

HANDOUT
**REPORTING ELDER ABUSE:
WHAT PROFESSIONALS NEED TO KNOW**

Effective January 1, 1999, a wide range of professionals will be required by the Elder Abuse and Neglect Act (ILCS Chapter 320/1 et seq.) to report elder abuse where the older person is unable to self-report. The following information is provided to assist those professionals in carrying out this new statutory responsibility.

WHAT IS ELDER ABUSE?

Elder abuse refers to the following types of mistreatment of any Illinois resident 60 years of age or older who lives in the community.

- Physical, sexual, or emotional maltreatment and/or willful confinement
- Non-malicious or willful neglect (the failure of a caregiver to provide the older person with the necessities of life, including but not limited to food, clothing, shelter and medical care);

and

- Financial exploitation (the misuse or withholding of the older person's resources by another to the disadvantage of the older person and/or the profit of another).

WHO IS REQUIRED TO REPORT UNDER THE LAW?

Mandated Reporter means a professional or professional's delegate while engaged in social services, the care of an eligible adult or adults, law enforcement and/or education.

The reporting requirement is limited to those older persons the professional sees when they are carrying out their professional duties.

WHEN MUST ELDER ABUSE BE REPORTED?

Professionals and state employees must report, within 24 hours, any suspected abuse, neglect or exploitation of an older person to the Department of Aging's Elder Abuse and Neglect Program, where the older person because of dysfunction is unable to report for themselves.

WHAT IS MEANT BY DYSFUNCTION?

The term dysfunction is not defined in law, but is understood to mean any physical or mental condition which would render an older person unable to seek help for themselves. Such conditions might include dementia, paralysis, speech disorders, being confined to bed and unable to reach or use a telephone, etc. It is up to the professional person's judgement as to whether an older person is able to self-report.

The reporter may ask themselves the following questions to help them determine if a person has a mental capacity to self-report:

1. Does the person understand the facts of their situation?
2. Does the person express a free choice about their situation?
3. Does the person understand the risks and benefits of that choice?

If a reporter is unsure whether an older person is able to report for themselves, but suspects that they are being abused, neglected or exploited, the Department of Aging encourages the reporter to voluntarily report the situation to the Elder Abuse and Neglect Program.

TO REPORT:

Contact the Department on Aging's Senior Help Line:

1-800-252-8966

Monday – Friday
8:30AM – 5:00PM