

## Far Northern Regional Center

# Zero Tolerance Policy -- Consumer Abuse or Neglect

(Adopted: September 27, 2013; Effective October 1, 2013)

Far Northern Regional Center (FNRC) has zero tolerance for abuse or neglect of persons who have developmental disabilities. Nothing is more important to FNRC than the health, safety and security of the persons we serve.

### Definitions:

“Abuse” includes physical abuse, neglect, financial abuse, abandonment, isolation, abduction, or other treatment which results in physical harm, pain or mental suffering; or deprivation, by a person providing care and supervision, of goods and services which are necessary to avoid physical harm or mental suffering.

- **Physical Abuse:** means the use or attempt to use force on the person of another, unreasonable physical constraint or prolonged or continual deprivation of food, water, or sexual abuse. It also means the use of isolation, physical or chemical restraint, or psychotropic medication without medical authorization for punishment.
- **Mental Suffering:** is defined as fear, agitation, confusion, severe depression or other forms of emotional distress that is brought about by threats, harassment or other forms of intimidating behavior.
- **Neglect:** is defined as the negligent failure of a person(s) having care or custody of a person receiving regional center services to exercise a reasonable degree of care including, but not limited to, a failure to assist in personal hygiene and the provision of food, clothing, and shelter, or failure to provide medical care or protect the person from health and safety hazards.

### Policy:

Abuse of persons with developmental disabilities committed by FNRC employees or employees of service providers or long term care facilities will not be tolerated. All such abuse or allegations of such abuse will be thoroughly investigated. Any FNRC employee found to have engaged in abuse against a person served by the regional center will be immediately discharged from employment, in addition to other penalties imposed by law. Any abuse found to have been committed by a service provider or long term care facility employee will be referred to the appropriate authorities and the service provider may also be subject to sanctions up to and including removal from the list of those authorized to provide services for persons served by the regional center.

All FNRC employees and all employees of service providers and long-term health care facilities who are mandated reporters shall strictly comply with the reporting laws at all times. (*See California Welfare and Institutions Code section 15630, et seq., and California Penal Code section 11166, et seq.*) A mandated reporter must (unless exempt under law) report all suspected abuse to the appropriate entities immediately or as soon as practically possible (1) by submitting a confidential internet report; or (2) by telephone and shall prepare and send a written report thereof within 36 hours of receiving the information concerning the incident.

The appropriate entities for reporting suspected abuse or neglect are generally the local county Child Protective Services agency/Child Abuse-Neglect Reporting Services (CPS) and/or county Adult Protective Services agency (APS), or the local law enforcement agency.

Far Northern Regional Center and all FNRC service providers and long term health care facilities serving persons who have developmental disabilities shall ensure their employees are fully informed upon hire and annually thereafter regarding FNRC's Policy on Client Abuse and Neglect and the mandatory abuse and neglect reporting laws, pursuant to Welfare and Institutions Code section 15630 and Penal Code section 11166. Each employee must be knowledgeable of their responsibility to protect persons with developmental disabilities from abuse and neglect, the signs of abuse and neglect, the process for reporting suspected abuse or neglect, and the consequences of failing to follow the law and enforce this policy.

If FNRC or a FNRC service provider or long-term health care facility becomes aware of suspected abuse, it shall take immediate action, to the extent permitted by law, to ensure the health and safety of the affected person with developmental disabilities and all other persons receiving services and supports from FNRC. This obligation is in addition to those obligations required of mandated reporters to report suspected abuse under the reporting laws.

**Procedures:**

1. Far Northern Regional Center will annually notify all of its employees, service providers and long-term health care facilities serving consumers of this Zero Tolerance Policy.
2. Far Northern Regional Center will incorporate this Zero Tolerance Policy, and all of its requirements, into any new or revised contract, vendorization or other agreement for consumer services.
3. Far Northern Regional Center shall inform existing service providers and long-term health care facilities serving consumers of this Zero Tolerance Policy and FNRC'S expectation of compliance with this policy.
4. Far Northern Regional Center will utilize all remedies available to it in statute and regulations to protect the health and safety of consumers.

**Responsibility for Enforcement of Policy:**

Far Northern Regional Center's Board of Directors has general oversight of this policy. The Board of Directors delegates the oversight and implementation of this policy to FNRC's Executive Director.

**Inconsistencies:**

If any inconsistency exists between this policy and the abuse reporting laws, the provisions of the applicable reporting laws shall prevail.