Authority:

1. Child Abuse:

   Under Colorado State Law, medical personnel, including EMS and firefighters are required to report suspected child abuse or neglect. The law states that if the worker has reasonable cause to know or suspect that a child has been subjected to abuse or neglect or who has observed the child being subjected to circumstances or conditions which would reasonably result in abuse or neglect shall immediately report or cause a report to be made of such fact to the county department of social services or local law enforcement agency.

2. Elder and Dependant Adult Abuse:

   The Colorado Protective Services for Adults at Risk of Mistreatment or Self-Neglect Act "urges" (but does not require) professionals and others who are in a position to detect abuse, neglect and financial exploitation to report suspicions to adult protective services or local law enforcement

3. Protection from Liability:

   Persons who make a good faith report of abuse or neglect are immune from civil and criminal liability. Additionally, civil law provides for the protection of the identity of the reporting person(s). The criminal system usually retains identities of reporting persons in the event further information or testimony is needed

Definitions:

1. Abuse
   a. Infliction of physical pain or injury as demonstrated by, but not limited to, skin bruising, bleeding, malnutrition, dehydration, burns, bone fractures, or death.
   b. Any nonconsensual sexual conduct, sexual assault or molestation, sexual exploitation, or prostitution.
   c. Substantial psychological abuse, unreasonable confinement or restraint.
2. Neglect
   a. Adequate food, clothing, shelter, psychological care, physical care, medical care, or supervision is not secured for or is not provided in a timely manner and with the degree of care that a reasonable person in the same situation would exercise.

   b. Any case in which the individual is in need of services because the parents, legal guardian, or custodian fails to take the same actions to provide adequate food, clothing, shelter, medical care, or supervision that a prudent guardian would take.
3. Dependent Adult
   a. Adults who have physical or developmental disabilities, or failing physical or mental abilities caused by age, such that their conditions preclude them from normal activities or to protect their rights.

Reporting Procedure:

1. It is not the role of EMS to investigate suspected abuse or neglect–only to report it.
2. It is the responsibility of each individual provider to ensure that suspected abuse is reported to proper authorities.
3. The best method to report suspected abuse or neglect is to personally contact either La Plata County Human Services (382-6150 or after hours at 382-2879) or the appropriate law enforcement and make yourself available for interview and follow-up.
4. If patient care is transferred, EMS personnel may also notify the caregiver receiving the patient—such as the receiving paramedic, nurse or physician—of their suspicions during the transition of care process. Follow-up contact should be made to assure a report was later made to Human Services or Law Enforcement.
5. The reporting duties are individual and no supervisor or ranking officer should impede or inhibit the reporting duties.
6. With multiple witnesses in the same agency, a single individual may be the reporter, but all individuals share the responsibility of assuring a report was made.
7. Carefully document the following in the patient care report:
   a. All suspicions of abuse or neglect and accompanying details.
   b. The name(s) of other witnesses.
   c. The method used to report the suspicions.
   d. The date, time and name(s) of persons to which the report was made.

Note:

A health care worker who fails to report suspected child abuse or neglect may be charged with a class 3 misdemeanor provided in section 19-1-103(1)(A) C.R.S.