

South Carolina Mandatory Reporting Requirements Regarding Elders/Disabled	
<i>Who Must Report?</i>	<ul style="list-style-type: none"> • A physician; • Nurse; • Dentist; • Optometrist; • Medical examiner; • Coroner; • Other medical, mental health, or allied health professional; • Christian Science practitioner; • Religious healer; • School teacher; • Counselor; • Psychologist; • Mental health or mental retardation specialist; • Social or public assistance worker; • Caregiver; • Staff or volunteer of an adult day care center or facility; • Law enforcement officer; and • Anyone with actual knowledge of abuse, neglect, or exploitation.
<i>Standard of Knowledge</i>	<ul style="list-style-type: none"> • For mandatory reporters: Reason to believe that a vulnerable adult has been or is likely to be abused, neglected, or exploited. • For any other person: actual knowledge that a vulnerable adult has been abused, neglected, or exploited.
<i>Definition of Applicable Victim</i>	<p>A "vulnerable adult" is a person 18 years of age or older who has a physical or mental condition which substantially impairs the person from adequately providing for his or her own care or protection; this includes a person who is impaired in the ability to adequately provide for the person's own care or protection because of the infirmities of aging including, but not limited to, organic brain damage, advanced age, and physical, mental, or emotional dysfunction. Residents of a "facility" (defined as "a nursing care facility, community residential care facility, a psychiatric hospital, or any residential program operated or contracted for operation by the Department of Mental Health or the Department of Disabilities and Special Needs") are by definition vulnerable adults.</p>
<i>Reports Made To</i>	<ul style="list-style-type: none"> • The Vulnerable Adults Investigations Unit of the South Carolina Law Enforcement Division (1-866-200-6066) (http://www.sled.sc.gov/Vulnerable.aspx?MenuID=VulAdult) for incidents occurring in facilities operated or contracted for operation by the Department of Mental Health or the Department of Disabilities and Special Needs.

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	<ul style="list-style-type: none"> • The Long Term Care Ombudsman Program ((803) 734-9900) (http://www.aging.sc.gov/Seniors/Ombudsman.htm) for incidents occurring in facilities. • The Adult Protective Services Program in the county where the adult lives accessible at http://www.state.sc.us/dss/counties.html, for incidents occurring in all other settings. • Law enforcement must be contacted immediately in cases of an emergency, serious injury, or suspected sexual assault, in addition to the relevant state agency.
<i>Contents of Report</i>	Not provided.
<i>Timing/Other Procedures</i>	<ul style="list-style-type: none"> • Reports must be made within 24 hours or the next working day. Reports may be made in writing or orally by telephone or otherwise. • In cases of an emergency, serious injury, or suspected sexual assault law enforcement must be contacted immediately.
<i>Other</i>	<ul style="list-style-type: none"> • No vulnerable adult may be considered to be abused or neglected for the sole reason that, in lieu of medical treatment, the vulnerable adult is being furnished nonmedical remedial treatment by spiritual means through prayer alone which the vulnerable adult has practiced freely in accordance with his religion. • A mandatory reporter is personally responsible for making the report. • A person required to report who has reasonable suspicion to believe that a vulnerable adult died as a result of abuse or neglect must report the death and the suspected cause to the coroner or medical examiner. • Any person, other than a mandatory reporter, who has reason to believe that a vulnerable adult has been or may be abused, neglected, or exploited may report the incident. • A person required to report who has actual knowledge and who knowingly and willfully fails to report is guilty of a misdemeanor punishable by a fine of up to \$2,500 or imprisonment for up to a year. A person required to report who has reason to believe abuse occurred or is likely to occur and who knowingly and willfully fails to report is subject to disciplinary action as may be determined necessary by the appropriate licensing board.
<i>Source/Applicable Statute(s)</i>	S.C. Code Ann. §§ 43-35-10, 43-35-13, 43-35-25, 43-35-35, 43-35-85 (2009).

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