

CALIFORNIA CODES
WELFARE AND INSTITUTIONS CODE
SECTION 15640

15640. (a) (1) An **adult** protective services agency shall immediately, or as soon as practically possible, report by telephone to the law enforcement agency having jurisdiction over the case any known or suspected instance of criminal activity, and to any public agency given responsibility for investigation in that jurisdiction of cases of elder and dependent **adult abuse**, every known or suspected instance of **abuse** pursuant to Section 15630 or 15630.1 of an elder or dependent **adult**. A county **adult** protective services agency shall also send a written report thereof within two working days of receiving the information concerning the incident to each agency to which it is required to make a telephone report under this subdivision. Prior to making any cross-report of allegations of financial **abuse** to law enforcement agencies, an **adult** protective services agency shall first determine whether there is reasonable suspicion of any criminal activity.

(2) If an **adult** protective services agency receives a report of **abuse** alleged to have occurred in a long-term care facility, that **adult** protective services agency shall immediately inform the person making the report that he or she is required to make the report to the long-term care ombudsman program or to a local law enforcement agency. The **adult** protective services agency shall not accept the report by telephone but shall forward any written report received to the long-term care ombudsman.

(b) If an **adult** protective services agency or local law enforcement agency or ombudsman program receiving a report of known or suspected elder or dependent **adult abuse** determines, pursuant to its investigation, that the **abuse** is being committed by a health practitioner licensed under Division 2 (commencing with Section 500) of the Business and Professions Code, or any related initiative act, or by a person purporting to be a licensee, the **adult** protective services agency or local law enforcement agency or ombudsman program shall immediately, or as soon as practically possible, report this information to the appropriate licensing agency. The licensing agency shall investigate the report in light of the potential for physical harm. The transmittal of information to the appropriate licensing agency shall not relieve the **adult** protective services agency or local law enforcement agency or ombudsman program of the responsibility to continue its own investigation as required under applicable provisions of law. The information reported pursuant to this paragraph shall remain confidential and shall not be disclosed.

(c) A local law enforcement agency shall immediately, or as soon as practically possible, report by telephone to the long-term care ombudsman program when the **abuse** is alleged to have occurred in a long-term care facility or to the county **adult** protective services agency when it is alleged to have occurred anywhere else, and to the agency given responsibility for the investigation of cases of elder and dependent **adult abuse** every known or suspected instance of **abuse** of an elder or dependent **adult**. A local law enforcement agency shall also send a written report thereof within two working days of

receiving the information concerning the incident to any agency to which it is required to make a telephone report under this subdivision.

(d) A long-term care ombudsman coordinator may report the instance of **abuse** to the county **adult** protective services agency or to the local law enforcement agency for assistance in the investigation of the **abuse** if the victim gives his or her consent. A long-term care ombudsman program and the Licensing and Certification Division of the State Department of Health Services shall immediately report by telephone and in writing within two working days to the bureau any instance of neglect occurring in a health care facility, that has seriously harmed any patient or reasonably appears to present a serious threat to the health or physical well-being of a patient in that facility. If a victim or potential victim of the neglect withholds consent to being identified in that report, the report shall contain circumstantial information about the neglect but shall not identify that victim or potential victim and the bureau and the reporting agency shall maintain the confidentiality of the report until the report becomes a matter of public record.

(e) When a county **adult** protective services agency, a long-term care ombudsman program, or a local law enforcement agency receives a report of **abuse**, neglect, or abandonment of an elder or dependent **adult** alleged to have occurred in a long-term care facility, that county **adult** protective services agency, long-term care ombudsman coordinator, or local law enforcement agency shall report the incident to the licensing agency by telephone as soon as possible.

(f) County **adult** protective services agencies, long-term care ombudsman programs, and local law enforcement agencies shall report the results of their investigations of referrals or reports of **abuse** to the respective referring or reporting agencies.

(g) This section shall remain in effect only until January 1, 2013, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2013, deletes or extends that date.