



REPORTING
ABUSE OF
CHILDREN AND
VULNERABLE
ADULTS

Florida Abuse
Hotline
2007



Reporting Abuse of Children and Vulnerable Adults

Florida Abuse Hotline
Department of Children and Families
1317 Winewood Boulevard
Tallahassee, Florida 32399-0700

Administrative Offices:
Phone (850) 487-6100 • Fax (850) 488-1319



To Report Abuse:

Phone 800-96-ABUSE • TDD 800-453-5145

Fax 800-914-0004

URL http://www.state.fl.us/cf_web

Our Mission

To provide quality customer service while assessing abuse and neglect, to ensure protection of Florida's vulnerable people.

CONFIDENTIALITY

All reports are confidential. Access to these reports is limited by specific criteria in Chapters 39 and 415 of the Florida Statutes (F.S.). Florida Abuse Hotline Counselors will not acknowledge the existence of any report, will not acknowledge that they have previously spoken to a particular caller, nor will they release any information provided by a caller or any information contained in a report. No reports are released by the Abuse Hotline other than to those persons specifically authorized under Chapters 39 and 415, F.S. Any person with a statutory right to a report copy must contact the local investigative office.

The name of any person reporting child abuse, neglect or abandonment, may not be released to any person other than employees of the department responsible for child protective services, the Florida Abuse Hotline, law enforcement, the Child Protection Team or the appropriate state attorney, without the written consent of the person reporting.

The name of any person reporting vulnerable adult abuse, neglect or exploitation may not be released to any person other than employees of the department responsible for adult protective services, the Florida Abuse Hotline, law enforcement, or the appropriate state attorney, without the written consent of the person reporting.

The Florida Abuse Hotline is committed to providing quality assessments and a clear understanding of services available to customers whether from the Department of Children and Families or other state and community agencies. Telephone reporters, prior to concluding their conversations, will always be told whether the information meets the statutory requirements for a report and whether a report has been accepted.

INTERPRETER SERVICE

The Hotline has contracted with an interpreter service to accommodate over 130 different languages. Do not let language be a barrier to reporting abuse!

GROUP PRESENTATION/OUTREACH

Please contact your local Protective Investigations unit if you would like to have this information presented to a group of professionally mandated reporters.

Reporting Child Abuse, Neglect, Abandonment and Abuse, Neglect, and Exploitation of Vulnerable Adults

LAWS RELATING TO CHILDREN

Chapter 39 of the Florida Statutes (F.S.) mandates that any person who knows, or has reasonable cause to suspect, that a child is abused, neglected, or abandoned by a parent, legal custodian, caregiver, or other person responsible for the child's welfare shall immediately report such knowledge or suspicion to the Florida Abuse Hotline of the Department of Children and Families.

The Department of Children and Families is also responsible, as mandated in Chapter 39, F.S., for providing comprehensive protective services for abused, neglected and abandoned children in Florida by requiring that reports of each abused, neglected, or abandoned child be made to the Florida Abuse Hotline. The Department of Children and Families is committed to working in partnership with local communities to ensure the safety, well-being and self-sufficiency for the people it serves. Law enforcement takes the lead in all criminal investigations and prosecution.

LAWS RELATING TO VULNERABLE ADULTS

The department is also responsible, as mandated in Chapter 415, F.S., for providing services to detect and correct abuse, neglect, and exploitation of vulnerable adults who, because of their age or disability, may be unable to adequately provide for their own care or protection. In taking action to prevent further abuse, neglect, and exploitation, the department must place the fewest possible restrictions on personal liberty and exercise of constitutional rights. The department's actions must be consistent with due process and protection from abuse, neglect, and exploitation. Law enforcement takes the lead in all criminal investigations and prosecution.

MANDATORY REPORTERS

Although every person has a responsibility to report suspected abuse or neglect, some occupations are specified in Florida law as required to do so. These occupations are considered “professionally mandatory reporters”. A professionally mandatory reporter of child abuse/neglect is required by Florida Statute to provide his or her name to the Abuse Hotline Counselor when reporting. A professionally mandatory reporter’s name is entered into the record of the report, but is held confidential (§ 39.202, F.S. and 415.107, F.S.)

OCCUPATION	CHILD	ADULT
Assisted Living Facility Staff		•
Adult Day Care Center Staff		•
Adult Family Care Home Staff		•
Bank, Savings and Loan, or Credit Union Officer, Trustee, or Employee		•
Chiropractor/Chiropractic Physician	•	•
Day Care Center Worker	•	
Department of Business and Professional Regulation employees conducting inspections of public lodging establishments.		•
Emergency Medical Technician		•
Florida Advocacy Council Member		•
Foster Care Worker	•	
Hospital personnel engaged in the admission, examination, care, or treatment of children and vulnerable adults.	•	•
Health Professional	•	•
Institutional Worker	•	•
Judge	•	
Law Enforcement Officer	•	
Long-Term Care Ombudsman Council Member		•
Medical Examiner	•	•
Mental Health Professional	•	•
Nurse	•	•
Nursing Home Staff		•
Osteopath/Osteopathic Physician	•	•
Paramedic		•
Physician	•	•
Practitioner who relies solely on spiritual means for healing.	•	•
Professional Adult Care, Residential, or Institutional Staff		•
Professional Child Care Worker	•	
Residential Care Worker	•	•
School Teacher	•	
School Official or Other School Personnel	•	
Social Worker	•	•
State, County, or Municipal Criminal Justice Employee or Law Enforcement Officer		•

Legal Criteria for Reports

CHILD ABUSE, NEGLECT, OR ABANDONMENT

The Florida Abuse Hotline will accept a report on a child when:

There is reasonable cause to suspect that a child (an unmarried person who is born, under the age of 18 and who has not been emancipated by order of the court);

- is a Florida resident, and can be located in Florida, or is temporarily out of the state but expected to return;
- has been harmed or is believed to be threatened with harm as defined by statute;
- by a parent, legal custodian, caregiver, or other person responsible for the child's welfare.

OR:

- is not a Florida resident but can be located in Florida and has been harmed in Florida or is believed to be threatened with harm in Florida as defined by statute;
- by a parent, legal custodian, caregiver, or other person responsible for the child's welfare.

ABUSE, NEGLECT, OR EXPLOITATION OF VULNERABLE ADULTS

The Florida Abuse Hotline will accept a report on a vulnerable adult when:

- Any vulnerable adult, who is a resident of Florida or currently located in Florida
- who is believed to have been neglected or abused by a caregiver in Florida; or
- who is suffering from the ill effects of neglect by self and is in need of service, or
- who is being exploited by any person who stands in a position of trust or confidence, or any person who knows or should know that a vulnerable adult lacks capacity to consent and who obtains or uses, or endeavors to obtain or use their funds, assets or property.
- Reports of exploitation cannot be accepted after the vulnerable adult is deceased.

DEFINITIONS

Florida law is very specific about child and vulnerable adult abuse and neglect. A few of the definitions are mentioned below.

For CHILD reports:

"Abandoned" means a situation in which the parent or legal custodian of a child or, in the absence of a parent or legal custodian, the caregiver responsible for the child's welfare, while being able, makes no provision for the child's support and makes no effort to communicate with the child, which situation is sufficient to evince a willful rejection of parental obligations. If the efforts of the parent or legal custodian, or caregiver primarily responsible for the child's welfare, to support and communicate with the child are, in the opinion of the court, only marginal efforts that do not evince a settled purpose to assume all parental duties, the court may declare the child to be abandoned. The term "abandoned" does not include an abandoned newborn infant as described in s. [383.50](#), a "child in need of services" as defined in chapter 984, or a "family in need of services" as defined in chapter 984. The incarceration of a parent, legal custodian, or caregiver responsible for a child's welfare may support a finding of abandonment.

"Abuse" means any willful act or threatened act that results in any physical, mental, or sexual injury or harm that causes or is likely to cause the child's physical, mental, or emotional health to be significantly impaired. Abuse of a child includes acts or omissions. Corporal discipline of a child by a parent or legal custodian for disciplinary purposes does not in itself constitute abuse when it does not result in harm to the child.

"Caregiver" means the parent, legal custodian, permanent guardian, adult household member, or other person responsible for a child's welfare.

"Neglect" occurs when a child is deprived of, or is allowed to be deprived of, necessary food, clothing, shelter, or medical treatment or a child is permitted to live in an environment when such deprivation or environment causes the child's physical, mental, or emotional health to be significantly impaired or to be in danger of being significantly impaired. The foregoing circumstances shall not be considered neglect if caused primarily by financial inability unless actual services for relief have been offered to and rejected by such person. A parent or legal custodian legitimately practicing religious beliefs in accordance with a recognized church or religious organization who thereby does not provide specific medical treatment for a child may not, for that reason alone, be considered a negligent parent or legal custodian; however, such an exception does not preclude a court from ordering the following services to be provided, when the health of the child so requires:

- (a) Medical services from a licensed physician, dentist, optometrist, podiatric physician, or other qualified health care provider; or

(b) Treatment by a duly accredited practitioner who relies solely on spiritual means for healing in accordance with the tenets and practices of a well-recognized church or religious organization.

Neglect of a child includes acts or omissions.

"Other person responsible for a child's welfare" includes the child's legal guardian or foster parent; an employee of any school, public or private child day care center, residential home, institution, facility, or agency; a law enforcement officer employed in any facility, service, or program for children that is operated or contracted by the Department of Juvenile Justice; or any other person legally responsible for the child's welfare in a residential setting; and also includes an adult sitter or relative entrusted with a child's care. For the purpose of departmental investigative jurisdiction, this definition does not include the following persons when they are acting in an official capacity: law enforcement officers, except as otherwise provided in this subsection; employees of municipal or county detention facilities; or employees of the Department of Corrections.

For ADULT reports:

"Abuse" means any willful act or threatened act by a relative, caregiver, or household member which causes or is likely to cause significant impairment to a vulnerable adult's physical, mental, or emotional health. Abuse includes acts and omissions.

"Caregiver" means a person who has been entrusted with or has assumed the responsibility for frequent and regular care of or services to a vulnerable adult on a temporary or permanent basis and who has a commitment, agreement, or understanding with that person or that person's guardian that a caregiver role exists. "Caregiver" includes, but is not limited to, relatives, household members, guardians, neighbors, and employees and volunteers of facilities as defined in subsection (8). For the purpose of departmental investigative jurisdiction, the term "caregiver" does not include law enforcement officers or employees of municipal or county detention facilities or the Department of Corrections while acting in an official capacity.

"Exploitation" means a person who:

1. Stands in a position of trust and confidence with a vulnerable adult and knowingly, by deception or intimidation, obtains or uses, or endeavors to obtain or use, a vulnerable adult's funds, assets, or property with the intent to temporarily or permanently deprive a vulnerable adult of the use, benefit, or possession of the funds, assets, or property for the benefit of someone other than the vulnerable adult; or
2. Knows or should know that the vulnerable adult lacks the capacity to consent, and obtains or uses, or endeavors to obtain or use, the vulnerable adult's funds, assets, or property with the intent to temporarily or permanently deprive the vulnerable adult of the use, benefit, or possession of the funds, assets, or property for the benefit of someone other than the vulnerable adult.

(b) "Exploitation" may include, but is not limited to:

1. Breaches of fiduciary relationships, such as the misuse of a power of attorney or the abuse of guardianship duties, resulting in the unauthorized appropriation, sale, or transfer of property;
2. Unauthorized taking of personal assets;
3. Misappropriation, misuse, or transfer of moneys belonging to a vulnerable adult from a personal or joint account; or
4. Intentional or negligent failure to effectively use a vulnerable adult's income and assets for the necessities required for that person's support and maintenance.

"Neglect" means the failure or omission on the part of the caregiver or vulnerable adult to provide the care, supervision, and services necessary to maintain the physical and mental health of the vulnerable adult, including, but not limited to, food, clothing, medicine, shelter, supervision, and medical services, which a prudent person would consider essential for the well-being of a vulnerable adult. The term "neglect" also means the failure of a caregiver or vulnerable adult to make a reasonable effort to protect a vulnerable adult from abuse, neglect, or exploitation by others. "Neglect" is repeated conduct or a single incident of carelessness which produces or could reasonably be expected to result in serious physical or psychological injury or a substantial risk of death.

"Vulnerable adult" means a person 18 years of age or older whose ability to perform the normal activities of daily living or to provide for his or her own care or protection is impaired due to a mental, emotional, long-term physical, or developmental disability or dysfunctioning, or brain damage, or the infirmities of aging.

If you are interested in learning more, including information on Florida's definitions, you can access the following URLs:

CHILD

http://www.flsenate.gov/Statutes/index.cfm?App_mode=Display_Statute&URL=Ch0039/ch0039.htm

ADULT

http://www.flsenate.gov/Statutes/index.cfm?App_mode=Display_Statute&URL=Ch0415/ch0415.htm

FLORIDA ADMINISTRATIVE CODE

<http://fac.dos.state.fl.us/faonline/chapter65.pdf>

(Go to Chapter 65C-29 and 30.)

Contacting the Florida Abuse Hotline

HOW TO MAKE A REPORT

Everyone, including professionally mandatory reporters, should call the Florida Abuse Hotline when they know or have reasonable cause to suspect that a child or a vulnerable adult has been abused, abandoned, neglected, or exploited. The Abuse Hotline Counselor will determine if the information provided by the caller meets legal requirements to accept a report for investigation.

There are four ways to make a report:

By Telephone	1-800-96ABUSE (1-800-962-2873)
By Fax	1-800-914-0004
By TDD	1-800-453-5145
Web Reporting	http://www.state.fl.us/cf_web

INFORMATION NEEDED

Specific descriptions of the incident(s) or the circumstances contributing to the risk of harm, including **who** was involved, **what** occurred, **when** and **where** it occurred, **why** it happened, the extent of any injuries sustained, what the victim(s) said happened, and any other pertinent information are very important.

Information callers should have ready includes:

- Name, date of birth (or approximate age), race, and gender, for all adults and children involved.
- Addresses for all subjects, including current location.
- Information regarding disabilities and/or limitations for vulnerable adult victims.
- Relationship of the alleged perpetrator to the child or adult victim(s).

Other relevant information that would expedite an investigation, such as directions to the victim (especially in rural areas) and potential risks to the investigator, should be given to the Abuse Hotline Counselor.

Do not delay in contacting the Abuse Hotline even if you do not have all the necessary information. The Abuse Hotline Counselor will make an assessment based on the available information, and will decide if it is sufficient to accept a report.

WHAT TO DO IF ALL LINES ARE BUSY

There are times when all Abuse Hotline Counselors are either taking calls or entering reports. Please be patient, and do not hang up. Your call will be answered by the next available counselor. Counselors are trained to handle each call as quickly as possible, while ensuring that each caller is afforded quality service.

However, if the situation is an emergency or the victim is in imminent danger, the caller should hang up, dial 911, and then follow-up with a call to the Abuse Hotline.

MAKE A RECORD OF YOUR CALL

Abuse Hotline Counselors are required to identify themselves by giving their first name and their identification number. Reporters may want to document this information along with the date and time of the call. Counselors are expected to inform the caller whether the information meets the statutory requirements for a report and whether a report has been accepted. They may also provide you with information on available services, whether those services are provided by the Department of Children and Families staff or other state and community agencies.

REPORTING VIA FAXES

Transmittal of the fax form to the Florida Abuse Hotline is one reporting option; **however, the preferred option for the Department of Children and Families is for you to call 1-800-96-ABUSE, and talk to a Hotline counselor.** This second option must be used in all cases of abuse, neglect and/or exploitation that involve emergency or critical situations.

The information in the fax will be assessed to see if it meets the legal criteria as a report for investigation. It is extremely important that all information be completed. Add extra pages if this format is too limited in the space provided for response. Your fax cannot be properly assessed for a report without the requested information. A means to locate the victim is required. By law (Chapters 39, Florida Statutes), your identity as the reporter will be protected. Also, identify others who might be aware of the abuse/neglect/exploitation of the victim. **Please type or print legibly.** Indicate if you want notification whether or not a report was accepted and your preferred method.

For faxed information, notification of whether or not an abuse report was accepted will only be provided if you request it. The two options are telephone and U.S. Mail. If you check telephone and provided your phone number, we will attempt to call you to advise you if we accepted a report. We will only leave a message if we reach your personal voice mail. If you request notification by U.S. Mail and provide your address, we will mail you a form indicating whether or not a report was accepted.

Courtesy and Professionalism at the Florida Abuse Hotline

WHEN YOU DISAGREE WITH THE HOTLINE COUNSELOR'S DECISION:

Hotline counselors accept reports on the basis of specific criteria. Counselors must ask questions to gather information, but may not ask leading questions of the caller. Each call is accepted or refused as a report based only on information provided during the call. If the counselor indicates a report will not be accepted and you disagree with the decision, you may ask to speak to a Supervisor. The counselor will briefly summarize the situation to the supervisor who will then speak with you regarding your concerns. The supervisor will make a determination of whether the counselor's decision was appropriate and will provide you with further explanation about the decision.

TO LODGE A COMPLAINT ABOUT THE HOTLINE:

We understand that reporting abuse or neglect is not an easy thing to do and we commend all callers who make the effort to assist in family situations. The Department of Children and Families does not always have the authority to intervene in family situations that are of concern to the persons calling the Hotline. We appreciate callers who use the same courtesy and professionalism expected from the Hotline staff, and we want to know if you have a concern about the quality of service or professional courtesy that you received at the Hotline. During the call, the counselor is required to provide you with his/her first name and ID number and you are encouraged to share your concerns with the:

Hotline Supervisor,
Call Floor Manager, or
Director of the Hotline.

You may ask to be transferred to any of these administrators or you may telephone (850) 487-6100 during regular office hours. All complaints are carefully evaluated and will be responded to in a timely manner.

TIPS FOR SUCCESSFUL FAX REPORTING

Your time is valuable. Everyone at the Florida Abuse Hotline is committed to making the reporting process as convenient as possible. The following tips are provided to assist you in making reports of abuse, neglect, abandonment, and exploitation. When sending a fax to the Florida Abuse Hotline, consider the following:

- Use the Department of Children and Families' form when possible (a copy is contained in this packet). It is designed to help you provide the required information.
- If you cannot use the Department's form, please send a concise description of the situation. Be sure to include the following information:
 - Victim name, possible responsible person, or alleged perpetrator names.
 - Reporter name (required for mandatory reporters of child abuse/neglect).
 - Complete addresses for subjects, including a numbered street address, apartment or lot number, city, state, and zip code.
 - Telephone numbers, including area code. Please indicate if the phone number is for a cell phone.
 - Dates of birth or approximate ages.
 - Social Security numbers, if available.
 - A brief, yet concise, description of the abuse, neglect, abandonment, or exploitation, including physical, mental or sexual injuries, if any.
 - Names and telephone numbers and/or addresses of witnesses and others involved.
 - A brief description of the victim's disability or infirmity (required for vulnerable adults).
 - The relationship of the alleged perpetrator to the victim.
- Please print or write in a legible manner. Type, if at all possible.
- Do not use profession specific language; i.e., "fx" for fracture.
- Do not send copies of medical notes, case files, arrest reports, etc.
- **Always call 800-96ABUSE in emergency or critical situations.** The time required to process a fax may be longer than the time required to process information given in a telephone call. This could delay assistance to victims.



FLORIDA ABUSE HOTLINE Fax Transmittal Form
To Report Abuse/Abandonment/Neglect/Threatened Harm/Exploitation
Fax Number: 1-800-914-0004

TO LEARN MORE ABOUT REPORTING ABUSE, READ THE DEPARTMENT OF CHILDREN AND FAMILIES BROCHURE:

REPORTING ABUSE OF CHILDREN AND VULNERABLE ADULTS.

REPORTER INFORMATION

This information is required for professionally mandated reporters - Please refer to Chapters 39 and 415, Florida Statutes.

Your Last Name: _____ Your First Name: _____ Today's Date: _____

Your Occupation: _____ Agency: _____ Fax #: _____ Phone #: _____

Work Address: _____ City: _____ Zip Code: _____ County: _____ State: _____

Alternate Contact Person: _____ Title: _____ Phone #: _____

➤ Would you like to be notified as to whether or not an abuse report was accepted based on the information provided? Yes No

If yes, please indicate your preferred method of notification. Telephone U. S. Mail

VICTIM INFORMATION

If the victim is a child, list other children and adult household members in the home. If any household members have a disability, describe the disability in the DESCRIPTION OF INCIDENT section on page 2; if the victim is an adult, include how his/her ability to care for or protect self is impaired.

Current Location/Address: _____ City: _____ Zip Code: _____ County: _____ State: _____

Home Address: _____ Apt/Lot# _____ City: _____ Zip Code: _____ County: _____ State: _____

Home Phone: _____ Work Phone: _____ Cell Phone: _____

LAST NAME	FIRST NAME	DOB	SEX	RACE	SSN	IS THIS PERSON A VICTIM?
(1)						<input type="checkbox"/> Yes <input type="checkbox"/> No
(2)						<input type="checkbox"/> Yes <input type="checkbox"/> No
(3)						<input type="checkbox"/> Yes <input type="checkbox"/> No
(4)						<input type="checkbox"/> Yes <input type="checkbox"/> No
(5)						<input type="checkbox"/> Yes <input type="checkbox"/> No

PERSON(S) RESPONSIBLE FOR ALLEGED ABUSE, NEGLECT, ABANDONMENT, THREATENED HARM OR EXPLOITATION

NAME	DOB	SEX	RACE	SSN	RELATIONSHIP TO VICTIM
(1)					
(2)					
(3)					

DESCRIPTION OF INCIDENT

Please describe what happened, when and where the incident occurred, the frequency of occurrence, and a description of injuries and/or threat of harm.

WHAT happened?

Description of injuries/threat of harm:

WHEN and WHERE did the incident occur?

Additional Addresses (e.g. day-care, school)

Where will the victim be for the next 24 hours?

Does anyone in the household have any disabilities?

Are there any dangers to a protective investigator?

FOR ADULT VICTIMS ONLY: Describe how the adult victim's ability to care for or protect self is impaired.

OTHER INDIVIDUALS

Please list others who might be aware of the abuse/abandonment/neglect/threatened harm/exploitation of the victim.

NAME	RELATIONSHIP TO THE VICTIM	ADDRESS	HOME PHONE	WORK PHONE

DO NOT SEND COPIES OF MEDICAL NOTES, CASE FILES, ARREST REPORTS, OR SIMILAR DOCUMENTS.