



PROTECTION & ADVOCACY
FOR PEOPLE WITH DISABILITIES, INC.

The Protection and Advocacy System for South Carolina

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FACT SHEET

Reporting Abuse, Neglect, and Exploitation of People with Disabilities Who Live In a Facility

People with disabilities who cannot live in their own homes may live in facilities, including:

- Nursing homes,
- Residential facilities for individuals with developmental disabilities including Intermediate Care Facilities (ICF/ID) and Community Training Homes II (CTH II),
- Assisted living facilities or community residential care facilities (CRCF),
- State mental health or state substance abuse treatment hospitals, or
- Residential treatment facilities for children and adolescents (RTF).

Abuse, neglect, or exploitation of someone who lives in a facility is wrong and should be reported. Abuse includes being hit, kicked, pushed, or having hair pulled. Abuse includes sexual abuse. Abuse also means psychological abuse such as name-calling or threats. Neglect includes not providing adequate food, housing, or medical care. Exploitation means taking advantage of the person or mishandling the person's money or other property.

Anyone who **knows** that abuse, neglect, or exploitation has happened, or **any service provider** who **believes** that abuse, neglect, or exploitation has happened or will happen, **MUST** report it to the following places:

If the report is about an **adult** with a disability who lives in a facility AND:

- The facility or program is operated by the **Department of Disabilities and Special Needs (DDSN)** or the **Department of Mental Health (DMH)**, call the **Vulnerable Adult Investigation Unit of SLED** (State Law Enforcement Division) toll-free 1-**866-200-6066** at any time. Facilities and residential programs that have contracts with DDSN and DMH are also covered, including homes operated by county DSN boards and contractors such as the Babcock Center.

OR

- If the adult lives in **any other facility**, call the state **Long Term Care Ombudsman's (LTCO) office** toll-free at **1-800-868-9095** or 803 734-9900. After 5 p.m. and on weekends, leave a voice message. Contact information for local ombudsman is available at: <http://aging.sc.gov/contact/Pages/OmbudsmanRegionalContacts.aspx> More information about the LTCO office and about abuse and neglect is at <http://aging.sc.gov/programs/ombudsman/Pages/default.aspx>.

If the report is about a **child** with a disability who lives at a facility (such as a psychiatric residential care facility – RTF):

- **Call the county office of SC Department of Social Services** where the facility is located. County telephone numbers are found at: <https://dss.sc.gov/contact> (select from the list of counties). You will be prompted to a connection with the DSS Out of Home Abuse and Neglect (OHAN) division. DSS plans to have one state-wide toll-free number by January 2018.

In an **emergency**, call **local law enforcement** at 9-1-1. When making a report, give the name and location of the facility; the date and time the abuse took place; describe the abuse that took place; and leave your name and phone number, if you want.

Medicaid Fraud: Misuse of Medicaid funds, including financial exploitation of someone who is living in a facility and receiving Medicaid, may also be reported to the SC Attorney General's Medicaid Fraud Unit. The toll free telephone is 1-888-662-4328.

Note: To report abuse, neglect or exploitation of an **adult or child** who **lives at home**, call the county DSS office where the person lives. Telephone numbers for county DSS offices are found at: <https://dss.sc.gov/contact> (select from list of counties).

You may call the state Department of Social Services Monday-Friday between 8:30 am and 5:00 pm at 1-803-898-7669 or after hours at 1-888-722-2580.

For more information, please contact **Protection and Advocacy for People with Disabilities, Inc. (P&A)** using the numbers and information at the top of this fact sheet.

This fact sheet is based on the South Carolina Omnibus Adult Protection Act (SC Code of Laws, Section 43-35-5) The law is available at: <http://www.scstatehouse.gov/code/t43c035.php>.

This publication provides legal information, but is not intended to be legal advice. The information was based on the law at the time it was written. As the law may change, please contact P&A for updates.

This publication is funded in part by the U.S. Department of Health and Human Services (the Administration for Community Living and the Substance Abuse and Mental Health Services Administration) and by the U.S. Department of Education (Rehabilitation Services Administration). It does not necessarily represent the views of the funding authorities.

P&A does not discriminate on the basis of disability, race, color, creed, national, ethnicity, ancestry, citizenship, age, religion, sex or sexual orientation, veteran status, or any other class protected by law in the provision of its programs or services. Pete Cantrell is P&A's designated coordinator for Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act.

Abuse and Neglect August 2017