

# REPORTING NEGLECT & ABUSE

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## PUBLIC HEALTH ISSUE

Neglect and abuse, whether it is with a child or an adult can be a serious problem. The Department of Health & Human Services has two specific programs that work to protect children and adults. The Bureau of Elderly and Adult Services (BEAS) receives and investigates reports of adult abuse and neglect and when necessary, provides protective services. The Division for Children, Youth, and Families (DCYF) Child Protection Services provides protective and preventive services to children, youth, and their families.

## LAWS AND REGULATIONS

It is the law that you must report adult and/or child abuse. In New Hampshire, adult and child abuse and neglect is defined 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.

## ROLE OF THE PUBLIC HEALTH OFFICER

If you suspect or believe that a person of *any age* is being abused, neglected, self-neglected or exploited, the laws require that you report this to the Bureau of Elderly and Services or the Division for Children, Youth and Families, depending on the age of the person of concern. New Hampshire Law, [RSA 161-F](#), Adult Protection law and [RSA 169-C](#), Child Protection Act mandates that *any person* who has reason to suspect that a person is being abused or neglected must make a report to BEAS or DCYF, respectively. This law does not identify Health and Deputy Health Officers as specific reporters, however, all citizens in the state of NH are mandated as reporters for 169-C not sure about 161-F though .

If a Health or Deputy Health Officer makes a report to BEAS or DCYF with concerns, 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.

## BACKGROUND

Every family can encounter difficult life challenges. Families can experience overwhelming frustration raising their children or taking care of their elderly, especially when they are facing major sources of stress. Although they may only want to do what is best, challenges may lead to situations that can harm and endanger family members. This guidance document is a step in protecting New Hampshire's most vulnerable citizens and strengthening our state's families. Prevention and identification of child and/or adult abuse and neglect is a community responsibility that depends on the cooperation of all community members. We must work together to protect our most vulnerable citizens.

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

### **SIGNS SELF NEGLECT**

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

### **SIGNS ABUSE OR NEGLECT**

- Being left alone for long periods of time without supervision or assistance when it is needed.
- 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
- Unexplained bruises, welts, or burns
- Unexplained changes in health status.

## **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
- Chronic school absences
- Dress inadequate for weather
- Left alone at home or without supervision
- Left in the care of siblings too young or unable to baby-sit
- Often fatigued - even 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 report your concerns to DCYF (children under 18 years old) or BEAS (adults 18 years old and older) immediately. Proof of abuse or neglect is not required before reporting. Reports that need to be made during off hours can be made directly to the police.

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

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

### **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 from family members or others if they discover you reported your concerns.

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

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. As your

relationship with most of these families is professional, you should explain to them your obligation to report your suspicions.

Do NOT inform families prior to DCYF 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 DCYF's ability to do a thorough investigation.

Please carefully review the situation and consult with DCYF prior to informing families.

### **Will I Be Asked a Lot of Questions?**

The Intake Workers at both DCYF and BEAS will ask many questions about the incident or situation and your knowledge of the family/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.

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

RSA 169-C and RSA 161-F requires that an oral report to be made immediately and 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 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 the Central Intake Unit Supervisor to discuss your concerns further.

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

DCYF and BEAS's involvement in a family/person's life is highly sensitive and confidential. Both agencies are restricted by state and federal laws as to 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 Case worker, contact the appropriate agency immediately.

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

RSA 169-C and RSA 161-F requires DCYF and BEAS to report allegations of sexual abuse and severe physical abuse to law enforcement.

### **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, a decision is made to close the assessment, close the assessment with referrals to community services, open a non-court case or 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 partner 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. A list of these centers can be found at [www.nhchildrenstrust.org](http://www.nhchildrenstrust.org).

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

If you have concerns about child or adult abuse or neglect on weekends, holidays. Or after work hours (8AM to 4:30 PM), or if you believe someone is in immediate danger, call the local police.

## **ADDITIONAL INFORMATION**

Refer to the Department of Health & Human Services, Division for Children, Youth and Families (DCYF) website for further information on their protective programs on behalf of New Hampshire's children and youth and their families. DCYF website can be located at: [www.dhhs.state.nh.us/dcyf/](http://www.dhhs.state.nh.us/dcyf/)

Refer to the Department of Health & Human Services, The 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. BEAS' website can be located at: [www.dhhs.state.nh.us/dcbcs/beas/index.htm](http://www.dhhs.state.nh.us/dcbcs/beas/index.htm)

For more information:

Department of Health & Human Services

Division for Children, Youth & Families Central Intake (DCYF)

1-800-894-5533 or 603-271-6556

Monday through Friday 8am to 4:30pm

(off-hours, call the local police department or State Police)

Bureau of Adult & Elderly Services (BEAS)

1-800-949-0470

603-271-7014

or

[apsintake@dhhs.state.nh.us](mailto:apsintake@dhhs.state.nh.us)