

Adult Protective Services Act

In 2010, Act 70 was passed which created an adult protective services program to investigate allegations of abuse, neglect or exploitation to adults with disabilities. On October 7th, 2011, Governor Edward G. Rendell signed into law Senate Bill 699, establishing the Adult Protective Services Act. Under this bill, the Department of Public Welfare is charged with administering an adult protective services program to protect abused, neglected or abandoned adults between ages 18 and 59 who have a physical or mental impairment that substantially limits major life activities. The bill also requires employees and administrators of places where adults covered under the Act receive services to report suspected abuse.

An Adult Protective Services (APS) situation is one when an individual with an intellectual disability (presumed or confirmed) between the ages of 18 and 59 who may be at risk due to abuse, neglect, abandonment, or exploitation by caregivers or acquaintances.

IDS - Emergency Contact Information:

If there is an emergency regarding an individual who is not supported by IDS, you should call The Bureau of Human Services Licensing – Division of Adult Protective Services hotline at 877-401-8835. If there is an emergency regarding an individual who is supported by IDS, which cannot wait until our next business day, you should call the City's Mental Health Delegate Crisis Line at 215-685-6440.

Recognizing and Reporting Abuse and Neglect

All individuals have the right to be free of fear, free of harm, and free of mistreatment. You can protect yourself by reporting what is happening to you. If you fear someone who is hurting you or causing you pain, or trying to make you feel bad, that is called abuse. If you fear someone who is keeping you from things you need, or because of how they treat you, that also is called abuse. Abuse is when something was done to harm or cause injury to you. Types of abuse include physical abuse, sexual abuse, verbal abuse, and improper or unauthorized use of restraint. Neglect includes being left alone or unattended, a lack of necessities, a lack of protection from health and safety risks, and withholding necessary medical or emergency treatment. Neglect can be done knowingly or unknowingly, whether or not harm occurred.

Abuse or neglect can happen anywhere: at your home or someone else's home; at work, or in the community. A person who abuses you can be someone you know or someone you don't. It can be support staff, a professional, a neighbor, friend, coworker, family member. It can be anyone.

What should you do if you suspect abuse or neglect?

If you or someone else is in immediate danger, call 911 right away. If you observe or experience abuse or neglect, or someone told you about it, report it to your service provider if it occurs at a place where services are provided, such as your community home (CLA), respite or day service. Report it to your supports coordinator if it occurs in your family's home or the community.

When you report abuse or neglect, the person you contact is required to take prompt action to address the issue and protect your health, safety and rights. The report is noted as an incident for tracking and follow-up. You may be asked later to give more information, and there could be an investigation or involvement by law enforcement or other agency.

The Incident Management System

The primary goal of incident management is to assure that when abuse or neglect occurs, the immediate response is adequate to protect you. Anyone who receives services from the service system is protected by the incident management policy.

Providers must report suspected or alleged abuse or neglect immediately and take appropriate action. Any Qualified Provider must report incidents as defined in the PA DPW/ODP Bulletin #6000-04-01. This Bulletin and additional information can be found at www.dpw.state.pa.us.

If you have questions, concerns or comments about reporting or recognizing abuse and neglect, or the Incident Management System, call the PA DPW Office of Development Programs, at 1-888-565-9435.

**See the brochure “Recognizing Abuse and Neglect” and the fact sheet
“Staying Safe and Healthy in the Community –
Information for Individuals and Families” on the following pages.**

The

Incident Management System

The primary goal of incident management is to assure that when Abuse or Neglect occurs, or is alleged, the immediate response is adequate to protect you. Anyone who receives services from the intellectual dis/Ability system is protected by the incident management policy.

Any Qualified Provider must report all incidents as defined in the Bulletin noted below. Providers must report suspected or alleged abuse or neglect immediately and take appropriate action.

If you observe or suspect abuse, neglect, or any inappropriate conduct, report it to your service provider and/or your Supports Coordinator.

For more information about the Incident Management System, see the PA DPW/ODP Mental Retardation Bulletin #6000-04-01.

This Bulletin and additional information can be found at www.dpw.state.pa.us

If you have any questions, concerns or comments about reporting Abuse or Neglect, or the Incident Management System, call the PA DPW Office of Developmental Programs at 1-888-565-9435.

IDS is an Administrative Entity (AE) under contract to PA DPW/ODP to administer the intellectual dis/Ability service system in Philadelphia.

This brochure provides information to help individuals and families recognize and report Abuse and Neglect, and describes the Incident Management System. See also the fact sheet *Staying Safe and Healthy in the Community*.

On October 7, 2010, the Adult Protective Services Act became law. DPW will administer an adult protective services program to protect abused, neglected or abandoned adults ages 18 to 59 who have a physical or mental impairment. The Act requires service providers to report suspected abuse of individuals covered under the Act.

Other Resources

Victim Assistance Programs

Disability Rights Network of Pennsylvania [DRN] (800) 692-7443

PA Coalition Against Rape [PCAR] (800) 692-7445

PA Coalition Against Domestic Violence [PCADV] (800) 932-4632

Office of Victim Advocate [crime victim compensation] (717) 783-7501

PA Commission on Crime and Delinquency [PCCD] (717) 787-2040

Recognizing Abuse and Neglect

You have the right to be free of fear, free of harm, and free of mistreatment.

You can protect yourself by reporting what is happening to you.

City of Philadelphia
Department of Behavioral Health
and
Intellectual dis/Ability Services
(DBHDS)

701 Market St.
5th Floor, Suite 5200
Philadelphia, PA 19106
215-685-5900

What is Abuse and Neglect?

Do you fear someone who is hurting you or causing you pain, or is trying to make you feel bad?

Do you fear someone who is keeping you from things you need, or because of how they treat you?

Abuse is when something was done to harm or cause injury to you.

It can be **Physical Abuse** if someone hurts you or tries to hurt you with physical contact, like hitting, kicking, striking, biting, or touching you in a physical way. It can include using substances that may cause you harm.

It can be **Sexual Abuse**, like inappropriate or unwanted sexual touch, rape, incest, molestation, exploitation that is someone using you in a sexual way that you do not want, or harassment that is unwelcome conduct of a sexual nature. Any sexual contact between staff and an individual is sexual abuse.

It can be **Verbal Abuse** if someone says something to you which makes you upset by what was said or how it was said, including yelling, using profanity, or words which may create fear or humiliate you.

It can be **Psychological Abuse** if someone hurts your feelings, creates fear, humiliates you, belittles you or demeans you without using words.

It can be **Improper or Unauthorized Use of Restraint**, such as stopping you from being able to move about freely. Abuse can be using an approved restraint improperly or using a restraint not approved for you.

Examples of **Neglect** include, but are not limited to, being left alone or unattended; lack of adequate supervision; lack of necessities such as food, clothing, personal hygiene, protection from health and safety risks, or a lack of required or necessary medical or emergency treatment. Neglect can be done knowingly or unknowingly, with or without any actual harm to you.

Where can abuse or neglect happen?

Abuse or neglect can occur:

- at your home
- at someone else's home
- at work
- in the community
- anywhere

A person who abuses or neglects you can be someone you know or someone you do not know. It can be your support staff or other professionals. It can be a neighbor, friend, housemate, co-worker or family member. It can be anyone.

What should you do if you suspect abuse or neglect?

If you or someone you know is in immediate danger, call 911 right away.

If you have observed or experienced abuse or neglect, or someone has told you about an act or allegation of abuse or neglect, you should:

- Report it to your Service Provider if it occurs at a place where services are provided, such as your community home (CLA), respite or day service.
- Report it to your Supports Coordinator if it occurs in the home or the community.

When you report suspected abuse or neglect, what happens next?

1. The person you contact is required to take prompt action to address the issue and protect your health, safety, and rights.
2. When abuse or neglect is reported, it is noted as an "incident" for tracking and follow-up.
3. You may be asked to give more information. It may include an investigation or involvement by law enforcement or other agency.

Staying Safe and Healthy in the Community

Information for Individuals and Families

This fact sheet is a companion document to the brochure, “Recognizing Abuse and Neglect,” which has information for individuals and families to help them recognize and report abuse and neglect, and describes what happens when abuse or neglect is reported. Use the information in the brochure and this fact sheet to help keep you Safe and Healthy in the community.

For Individuals:

You have the right to be free of fear, free of harm and free of mistreatment. If you have concerns or worries about your safety, health or rights you can talk to your supports coordinator or provider staff, your family, or an advocate. You can protect yourself by reporting what is happening to you.

What helps you to feel safe? Let your team know about what is important in keeping you Safe and Healthy. Listen to others on your team for ideas and ways to keep you Safe and Healthy. Tell someone if your Individual Support Plan (ISP) isn’t doing enough to keep you Safe and Healthy.

Stay connected to your community! Having relationships with people, making friends and being included in the “everyday life” of your community helps to keep you Safe and Healthy! Having a job, knowing your neighbors, and being out-and-about with friends are great ways to stay connected, safe, and have a healthier and happier life!

If an incident occurs, there will be an opportunity to discuss your feelings. Depending on the nature of the incident, counseling may be available to support you.

For Individuals and Families:

If you or someone you know were hurt in the community, or were a victim of a crime, you should contact the police or dial 911.

If you observe or someone has told you about abuse, neglect, or any type of inappropriate conduct, you should contact the service provider, or the supports coordinator if this occurred in your home or in the community. When an incident is being investigated, you may be asked to provide more information about the incident.

Staying Safe and Healthy in the Community

Information for Individuals and Families

For Families:

Share your ideas with the team about how to prevent incidents and how to keep your family member Safe and Healthy. Do your part to follow the Individual Support Plan (ISP) to address concerns and minimize incidents. Suggest changes, report barriers or concerns about the Plan.

Promptly report any concerns about health, safety or rights of your family member to the supports coordinator or service provider.

On October 7, 2010, the Adult Protective Services Act became law. The Department of Public Welfare (DPW) will administer an adult protective services program to protect abused, neglected or abandoned adults ages 18 to 59 who have a physical or mental impairment. The Act requires service providers to report suspected abuse of individuals covered under the Act. The Adult Protective Services Act establishes a uniform statewide reporting and investigative system.

If you have any questions, concerns or comments about reporting Abuse or Neglect, or the Incident Management System, call the PA DPW Office of Developmental Programs at 1-888-565-9435.

City of Philadelphia
Department of Behavioral Health and
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It's all
about
community!