SAMPLE POLICY

Sample policy from the CareRulebook Delaware manual. Fictional agency. Rule-verified on October 4, 2026.

This is Policy 2.3 of the 64 in the manual, exactly as it prints in a buyer's copy, but filled in with example answers for a fictional agency, Sample Home Care, LLC. Rule-verified means each quote under Rule basis was checked word for word against the official text we saved on that date. It is not legal advice.

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POLICY 2.3

Abuse, neglect, mistreatment and financial exploitation: prevention and reporting

16 DE Admin. Code 3345-6.3.5 · 16 DE Admin. Code 3345-5.5.12.1, 5.5.12.2.1 · 31 Del. C. § 3902 (definitions) · 31 Del. C. § 3910(a), (d) · 31 Del. C. § 3912(a) · 16 Del. C. §§ 903(a), 904(a)-(c) · DSAAPD, How do I report the abuse of an older person or a person with a disability? · DSCYF, Division of Family Services (Child Abuse and Neglect Report Line)

Approved by the director, effective November 1, 2026

Purpose

To protect every consumer from abuse, neglect, mistreatment, financial exploitation, solicitation and harassment (16 DE Admin. Code 3345-6.3.5), and to make sure that every person who works for Sample Home Care, LLC knows the signs, reports suspected abuse of an adult to Adult Protective Services and suspected abuse of a child to the Department of Services for Children, Youth and Their Families, directly and without waiting for anyone, and tells the agency so that it can protect the consumer and report to the Delaware Division of Health Care Quality (DHCQ).

The forms are at the end of the Procedure section: the abuse, neglect and exploitation concern record and the staff reporting duty acknowledgment.

Scope

This policy applies to everyone who works for Sample Home Care, LLC: the director, the alternate director, office and scheduling staff and every direct care worker (DCW), whether an employee or a contract worker. It covers suspected abuse of a consumer by anyone (a worker, a family member, a visitor or a stranger), self-neglect, and suspected abuse of any child a worker sees in the course of their work.

Policy

The consumer's right (3345-6.3.5)

1. Every consumer has the right to be protected from abuse, neglect, mistreatment, financial exploitation, solicitation and harassment (Policy 2.1). Sample Home Care, LLC does not tolerate any of them by anyone who works for it.

What the words mean

2. Delaware's Adult Protective Services law (31 Del. C. § 3902) defines the main terms. In plain words:
    1. **Abuse** is physically hurting an adult who is impaired or incapacitated by unnecessarily causing pain or injury; a pattern of emotional abuse such as ridiculing, demeaning, cursing or threatening; or sexual abuse, which is forced or unwanted sexual interaction, touching or not.
    2. **Neglect** is a caregiver's lack of attention to the adult's physical needs, including toileting, bathing, meals and safety; failure to carry out a treatment plan a licensed professional prescribed; or abandoning the adult.
    3. **Mistreatment** is failing to provide appropriate physical or emotional care, including the inappropriate use of medications, isolation, or physical or chemical restraints.
    4. **Financial exploitation** is the illegal or improper use, control over or withholding of an older or vulnerable adult's property, income or resources for someone else's profit or advantage, for example by deception, intimidation or undue influence, or by misusing a power of attorney.
    5. **Self-neglect** is an adult's inability, because of physical or mental impairment, to perform essential self-care tasks, such as getting food, clothing, shelter or needed care, or managing their own money.
3. 3345-6.3.5 also names **solicitation** and **harassment**, which Delaware's rules do not define. Sample Home Care, LLC treats as solicitation any request by a staff member to a consumer or family for money, gifts, loans, favors, business or signatures for the staff member's benefit, and as harassment any unwanted conduct that intimidates, threatens or demeans a consumer (our reading).

Prevention

4. Sample Home Care, LLC prevents abuse by:
    1. screening every worker before hire, including the Adult Abuse Registry and child abuse checks and the criminal history check (Policy 3.2);
    2. teaching every worker, before they serve any consumer, what abuse looks like and how to report it (Modules 5, 11 and 20; Policy 3.4);
    3. never using restraint of any kind (Module 11);
    4. regular home visits by the director, who ask the consumer how services are going (Policy 5.3); and
    5. acting at once on every concern, grievance and complaint (Policies 8.1 and 2.9).

5. **Staff conduct.** Staff never ask a consumer or family for money, gifts, loans or favors; never accept gifts or money; never borrow from, lend to, or sell anything to a consumer or family; never use a consumer's money, cards, checks or property except to carry out a task in the service plan (such as shopping), with a receipt given to the consumer; and never sign any document for a consumer. These rules are Sample Home Care, LLC's own, to protect consumers from financial exploitation and solicitation.

Who must report, and to whom

6. **An adult (Adult Protective Services).** Delaware law requires any person who has reasonable cause to believe that an adult who is impaired or incapacitated is in need of protective services to report it to the Department of Health and Social Services (31 Del. C. § 3910(a)(1)). For a consumer who lives in their own home, the report goes to Adult Protective Services (APS):
   - by phone: **1-888-277-4302** (1-888-APS-4302); or
   - online, using the Adult Protective Services Online Submission Form on the website of the Division of Services for Aging and Adults with Physical Disabilities (DSAAPD).
7. **A child (DSCYF).** Delaware law requires any person who knows or in good faith suspects child abuse, neglect or human trafficking to report it to the Department of Services for Children, Youth and Their Families (DSCYF) (16 Del. C. § 903(a)). This applies to every staff member and to any child a worker sees in the course of work, such as a grandchild living in a consumer's home. Reports go to the Child Abuse and Neglect Report Line, **1-800-292-9582**:
   1. by phone, immediately, when the child has a current physical injury, needs immediate medical attention or an immediate mental health evaluation, has died, has no caregiver, is currently without supervision, or is living in conditions that are immediately hazardous to the child, or in cases of sexual abuse or suspected human trafficking where the alleged perpetrator has access to the child (16 Del. C. § 904(a)); and
   2. in every other case, by phone or through DSCYF's online reporting portal (§ 904(b)).
8. **Children are not our consumers, but the duty still applies.** Sample Home Care, LLC serves adults only. The duty in item 7 still applies to any child a worker sees while working.
9. **In danger now.** If anyone is in immediate danger, the staff member calls 911 first, then makes the report.

The worker reports directly, and does not wait

10. The person who saw or heard the information makes the report themselves. They do not wait for, or ask permission from, the director or anyone else, and nobody at Sample Home Care, LLC may tell them not to report, delay their report or report instead of them. For a child, Delaware law says this directly: a person with knowledge may not rely on another person with less direct knowledge to call the report line (16 Del. C. § 904(c)).

L1. A staff member who is unsure whether what they saw is abuse makes the report anyway. APS and DSCYF decide what happens next.

L2. Delaware law protects anyone who reports in good faith from civil, administrative and criminal liability (31 Del. C. § 3910(d)). Sample Home Care, LLC never disciplines or treats a staff member differently because they made a report in good faith.

Then tell the agency

L3. After making the report, or at the same time if the consumer needs protecting, the staff member tells the director by phone straight away, using (302) 555-0199 outside office hours, and completes the concern record the same day.

L4. **The agency's own report to DHCQ.** Suspected abuse, neglect, mistreatment, financial exploitation, solicitation or harassment is a major adverse incident. Sample Home Care, LLC must report major adverse incidents occurring in the presence of a DCW and involving a consumer to the Department within 48 hours, in addition to the reports the law requires, and investigate them (3345-5.5.12.1, 5.5.12.2.1). The director handles this under Policy 2.5. The DCW's report to APS or DSCYF never replaces the agency's report to DHCQ, and the agency's report never replaces the DCW's.

Protecting the consumer

L5. When the concern is about someone who works for Sample Home Care, LLC, the director removes that person from all consumer contact at once, until the investigation under Policy 2.5 is complete, and arranges a replacement worker under Policy 2.10 so the consumer's services continue (this is Sample Home Care, LLC's own practice).

L6. When the concern is about a family member or another person, the director makes sure the consumer's services continue, follows any instructions from APS, DSCYF or the police, and updates the service plan if needed (Policy 5.3). Services are never stopped as a response to a report.

L7. Staff cooperate fully with APS, DSCYF, the police and DHCQ, and give them the information they ask for.

Confidentiality

L8. Information about a report is shared only with the people who need it to protect the consumer and to make the reports in this policy and Policy 2.5. Delaware law makes records in the possession of anyone providing service to an alleged victim confidential, with limited exceptions (31 Del. C. § 3912(a)). Concern records are kept in a confidential file at the office, separate from the consumer record (Policy 7.4).

Procedure

1. **Any staff member who sees or hears something that may be abuse, neglect, mistreatment, financial exploitation, solicitation, harassment or self-neglect:**
    1. if anyone is in immediate danger, calls 911;

   2. stays with the consumer if it is safe to do so, and does not confront the person suspected;
   3. reports it: for an adult, to APS at 1-888-277-4302 or online; for a child, to DSCYF at 1-800-292-9582 (immediately by phone in the cases listed in item 7 of the Policy section), and writes down the date and time of the report and the name or reference given;
   4. tells the director straight away (after hours: (302) 555-0199); and
   5. completes the abuse, neglect and exploitation concern record the same day, in facts only: what was seen or heard, when and where, and who was present.
2. **The director:**
   1. makes sure the consumer is safe and that services continue;
   2. if the concern is about someone who works for Sample Home Care, LLC, removes that person from consumer contact at once (item 15 of the Policy section);
   3. confirms that the report to APS or DSCYF has been made, and if it somehow has not, makes it straight away as well;
   4. decides under Policy 2.5 whether the event is a major adverse incident, and if so sends DHCQ the report within 48 hours and starts the investigation; and
   5. files the concern record in the confidential file.
3. **The director:** at hire, has every staff member read this policy and sign the staff reporting duty acknowledgment, which is kept in the personnel file (Policy 3.3).

Sample Home Care, LLC: Abuse, neglect and exploitation concern record

Confidential. Keep in the confidential concern file, not in the consumer record.

Item	Details
Consumer's name (or child's name and how the child is connected to the consumer's home)	
Date and time the concern was seen or heard	
Where it happened	
What was seen or heard (facts only, in the words used where possible)	
Who was present, and who is suspected (if known)	
911 called? (yes or no; time)	
Reported to: ☐ Adult Protective Services 1-888-277-4302 or online ☐ DSCYF Report Line 1-800-292-9582 or online	
Date and time of the report; name of the person who took it, or reference number	
Told the director: name, date and time	

Item	Details
Immediate steps to protect the consumer (including any staff member removed from consumer contact)	
Major adverse incident under Policy 2.5? (yes or no; if yes, date and time reported to DHCQ)	
Investigation report sent to DHCQ (date; Policy 2.5)	

Completed by (full name and title): _____ Signature: _____ Date: _____

Reviewed by the director: _____ Signature: _____ Date: _____

Sample Home Care, LLC: Staff reporting duty acknowledgment

I have read Sample Home Care, LLC's Policy 2.3. I understand that:

1. Delaware law requires me to report to Adult Protective Services (1-888-277-4302, or online) whenever I have reasonable cause to believe that an adult who is impaired or incapacitated is in need of protective services.
2. Delaware law requires me to report to DSCYF's Child Abuse and Neglect Report Line (1-800-292-9582) whenever I know or in good faith suspect child abuse, neglect or human trafficking, and to call immediately in the cases the law lists.
3. I make the report myself. I do not wait for, or ask permission from, anyone at Sample Home Care, LLC, and I then tell the director straight away.
4. If anyone is in immediate danger, I call 911 first.
5. I must never ask a consumer or family for, or accept, money, gifts, loans or favors, and I must never sell anything to them or borrow from them.
6. Sample Home Care, LLC will not treat me differently because I made a report in good faith.

Name: _____ Signature: _____ Date: _____

Responsibilities

- **Every staff member and DCW:** knows the signs of abuse, reports suspected abuse directly to APS or DSCYF, calls 911 when anyone is in danger, tells the director straight away, and completes the concern record the same day.
- **Director:** makes sure every consumer is protected while concerns are dealt with; removes staff from consumer contact when a concern is about them; makes the 48-hour report and investigation under Policy 2.5; makes sure every staff member has signed the reporting duty acknowledgment.
- **Office and scheduling staff:** passes any call about suspected abuse to the director at once, and arranges replacement workers when asked.

Records

- Abuse, neglect and exploitation concern records, in the confidential concern file at the office.
- Signed staff reporting duty acknowledgments, in each personnel file (Policy 3.3).
- Major adverse incident reports and investigation reports (Policy 2.5).

Records are kept as Policy 7.2 sets out.

Recommended practice

These are Sample Home Care, LLC's own practices. The rules do not require them. Once adopted, DHCQ can expect Sample Home Care, LLC to follow them.

- Remind every worker of this policy at the annual in-service (Policy 3.6), with a short refresher on the signs of financial exploitation and scams.
- Print the APS and DSCYF numbers on the back of each worker's identification badge.

Rule basis

> Be protected from abuse, neglect, mistreatment, financial exploitation, solicitation and harassment;
> `16 DE Admin. Code 3345-6.3.5`

> The personal assistance services agency must report all major adverse incidents occurring in the presence of a direct care worker involving a consumer to the Department within 48 hours in addition to other reporting requirements required by law. ... Suspected abuse, neglect, mistreatment, financial exploitation, solicitation or harassment;
> `16 DE Admin. Code 3345-5.5.12.1, 5.5.12.2.1`

> A person, including a health-care professional as defined under § 701 of Title 16, having reasonable cause to believe that an adult who is impaired or an adult who is incapacitated and is in need of protective services shall report the information supporting reasonable cause to the Department in the manner and format that the Department requires. ... Privilege does not relieve an individual or health-care professional from the duty to report under this section.
> `31 Del. C. § 3910(a)(1)-(2)`

> An individual, financial institution, or other entity participating in good faith in reporting or holding or not holding a transaction under this chapter has immunity from civil, administrative, or criminal liability that might otherwise exist as a result of reporting or holding or not holding the transaction.
> `31 Del. C. § 3910(d)`

> “Mistreatment” means the failure to provide appropriate physical or emotional care to an adult who is impaired or an adult who is incapacitated, including the inappropriate use of medications, isolation, or physical or chemical restraints on or of an adult who is impaired or an adult who is incapacitated. … “Neglect” means any of the following: … A caregiver’s lack of attention to physical needs of an adult who is impaired or an adult who is incapacitated, including toileting, bathing, meals, and safety.
>
> 31 Del. C. § 3902(18), (19)

> Records and information in the possession of the Department or anyone providing service to an alleged victim and the alleged victim’s relatives is deemed confidential, and may be disclosed only under the following conditions:
>
> 31 Del. C. § 3912(a)(1)

> Any person, agency, organization or entity who knows or in good faith suspects child abuse, neglect, or human trafficking shall make a report to the Department in accordance with § 904 of this title.
>
> 16 Del. C. § 903(a)

> A report of known or suspected child abuse, neglect, or human trafficking must be made orally by immediately contacting the Department’s report line for the following circumstances: … A report of known or suspected child abuse, neglect, or human trafficking which does not meet the criteria in subsection (a) above, may be made orally or through the Department’s online reporting portal. … An individual with knowledge of child abuse, neglect, or human trafficking or knowledge that leads to a good faith suspicion of child abuse, neglect, or human trafficking may not rely on another individual who has less direct knowledge to call the aforementioned report line.
>
> 16 Del. C. § 904(a)-(c)

> To report a case of suspected abuse, neglect, or exploitation of an older person or a person with a disability who does not live in a licensed long term care facility (for example, the person lives in his or her own house or apartment, in a group home, or in an unlicensed adult foster care home), contact the Adult Protective Services Program at 1-888-277-4302 (1-888-APS-4302) or online using the Adult Protective Services Online Submission Form .
>
> DSAAPD, How do I report the abuse of an older person or a person with a disability? (Internet Archive copy, June 2026)

> Report Child Abuse & Neglect … 1-800-292-9582 … If you are concerned about a child's safety, call the Child Abuse & Neglect Report Line today.
>
> DSCYF, Division of Family Services page (Internet Archive copy)

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