



*Ambulatory Clinic Policy and Procedure*

<b>Title: MANAGEMENT OF THE SUSPECTED ABUSE VICTIM</b>	<b>Policy Number: EP 6.4</b>
<b>Regulation Reference: Joint Commission: PC.01.02.09, RI.01.06.03; Tx Family Code, Chapters 91, 92 and 261; Tx. Hum. Res. Code, Chapter 48; DSHS Rider 14; Tx Administrative Code Rule 133.47</b>	<b>Effective Date: 9/2024</b>

**Policy Statement:**

It is the policy of the Texas Tech Physicians of El Paso (TTP-EP) to provide staff with adequate information to help recognize the signs of suspected abuse victims (adult, child, elderly, disabled, mentally ill, and domestic violence), the requirements of reporting abuse, and available assistance for the victims.

**Scope and Distribution:**

This policy applies and will be distributed to all TTP-EP ambulatory clinics.

**Procedure:**

1. Professionals will assess patients for physical, sexual, mental, emotional abuse/neglect, exploitation or illegal, unethical or unprofessional conduct. Family violence (including spouse or domestic partner abuse) may also be an indication of abuse or neglect. If the suspected victim is a competent adult between the ages of 18 and 65, the authorities may be notified only at the patient's request or with their consent.
2. Any person having cause to believe that a child's, adult, elder, mentally ill, or disabled person physical or mental health or welfare has been adversely affected by abuse or neglect by any person is to immediately make a report within 48 hours of assessment to Texas Department of Family and Protective Services (DFPS).
3. Detailed observations of the patient's mental, physical, and emotional status in the medical record.
4. The professional will document vital statements made by the patient, during the patient's clinic visit. If no statements are made, the reporting will be based on physical evidence and observation.
5. Staff suspecting abuse, neglect, or exploitation should consult with their immediate supervisor and the attending physicians to assist with reporting.
6. DFPS cannot accept anonymous reports of abuse and neglect involving children and their families. Professional and non-professional reporters must provide a personal first and last name and home or business phone number to meet new reporting requirements. The law requires both a full name and phone number for the report to be accepted by DFPS. Reporting requirements are not met by providing a business, agency, or organizational name. Reporters' names are confidential by law.
7. The staff will notify the appropriate law enforcement agency as required by law and document in the medical record the time and agency notified. The reporter to law enforcement may make the report anonymously.
8. Any person who suspects abuse or neglect but fails to report it may be subject to criminal penalties, discipline by the appropriate state licensing board, and/or institutional discipline.

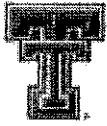
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9. A reporter is immune from civil or criminal liability if they make the report in good faith.
10. To report: call the abuse hotline toll-free 24 hours a day, 7 days a week, nationwide, or report with the secure website and get a response within 24 hours at 1-800-252-5400.
11. Report online at <https://www.txabusehotline.org/>
12. Notify the appropriate law enforcement agency as required by law and document in the medical record the time and agency notified.
13. Call 911 for all emergency situations.
14. A person who witnesses family violence is encouraged to report the family violence to a local law enforcement agency. Otherwise, reporting family violence constitutes a breach of confidentiality unless there is probability of imminent physical injury to the patient, physician, or to others or immediate mental or emotional injury to the patient. If a reasonable belief as to this is formed, the HCP should report this to law enforcement only. Tex. Fam. Code §91.001, 92.001.
15. A HCP who treats a person for injuries that the HCP has reason to believe were caused by family violence shall:
  1. Immediately provide the person with written information regarding the nearest family violence shelter which is written in both English and Spanish
  2. Document in the person's medical record:
    - a. The fact that the person has received the information provided; and
    - b. The reason for the medical professional's belief that the person's injuries were caused by family violence.
16. Departments shall maintain a record of reports made of abuse or neglect:
  - a. For reports made by phone, a log will be kept containing the following:
    - i. Date of report.
    - ii. Person's medical record number (if applicable).
    - iii. Name of the person that submitted the report.
    - iv. Agency the report was submitted to.
  - b. For reports made on-line, the printed confirmation page or printed copy of the confirmation e-mail will serve as record for the report.

Texas Family Code Chapter 261 can be found at:  
<http://www.statutes.legis.state.tx.us/docs/FA/htm/FA.261.htm>

*Attachments:*

- 6.4A: *Recognizing and Reporting Child Abuse,*
- 6.4B: *Recognizing and Reporting Elder or Disabled Abuse,*
- 6.4C: *Recognizing and Reporting of Adult Victims of Family Violence,*
- 6.4D: *El Paso Domestic Violence Notices*



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