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**Children & Family Services  
Committee**

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**HB 1904**

**Brief Description:** Revising standards for reporting incidents involving harm to vulnerable adults.

**Sponsors:** Representatives O'Brien, Boldt, Kagi, Roach and Miloscia.

**Brief Summary of Bill**

- Limits the reporting requirements for mandated reporters of incidents involving vulnerable adults.

**Hearing Date:** 2/26/03

**Staff:** Cynthia Forland (786-7152).

**Background:**

When there is reasonable cause to believe that abandonment, abuse, financial exploitation, or neglect of a vulnerable adult has occurred, mandated reporters must immediately report to the Department of Social and Health Services (DSHS). If there is reason to suspect that sexual or physical assault has occurred, mandated reporters must immediately report to the appropriate law enforcement agency and to the DSHS.

"Mandated reporter" is defined as an employee of the DSHS; a law enforcement officer; a social worker; professional school personnel; an individual provider; an employee of a facility; an operator of a facility; an employee of a social service, welfare, mental health, adult day health, adult day care, home health, home care, or hospice agency; a county coroner or medical examiner; a Christian Science practitioner; or a health care provider.

"Vulnerable adult" includes a person who:

- Is 60 years of age or older and who has the functional, mental, or physical inability to care for himself or herself;
- Is found incapacitated;
- Has a developmental disability;
- Has been admitted to any facility, including boarding homes, nursing homes, adult family

- homes, soldiers' homes, and residential habilitation centers;
- Is receiving services from a licensed home health, hospice, or home care agency; or
- Is receiving services from an individual provider under contract with the DSHS to provide services in the home.

**Summary of Bill:**

A mandated reporter is not required to report to a law enforcement agency an incident that occurs between vulnerable adults, unless the incident results in harm or the injured vulnerable adult or his or her legal representative or interested family member requests that the mandated reporter report the incident.

If a report is requested, the mandated reporter must report the incident in accordance with the reporting requirements provided in current statute.

"Harm" is defined as contact between two or more vulnerable adults that results in any of the following:

- An injury that is more than superficial and requires frequent assessment or monitoring by a licensed health care professional;
- A fracture, burn, deep bruise, or laceration requiring sutures; or
- Significant mental, emotional, or physical suffering.

Harm includes the following: sexual assault or suspected sexual assault; a pattern of or repeated assault either between the same vulnerable adults or involving the same vulnerable adult; and an attempt to choke another person.

**Appropriation:** None.

**Fiscal Note:** Requested on February 14, 2003.

**Effective Date:** The bill contains an emergency clause and takes effect immediately.