

CORNERSTONE BEHAVIORAL HEALTHCARE

QM6.A.2 ABANDNOMENT, ABUSE AND NEGLECT

All suspected or actual incidents of abuse and neglect must be reported to the Department of Health & Human Services in accordance with 22 M.R.S.A., Subchapter 11, #4011 and #4012.

External

Any employee, volunteer, student or anyone affiliated with Cornerstone BHC who observes or becomes aware of abandonment, abuse or neglect in their performance of their professional duties will report this information to their direct supervisor. The clinician will determine if the information is a mandated reportable act and, if it is determined that the information is reportable; the clinician will complete necessary documentation to notify the Department of Health & Human Services and their direct supervisor within 24 hours. The reporter will document the reported information, the date and time and to whom this information was reported to at the Department of Health & Human Services.

Internal

Any employee, volunteer, student or anyone affiliated with Cornerstone who is suspected of abuse or neglect shall be removed from direct contact with youth, elderly at risk or developmentally delayed and may be deemed appropriate to be reassigned to another job site or suspended at the discretion of the Executive Director. If this is not possible, the person under investigation may be eligible to be put on paid leave for up to thirty (30) days pending the outcome of the investigation by the Department of Health & Human Services. The Executive Director may extend the paid leave if the investigation has not been completed and there exists reasonable doubt that the incident did occur.

Any employee, volunteer, student, or anyone affiliated with Cornerstone who suspects or is aware of an incident of abuse or neglect by a staff member, will immediately report this to their direct supervisor. The direct supervisor will report this to the Executive Director.

The Executive Director or designated representative will ensure that the incident is reported to the appropriate regional office of the Department of Health & Human Services. If this is reported after normal work hours, the incident will be reported to the appropriate emergency services at DHHS.

All employees shall cooperate fully in any subsequent investigation. Any staff person who fails to comply with the policy is subject to suspension without pay and/or dismissal from employment.

Affirmation that all staff has read this policy will be included in their Personnel File.

Definitions:

Abandonment, abuse and neglect as defined by Maine Statute mean:

Abandonment: Any conduct on the part of the parent showing intent to forego parental duties or relinquish parental claims. The intent may be evidenced by:

- A. failure, for a period of at least 6 months, to communicate meaningfully with the child;
- B. failure, for a period of at least 6 months, to maintain regular visitation with the child.

Abuse: A threat to the health or welfare of the child by a person responsible for the child by:

- A. physical, mental, or emotional injury or impairment;
- B. sexual abuse or exploitation;
- C. deprivation of essential needs; or
- D. failure to protect from such threat to the health and welfare of the child.

Neglect: Jeopardy to the health or welfare of the child or jeopardy of serious abuse or neglect as evidenced by:

- A. serious harm or threat of serious harm;
- B. deprivation of adequate food, clothing, shelter, supervision or care, including health care when that deprivation causes threat of serious harm;
- C. abandonment of the child or absence of any person responsible for the child which creates a threat of serious harm; or
- D. the end of voluntary placement, when the immanent return of the child to his custodian causes a threat of serious harm.

Person responsible for the child: A person with responsibility for the child's health or welfare, whether in the child's home, another home, or a facility which, as part of its function, provides for care of the child. This includes the child's custodian.

Serious harm:

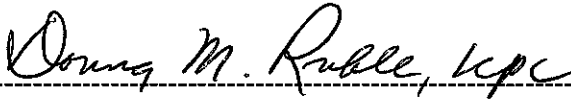
- A. Serious injury
- B. Serious mental or emotional injury or impairment which now or in the future is likely to be evidenced by serious mental, behavioral or personality

disorders, including severe anxiety, depression or withdrawal, untoward aggressive behavior, seriously delayed development or similar dysfunctional behavior; or

C. Sexual abuse or exploitation.

Exceptions

Religious exemption: A child shall not be considered to be abused or neglected, in jeopardy of health or welfare, or in danger of serious harm solely because of treatment is by spiritual means by an accredited practitioner of a recognized religious organization. This exception does not apply when there is a complaint of sexual abuse or exploitation which requires investigation.



Executive Director/Date

Reviewed and Revised: 12/13/10; 11/19/14; 12/03/14