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Wayne County Mental Health Professionals, Medical Professionals and Educators

Re: *What the law requires of you when you become aware of abuse or neglect*

Dear Wayne County Mental Health Professionals, Medical Professionals and Educators:

In the spirit of protecting children, elderly citizens and victims of violent crime, I am writing to provide you with a summary of the law detailing your legal obligations if you become aware of abuse or neglect.

Regarding children: The Child Protection law requires professionals who work with children, including doctors, dentists, nurses, dental hygienists, physician assistants, EMS employees, therapists, counselors, teachers, school administrators and other professionals, to report to Child Protective Services when they have REASONABLE CAUSE TO SUSPECT ABUSE OR NEGLECT by a parent, guardian, or caretaker of a child. The procedure is as follows:

- 1) Report the suspected abuse to the 24 hour hotline, 855-444-3911 IMMEDIATELY.
- 2) Within 72 hours, send a written report on a form commonly called a "3200." To obtain this form, go to Google and type in 3200.
- 3) Retain the "load number" assigned to your referral for future reference, if necessary.

Failure to follow the law can result in the mandated reporter being prosecuted and subject to 93 days in jail, a \$500 fine, and the mandated reporter can be sued civilly for money damages for future abuse caused by his/her failure to report. (Michigan Compiled Law 722.621-722.638)

Regarding all victims of violent assaults: Michigan law further requires medical personnel to report to the police in the city where the medical facility is located, when a patient is suffering from an injury inflicted by a knife, gun, or other deadly weapon, or by other means of violence such as beating, biting, strangling, hitting, kicking, punching, and slapping. The report must be made by telephone and then in writing, either by a

letter, fax, email, or other written communication. Failure to file the law is a misdemeanor. (Michigan Compiled Law 750.411)

Regarding a threat to someone's safety: When a mental health professional is treating a patient who makes a threat of physical violence about another person's safety, the mental health professional is required to report the threat to the police and to the subject of the threat, if that person can be identified. The report must be made by telephone and then followed up in writing, either by a letter, fax, email, or other written communication. (Michigan Compiled Law 330.1946)

Regarding adult abuse or neglect: When employees and agencies that provide health care, educational social welfare, mental health, or other human services SUSPECT OR HAVE REASONABLE CAUSE TO BELIEVE that an adult has been abused, neglected, or exploited, they must report as follows: An oral report must be made to the Department of Social Services in the city where the suspected abuse occurred and then a written report must be filed. (Michigan Compiled Law 400.11a)

If you want to read any of the above cited statutes, go to Google and type in "Michigan Compiled Law" and the section number that follows. If you want to consult an assistant prosecuting attorney about your obligations under the law, contact the Special Victims Unit of the Wayne County Prosecutor's Office at 313-224-5857 and ask to speak with a supervisor.

It is my sincere hope that the professional community in Wayne County will work with my office and help prevent abuse of the citizens of Wayne County.

Sincerely,



Kym L. Worthy
Wayne County Prosecutor