations that put people in harm's

way. Prevention, identification, and reporting of child and/or adult abuse and neglect is a societal responsibility that depends on the cooperation of all community members.

## **ADULTS - SIGNS OF NEGLECT AND ABUSE**

### **Signs of Self-Neglect**

- Hoarding that creates a public health nuisance
- Unclean physical appearance, soiled clothing, inappropriate clothing for the weather, fecal/urine smell
- Unsanitary conditions in the home
- Frequent falls
- History of fires or burns from smoking or cooking, smoking around supplemental oxygen
- Inability to manage finances or pay bills
- Noncompliance with or inability to take medication as prescribed
- Untreated medical conditions
- Wandering or getting lost

### **Signs of Abuse or Neglect By Others**

- Being left alone for long periods of time without supervision or assistance when it is needed.
- Unexplained bruises, welts, or burns
- Unexplained changes in health status.
- Experiencing malnutrition and/or dehydration
- Fear, anxiety or agitation around certain household members or caregivers.
- Increasing withdrawal and isolation
- Lack of routine medical care
- Misusing or stealing money or possessions
- Physical contact of a sexual nature
- Threats or intimidation or unwanted remarks

## **CHILDREN - SIGNS OF NEGLECT AND ABUSE**

### **Signs of Physical Abuse**

- Bruises, welts, burns that cannot be sufficiently explained
- Injuries on places where children don't usually get hurt (the back, neck, back of legs, face)
- Repeated injuries
- Withdrawn, fearful or extreme behavior

### **Signs of Emotional Injury**

- Inability to play as most children do
- Sleep problems
- Antisocial behavior
- Behavioral extremes
- Lags in emotional and intellectual growth
- Self destructive feelings or behavior

### **Signs of Sexual Abuse**

- Difficulty walking or sitting
- Pain or itching in the genital area
- Torn, stained or bloody underclothing
- Frequent complaints of stomachaches or headaches
- Chronic depression
- Withdrawal
- Feeling threatened by physical contact
- Inappropriate sex play or premature understanding of sex
- Running away from home

### **Signs of Neglect**

- Chronically dirty or unsanitary
- Dress inadequate for weather
- Left alone at home or without supervision
- Left in the care of siblings too young or unable to baby-sit
- Chronic school absences
- Often fatigued or falling asleep in school
- Hunger
- Self destructive feelings or behavior

## **FREQUENTLY ASKED QUESTIONS**

### **When Should I Report My Concern?**

If you suspect someone is being abused or neglected, state law requires that you immediately report your concerns to DCYF (children under 18 years old) or BEAS (vulnerable adults 18 years old and older). Proof of abuse or neglect is not required before reporting. Reports can also be made directly to the police. A sample reporting sheet is provided at the end of this document.

### **What If I Am Mistaken?**

New Hampshire law states that any person who makes a report in good faith is immune from any civil or criminal liability (RSA 169-C and RSA 161-F).

### **Can I Remain Anonymous?**

Yes. We understand that reporting your suspicions is a big step to take. We also understand that you may be concerned about possible retaliation if they discover you reported your concerns.

### **Should I Tell the Family That I Have Called?**

It depends on the situation. It is important to be honest with families. If you have concerns that family members may be abusing or neglecting someone, it is acceptable to talk with them if you feel comfortable doing this. If the relationship with the family is professional, you should explain to them your obligation to report any evidence or suspicions. There are situations where you should not talk with the family. Do NOT inform families prior to police or State agency involvement when allegations consist of physical or sexual abuse. Informing the family of your report prior to an assessment may put the child at risk of harm and/or

impede the ability to do a thorough investigation. Carefully review the situation and consult with authorities prior to informing families.

### **Will I Be Asked Many Questions?**

Yes, you will be asked for certain specifics on the case. The Intake Workers will ask questions about the situation and your knowledge of the family or person involved. The questions are intended to give a clearer picture of the event and the family. You will not be expected to know all the answers. A sample set of questions are provided at the end of this chapter.

### **Do I Need to Provide a Written Report?**

Not necessarily. Current state law requires that only an oral report to be made immediately, although the laws also allows DHHS to request a written report within 48 hours.

### **What If a Report is Not Referred for Assessment?**

The decision whether to forward a report for further assessment is made by the Central Intake Unit in accordance with definitions of abuse and neglect within RSA 169-C and RSA 161-F. Some reports do not meet the criteria for DCYF or BEAS involvement and may not be accepted for assessment; however they may be referred to other agencies. When you call DCYF you will be told whether or not the report will be accepted or not. If you disagree with the Central Intake Unit's decision, you may contact a supervisor in the Central Intake Unit to discuss your concerns further.

### **Can I Call Back for Information or Updates?**

Yes, with some limitations. A family's personal life is highly sensitive and confidential, and needs to be protected by DCYF and BEAS staff. State and federal laws restrict both agencies as to the information it can discuss with individuals outside the immediate family. However, if you have further information about a family/person that you know is involved with a Case Worker, contact the appropriate agency immediately.

### **Does Law Enforcement Get Involved?**

Yes, in certain cases. Current State law requires the staff at DCYF and BEAS to report allegations of sexual abuse and severe physical abuse to law enforcement (RSA 169-C and RSA 161-F).

### **What Happens Next?**

When the report is forwarded to the District Office for assessment, a Case Worker will meet with the family/person and interview any household members. The discussions will focus on eliminating danger, identifying strengths and the resources of the family, and how to partner with the family to meet the needs of the person of concern. When an assessment is completed it may result in: 1) a decision is made to close the assessment without action, 2) close the assessment with referrals to community services, 3) open a non-court case or 4) file a petition of abuse or neglect in the Court. If abuse and/or neglect did occur DCYF and BEAS shall take action deemed necessary to assure the safety of the children, youth, or adult. The Case Worker will collaborate with families to develop a plan and find appropriate community programs to connect them with to address their needs. Community based services will be utilized to help families make positive change and help prevent abuse and neglect.

### **Where Else Can a Family Get Help?**

[Family Resource Centers](#) are located in many communities throughout the state. They offer a wide range of services, which can help partners learn skills to more effectively parent and prevent the situations that could lead to abuse and neglect.

### **How Do I Make a Report in an Emergency?**

Call the local police if you believe someone is in immediate danger, or if you have concerns about abuse or neglect on weekends, holidays, or outside of work hours (8AM to 4:30 PM).

## **ADDITIONAL INFORMATION**

For children, refer to the [DHHS Division for Children, Youth and Families \(DCYF\) website](#) to learn more about their protective programs on behalf of New Hampshire's children and youth and their families.

For adults, refer to the [DHHS Bureau of Elderly and Adult Services \(BEAS\) website](#) to learn more about the variety of social and long-term supports to adults age 60 and older and to adults between the ages of 18 and 60 who have a chronic illness or disability.

For more information:

State of NH Department of Health and Human Services

**For children aged 0-17, call the Division for Children, Youth & Families Central Intake (DCYF)**

1-800-894-5533 24-hour hotline (in-state calls only)

603-271-6562 24-hour hotline (out of state calls)

<https://www.dhhs.nh.gov/dcyf/cps/index.htm>

**For adults aged 18 or older, call the Bureau of Adult & Elderly Services (BEAS)**

1-800-949-0470 (in-state calls only)

603-271-7014 (from any calling area)

<https://www.dhhs.nh.gov/report-concern/adult-abuse>

Or email us at: [apscentralintake@dhhs.nh.gov](mailto:apscentralintake@dhhs.nh.gov)

**Sample Worksheet to Report Abuse or Neglect to the NH DHHS**

You can report cases to the two agencies listed on the prior page. When you contact DHHS, you will be asked for some information. You may not have all the answers, so just tell them what you know regarding:

Information Needed	Response
The name(s), address, phone number, gender, and estimated age of the child or adult.	
The name, address and phone number of a guardian or someone who is legally responsible for the individual.	
The nature of the <u>current</u> injuries, abuse, maltreatment, or neglect. Also, when and where the incident/situation occurred.	
Any information about <u>previous</u> injuries, abuse, maltreatment, or neglect.	
The type of living arrangement for the individual (rental tenant, owner, unknown, etc.).	
How great a risk you believe this may be to the individual (life-threatening or not).	
How you learned of this situation.	
Any action taken to treat or assist the individual.	
The name, contact information, and relationship of the person believed responsible for the abuse, neglect, or exploitation of the individual.	
Your name, address and phone number.	
Any other information that could be helpful.	

**For adults, call 603-271-7014** to speak with the Bureau of Elderly and Adult Services (BEAS) and discuss assistance with any vulnerable adult over the age of 18.

**For children, call 603-271-6562** to speak with the Division for Children, Youth, and Families (DCYF) Child Protection Services and discuss children, youth, and their families.