SAMPLE POLICY

Sample policy from the CareRulebook Virginia manual. Fictional agency. Rule-verified on October 1, 2026.

This is Policy 6.1 of the 35 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 6.1

Reporting abuse, neglect and exploitation

12VAC5-381-180 C 9 · 12VAC5-381-200 I 4 · 12VAC5-381-230 C 3 · Va. Code § 63.2-1603 · Va. Code § 63.2-1606 · Virginia Department of Social Services, Mandated Reporters page

Purpose

To make sure that everyone who works for Sample Home Care, LLC knows they are a mandated reporter, and reports suspected abuse, neglect or exploitation of an adult immediately, to the right place, in the way Virginia law requires. This is the policy on mandated reporting of abuse, neglect and exploitation under § 63.2-1606 of the Code of Virginia that 12VAC5-381-180 C 9 requires.

Scope

This policy applies to every person employed by or under contract with Sample Home Care, LLC, whatever their role: the administrator, Jordan Lee, the person who acts for the administrator, Taylor Brooks, the RN supervisor, Morgan Reyes, RN, home attendants, and office and administrative staff.

It covers suspected abuse, neglect or exploitation of any client, and of any other adult that staff come across in their work, whoever the suspected person is: a staff member, a family member, a caregiver, a neighbor or anyone else.

Policy

Who the law protects (Va. Code § 63.2-1603)

1. In this policy the words below have the meanings Virginia law gives them:
    1. An **adult** is any person 60 years of age or older, or any person 18 years of age or older who is incapacitated and who resides in Virginia. An adult may also include qualifying nonresidents who are temporarily in Virginia and who need temporary or emergency protective services.

   2. An **incapacitated person** is any adult who is impaired by reason of mental illness, intellectual disability, physical illness or disability, advanced age or other causes to the extent that the adult lacks sufficient understanding or capacity to make, communicate or carry out responsible decisions concerning his or her well-being.
   3. **Financial exploitation** is the illegal, unauthorized, improper or fraudulent use of an adult's funds, property, benefits, resources or other assets for another's profit, benefit or advantage, including by a caregiver or a person serving in a fiduciary capacity, or anything that deprives the adult of the rightful use of or access to them. It includes, for example, gaining control of an adult's money or property through undue influence, coercion or duress, and forcing or tricking an adult into paying for goods or services for someone else's benefit.
2. Staff who are not sure whether a person counts as an "adult", or whether what they have seen is abuse, neglect or exploitation, report anyway. Adult Protective Services (APS) decides what happens next. Staff do not wait for proof and do not investigate first.

Every staff member is a mandated reporter (§ 63.2-1606 A)

3. Virginia law requires the following people, acting in their professional capacity, to report:
   1. any person employed by or contracted with a public or private agency or facility and working with adults in an administrative, supportive or direct care capacity (§ 63.2-1606 A 5). This includes every person in the Scope above;
   2. any person providing full, intermittent or occasional care to an adult for compensation, including companion, chore, homemaker and personal care workers (§ 63.2-1606 A 6). This includes every home attendant; and
   3. any person licensed, certified or registered by the health regulatory boards listed in § 54.1-2503, other than the Board of Veterinary Medicine (§ 63.2-1606 A 1). This includes the RN supervisor, any other nurse, and certified nurse aides.
4. **Immediately.** Matters giving reason to suspect the abuse, neglect or exploitation of adults must be reported immediately upon the reporting person's determination that there is such reason to suspect (§ 63.2-1606 A). "Immediately" means as soon as the staff member has reason to suspect, not at the end of the shift or after speaking to anyone else first.

Where reports go (§ 63.2-1606 A-B)

5. The report must be made to either:
   1. the **local department of social services** of the county or city where the adult lives, or where the abuse, neglect or exploitation is believed to have happened; or
   2. the **adult protective services hotline: 888-832-3858**, answered 24 hours a day, 7 days a week.

The Virginia Department of Social Services (VDSS) also accepts reports at any time through its online APS reporting portal. VDSS suggests contacting the local department during business hours. The hotline is answered 24 hours a day, so a staff member may use it at any time.

6. **Emergencies.** VDSS says to call 911 in emergencies. If anyone is in immediate danger or needs urgent medical help, the staff member calls 911 first, and then makes the report.
7. **The reporting staff member reports.** The law lets a reporter who works in a hospital, nursing facility or similar institution notify the person in charge instead of reporting. Sample Home Care, LLC is a home care organization, not an institution of that kind, so that option does not apply here. Each staff member who has reason to suspect makes the report to the local department or the hotline themselves.
8. **No one may stop a report.** Sample Home Care, LLC must not prohibit a mandated reporter from reporting directly to the local department or to the adult protective services hotline (§ 63.2-1606 F). No manager may tell a staff member not to report, to wait, or to report only through the office.
9. **Matters already reported.** No person is obligated to report a matter if they have actual knowledge that the same matter has already been reported to the local department or to the hotline (§ 63.2-1606 J). A staff member who is not certain that the same matter has been reported makes the report themselves.

How reports are made (§ 63.2-1606 B)

10. A report may be made orally or in writing. The reporter must disclose all information that is the basis for the suspicion.
11. Upon request, the reporter must make available to the APS worker and the local department investigating the case any information, records or reports that document the basis for the report.
12. Everyone required to report must cooperate with the investigating APS worker of the local department and make information, records and reports that are relevant to the investigation available to that worker, to the extent permitted by state and federal law. The administrator coordinates what Sample Home Care, LLC provides from its records (Policy 10.1).
13. The duty to report under § 63.2-1606 does not replace any other duty to report that the law places on staff or the organization (§ 63.2-1606 B).

Suspected death from abuse or neglect (§ 63.2-1606 I)

14. Any mandated reporter who has reasonable cause to suspect that an adult died as a result of abuse or neglect must immediately report the suspicion to the appropriate medical examiner and to the appropriate law-enforcement agency. This applies even if a death certificate has been signed by a licensed physician.

Protection and penalties (§ 63.2-1606 E, G, H)

15. **Immunity.** A person who makes a report or provides records or information under § 63.2-1606, or who testifies in any judicial proceeding arising from the report, is immune from any civil or criminal liability on account of the report, records, information or testimony, unless the person acted in bad faith or with a malicious purpose (§ 63.2-1606 E).
16. **Failing to report.** A person who fails to make a required report or notification is subject to a civil penalty of not more than $500 for the first failure, and not less than $100 nor more than $1,000 for any later failures (§ 63.2-1606 H).
17. **False reports.** Any person 14 years of age or older who makes or causes to be made a report of adult abuse, neglect or exploitation that they know to be false is guilty of a Class 4 misdemeanor. Any later conviction is a Class 2 misdemeanor (§ 63.2-1606 G).

Clients' rights and training

18. Each client has the right to be free from mental and physical abuse, neglect and property exploitation (12VAC5-381-230 C 3, Policy 2.1).
19. **Told at hiring.** Employers whose employees are mandated reporters must notify employees upon hiring of the requirement to report (§ 63.2-1606 F). Sample Home Care, LLC tells each new employee about the duty, and gives them this policy, when they are hired.
20. **Orientation.** Orientation for new employees and contract individuals includes mandated reporting of abuse, neglect and exploitation (12VAC5-381-200 I 4). Policy 4.1 sets out orientation.

Clients under 18

21. This policy is about adults. If Sample Home Care, LLC serves a client under 18, a separate law covers children (§ 63.2-1509, as VDSS notes). VDSS gives its Child Protective Services (CPS) hotline as 800-552-7096 (24/7). Staff who suspect abuse or neglect of a child call 911 in an emergency and report to CPS or the local department of social services.

Procedure

1. **Danger first.** If anyone is in immediate danger or needs urgent medical care, the staff member calls 911 and stays with the client if it is safe to do so (Policy 8.1).
2. **Report immediately.** The staff member reports to the local department of social services for the county or city where the adult lives, or where the abuse is believed to have happened, or to the APS hotline at 888-832-3858 (24/7). They may also use the VDSS online APS reporting portal. They give all the information that is the basis for the suspicion, including, as far as they know:
    1. the adult's name, address and age;
    2. what they saw, heard or were told, by whom, and when;
    3. any injury or condition they noticed;
    4. the name of the person suspected, if known; and

5. their own name and how to reach them.

3. **Tell the office.** After making the report, the staff member tells the administrator, Jordan Lee, on (804) 555-0100 during business hours (Monday to Friday, 8:00 a.m. to 5:00 p.m.) or on (804) 555-0199 at other times. If the administrator is the person suspected, the staff member tells the RN supervisor, Morgan Reyes, RN, or the person who acts for the administrator, Taylor Brooks, instead. Telling the office never replaces or delays the report.
4. **Office staff who learn of a concern.** A staff member in the office who learns of a concern, for example from a client's family on the phone, is also a mandated reporter and follows step 2. If the concern comes from a home attendant, the office confirms the home attendant has made the report, and makes its own report unless it has actual knowledge that the same matter has been reported (Policy item 9).
5. **Record the report.** The administrator records in the abuse, neglect and exploitation log: the date and time the concern first came to the organization's attention, who raised it, the date and time of each report, who made it, how it was made (phone, online or in writing), the agency reported to, the name of the person who took it and any reference number. The administrator files a dated note in the client's record (Policy 10.1).
6. **Protect the client.** The administrator and the RN supervisor make sure the client's services continue safely. If a staff member is the person suspected, the administrator decides whether that person should stop visiting the client while the matter is looked into. The RN supervisor reviews the client's plan of services if their needs have changed (Policy 5.1).
7. **Cooperate.** The administrator is the organization's contact for APS, the local department and law enforcement. When asked, the administrator makes the records that document the basis for the report, and records relevant to the investigation, available to the APS worker, to the extent permitted by state and federal law.
8. **A death.** If a staff member has reasonable cause to suspect that an adult died as a result of abuse or neglect, they report immediately to the medical examiner and to the local police or sheriff (Policy item 14), then tell the administrator, who records the reports as in step 5.
9. **Staff discipline and licensing boards.** If an investigation finds that a staff member abused, neglected or exploited a client, the administrator acts under the organization's personnel policies and, for licensed or certified staff, Policy 3.6.
10. **Quality improvement.** The administrator reports each concern, without client names, to the quality improvement committee so it can look for trends (Policy 9.1).

Responsibilities

- **All staff:** know they are mandated reporters; call 911 in an emergency; report immediately and directly to the local department or the APS hotline; tell the office after reporting; cooperate with investigations.

- **Administrator (Jordan Lee):** tells each new employee about the duty to report when they are hired; makes sure this policy is part of orientation (Policy 4.1); never prevents or delays a report; keeps the log; protects the client during an investigation; is the contact for APS and law enforcement.
- **RN supervisor (Morgan Reyes, RN):** watches for signs of abuse, neglect and exploitation during supervision (Policy 5.5) and reports under this policy; reviews the client's plan of services after a report.

Records

- The abuse, neglect and exploitation log (Procedure step 5), kept at the office.
- A dated note of each report in the client's record (Policy 10.1).
- A record that each employee was told about the duty to report at hiring, and of their orientation on this policy, in their personnel record (Policy 3.2, Policy 4.1).

These records are kept for the periods in Policy 10.2.

Recommended practice

- Do not discipline or retaliate against anyone for making a report in good faith, and say so in orientation.
- Ask the staff member to write down what they saw or were told, in their own words, with the date and time, as soon as they can after making the report.
- Give every home attendant a wallet card with the APS hotline (888-832-3858), the CPS hotline (800-552-7096) and 911.
- Cover this policy again in home attendants' annual in-service training, with examples of financial exploitation, which is often the hardest to spot.
- Ask APS for the reference number of each report and note it in the log.

Rule basis

> Administrative and operational policies and procedures shall include, but are not limited to: ... 9. Mandated reporting of abuse, neglect and exploitation pursuant to § 63.2-1606 of the Code of Virginia;
>
> `12VAC5-381-180 C 9`

> New employees and contract individuals shall be oriented commensurate with their function or job-specific responsibilities. Orientation shall include: ... 4. Mandated reporting of abuse, neglect, and exploitation;
>
> `12VAC5-381-200 I 4`

> Free from mental and physical abuse, neglect, and property exploitation;
>
> `12VAC5-381-230 C 3`

> "Adult" means any person 60 years of age or older, or any person 18 years of age or older who is incapacitated and who resides in the Commonwealth; provided, however, "adult" may include qualifying nonresidents who are temporarily in the Commonwealth and who are in need of temporary or emergency protective services.
>
> `Va. Code § 63.2-1603`

> "Incapacitated person" means any adult who is impaired by reason of mental illness, intellectual disability, physical illness or disability, advanced age or other causes to the extent that the adult lacks sufficient understanding or capacity to make, communicate or carry out responsible decisions concerning his or her well-being.
>
> `Va. Code § 63.2-1603`

> "Financial exploitation" means the illegal, unauthorized, improper, or fraudulent use of the funds, property, benefits, resources, or other assets of an adult for another's profit, benefit, or advantage, including a caregiver or person serving in a fiduciary capacity, or that deprives the adult of his rightful use of or access to such funds, property, benefits, resources, or other assets.
>
> `Va. Code § 63.2-1603`

> Matters giving reason to suspect the abuse, neglect or exploitation of adults shall be reported immediately upon the reporting person's determination that there is such reason to suspect.
>
> `Va. Code § 63.2-1606 A`

> Reports shall be made to the local department or the adult protective services hotline in accordance with requirements of this section by the following persons acting in their professional capacity: 1. Any person licensed, certified, or registered by health regulatory boards listed in § 54.1-2503, with the exception of persons licensed by the Board of Veterinary Medicine;
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> `Va. Code § 63.2-1606 A 1`

> 5. Any person employed by or contracted with a public or private agency or facility and working with adults in an administrative, supportive or direct care capacity; 6. Any person providing full, intermittent or occasional care to an adult for compensation, including, but not limited to, companion, chore, homemaker, and personal care workers;
>
> `Va. Code § 63.2-1606 A 5-6`

> The report shall be made in accordance with subsection A to the local department of the county or city wherein the adult resides or wherein the adult abuse, neglect or exploitation is believed to have occurred or to the adult protective services hotline. Nothing in this section shall be construed to eliminate or supersede any other obligation to report as required by law.
>
> `Va. Code § 63.2-1606 B`

> If a person required to report under this section receives information regarding abuse, neglect or exploitation while providing professional services in a hospital, nursing facility or similar institution, then he may, in lieu of reporting, notify the person in charge of the institution or his designee
>
> `Va. Code § 63.2-1606 B`

> Any person required to make the report or notification required by this subsection shall do so either orally or in writing and shall disclose all information that is the basis for the suspicion of adult abuse, neglect or exploitation. Upon request, any person required to make the report shall make available to the adult protective services worker and the local department investigating the reported case of adult abuse, neglect or exploitation any information, records or reports which document the basis for the report. All persons required to report suspected adult abuse, neglect or exploitation shall cooperate with the investigating adult protective services worker of a local department and shall make information, records and reports which are relevant to the investigation available to such worker to the extent permitted by state and federal law.
>
> `Va. Code § 63.2-1606 B`

> Any person who makes a report or provides records or information pursuant to subsection A, C, or D, or who testifies in any judicial proceeding arising from such report, records or information ... shall be immune from any civil or criminal liability on account of such report, records, information, photographs, video recordings, appropriate medical imaging or testimony, unless such person acted in bad faith or with a malicious purpose.
>
> `Va. Code § 63.2-1606 E`

> An employer of a mandated reporter shall not prohibit a mandated reporter from reporting directly to the local department or to the adult protective services hotline. Employers whose employees are mandated reporters shall notify employees upon hiring of the requirement to report.
>
> `Va. Code § 63.2-1606 F`

> Any person 14 years of age or older who makes or causes to be made a report of adult abuse, neglect, or exploitation that he knows to be false is guilty of a Class 4 misdemeanor. Any subsequent conviction of this provision is a Class 2 misdemeanor.
> `Va. Code § 63.2-1606 G`

> Any person who fails to make a required report or notification pursuant to subsection A shall be subject to a civil penalty of not more than $500 for the first failure and not less than $100 nor more than $1,000 for any subsequent failures.
> `Va. Code § 63.2-1606 H`

> Any mandated reporter who has reasonable cause to suspect that an adult died as a result of abuse or neglect shall immediately report such suspicion to the appropriate medical examiner and to the appropriate law-enforcement agency, notwithstanding the existence of a death certificate signed by a licensed physician.
> `Va. Code § 63.2-1606 I`

> No person or entity shall be obligated to report any matter if the person or entity has actual knowledge that the same matter has already been reported to the local department or to the adult protective services hotline.
> `Va. Code § 63.2-1606 J`

> APS Hotline: 888-832-3858 (24/7)
> `Virginia Department of Social Services, Mandated Reporters page`

> Call 911 in emergencies
> `Virginia Department of Social Services, Mandated Reporters page`

> During business hours: Contact your local department of social services (LDSS) Find Local DSS Office Anytime: Submit an online report
> `Virginia Department of Social Services, Mandated Reporters page`

> CPS Hotline: 800-552-7096 (24/7)
> `Virginia Department of Social Services, Mandated Reporters page`

> Under Virginia law (§ 63.2-1509 for children and § 63.2-1606 for adults), specific professionals have a legal duty to report suspected abuse, neglect or exploitation.
> `Virginia Department of Social Services, Mandated Reporters page`

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