

## **Colorado Dependent Adult Abuse Reporting**

Colorado has reporting regulations on suspected mistreatment, caretaker neglect, exploitation, and self-neglect involving at-risk adults and at-risk elders whose physical or mental limits make them vulnerable to harm or unable to meet essential needs or make safe decisions.

### **Who do I contact to report an incident in Colorado?**

Each county in Colorado has an Adult Protective Services unit within the county human services or social services department. These offices receive reports and investigate suspected mistreatment or self-neglect of at-risk adults and at-risk elders.

To report concerns about an at-risk adult in Colorado, call the Adult Protective Services (APS) intake line for the county where the person lives. Here is a directory of county APS phone numbers.

| APS Intake Phone Numbers |                   |            |                 |
|--------------------------|-------------------|------------|-----------------|
| County                   | APS Intake Line   | County     | APS Intake Line |
| Denver                   | (720) 944-3000    | Kit Carson | (844) 264-5437  |
| Adams                    | (720) 523-2057    | La Plata   | (844) 264-5437  |
| Alamosa**                | (719) 589-2581    | Lake       | (844) 264-5437  |
| Arapahoe                 | (303) 636-1750    | Larimer    | (970) 498-7770  |
| Archuleta                | (970) 264-2182    | Las Animas | (719) 846-2276  |
| Baca                     | (844) 264-5437    | Lincoln    | (844) 264-5437  |
| Bent                     | (719) 456-2620    | Logan      | (970) 522-2194  |
| Boulder                  | (303) 441-1309    | Mesa       | (970) 248-2888  |
| Broomfield               | (720) 887-2271    | Mineral    | (719) 657-3381  |
| Chaffee                  | (719) 539-6627    | Moffat     | (844) 264-5437  |
| Cheyenne                 | (844) 264-5437    | Montezuma  | (970) 565-3769  |
| Clear Creek              | (844) 264-5437    | Montrose   | (844) 264-5437  |
| Conejos                  | (844) 264-5437    | Morgan     | (970) 542-3530  |
| Costilla                 | (719) 672-3481    | Otero      | (719) 383-3166  |
| Crowley                  | (719) 267-3546    | Ouray      | (970) 626-2299  |
| Custer                   | (719) 783-2371    | Park       | (844) 264-5437  |
| Delta                    | (970) 872-1230    | Phillips   | (970) 854-2280  |
| Dolores                  | (970) 677-2250 x7 | Pitkin     | (844) 264-5437  |
| Douglas                  | (303) 663-6270    | Prowers    | (719) 336-7486  |
| Eagle                    | (844) 264-5437    | Pueblo     | (719) 583-6853  |
| El Paso                  | (719) 444-5755    | Rio Blanco | (970) 878-9640  |
| Elbert                   | (303) 621-3210    | Rio Grande | (719) 657-3381  |
| Fremont**                | (719) 275-2318    | Routt      | (844) 264-5437  |
| Garfield                 | (844) 264-5437    | Saguache   | (844) 264-5437  |
| Gilpin                   | (844) 264-5437    | San Juan   | (970) 382-6150  |
| Grand                    | (844) 264-5437    | San Miguel | (970) 728-4411  |
| Gunnison                 | (970) 641-3244    | Sedgwick   | (970) 474-3397  |
| Hinsdale                 | (970) 641-3244    | Summit     | (970) 668-4030  |
| Huerfano                 | (719) 738-2810    | Teller     | (719) 686-5550  |
| Jackson                  | (844) 264-5437    | Washington | (970) 345-2238  |
| Jefferson                | (303) 271-4673    | Weld       | (970) 400-6700  |
| Kiowa**                  | (719) 438-5541    | Yuma       | (970) 332-4877  |
| Rev. 06/2024             |                   |            |                 |

### How much time do I have to report an incident?

Mandatory reporters who, in professional capacity or within the scope of employment, observe mistreatment, exploitation, or self-neglect of an at risk elder or an at risk adult with intellectual and developmental disabilities, or have reasonable cause to believe such mistreatment has occurred, must make an oral report to law enforcement as soon as possible and no later than twenty-four hours after the observation or discovery. **Colo. Rev. Stat. § 18-6.5-108**

### What is an “at-risk adult” and an “at-risk elder” in Colorado?

An “at-risk adult” is an individual eighteen years of age or older who is susceptible to mistreatment or self-neglect because the individual is unable to perform or obtain services necessary for health, safety, or welfare, or lacks sufficient understanding or capacity to make or communicate responsible decisions about person or affairs. **Colo. Rev. Stat. § 26-3.1-101(1.5).**

An “at-risk elder” is a person who is seventy years of age or older. **Colo. Rev. Stat. § 18-6.5-102.**

**What is “mistreatment,” “caretaker neglect,” “exploitation,” and “self-neglect” of an at-risk adult or at-risk elder in Colorado?**

“Mistreatment” of an at-risk person includes abuse, caretaker neglect, exploitation, any act or omission that threatens the person’s health, safety, or welfare, and any act or omission that exposes the person to a situation that poses an imminent risk of bodily injury. **Colo. Rev. Stat. § 26-3.1-101(7)**

“Caretaker neglect” occurs when adequate food, clothing, shelter, psychological care, physical care, medical care, habilitation, supervision, or other treatment necessary for an at-risk adult’s health or safety is not secured or is not provided in a timely way and with the degree of care a reasonable person in the same situation would use, or when a caretaker uses harassment, undue influence, or intimidation to create a hostile or fearful environment for an at-risk adult. **Colo. Rev. Stat. § 26-3.1-101(2.3)**

“Exploitation” of an at-risk person is an act or omission in which a person uses deception, harassment, intimidation, or undue influence to deprive the at-risk person of the use, benefit, or possession of anything of value, forces the person to perform services for another’s benefit, employs a third party for profit to the detriment of the at-risk person, or misuses the person’s property in a way that harms the person’s ability to obtain health care or meet basic needs. **Colo. Rev. Stat. § 18-6.5-102(10)**

“Self-neglect” occurs when an at-risk adult, by act or failure to act, substantially endangers health, safety, welfare, or life by not seeking or obtaining services needed to meet essential human needs. Choice of lifestyle or living arrangements alone does not prove self-neglect, and refusal of medical treatment in line with valid directives is not treated as self-neglect. **Colo. Rev. Stat. § 26-3.1-101(10)**

**Who is a mandatory reporter in Colorado?**

A person who works as a health care provider, hospital or clinic staff member, mental health professional, social worker, staff member or caregiver of a nursing home or other care facility, law enforcement officer, court appointed guardian or conservator, financial institution employee, clergy member, or in another professional role listed in the statute is a mandatory reporter when mistreatment, caretaker neglect, exploitation, or self neglect of an at risk elder or at risk adult with intellectual and developmental disabilities comes to light in that work. Other people who see or suspect mistreatment of at risk adults or at risk elders also have authority to report concerns. **Colo. Rev. Stat. § 18-6.5-108**

**Are Clergy mandatory reporters in Colorado?**

Yes. **Colo. Rev. Stat. § 18-6.5-108(1)(b)(XXI)**

**Is there an exception for confidential communication in Colorado?**

Yes. Colorado law states that a clergy member who is otherwise a mandatory reporter does not have to report suspected mistreatment or exploitation of an at-risk elder or at-risk adult with intellectual and developmental disabilities when the clergy member learns of the concern only

during a confidential communication that falls under the clergy privilege and does not learn the same information from another source. **Colo. Rev. Stat. § 18-6.5-108(1)(b)(XXI), Colo. Rev. Stat. § 13-90-107(1)(c)**

**If there is a confidential communication in Colorado, how do you define such a communication?**

Colorado evidence law defines a confidential communication with clergy as a communication made to a clergy member in professional capacity, in the course of discipline expected by the religious body, and kept confidential under the discipline, tenets, customs, or practices of that religious body. Both the clergy member and the person who made the communication hold a privilege against disclosure in court. **Colo. Rev. Stat. § 13-90-107(1)(c)**

**Where can I find Colorado law on elder and dependent adult abuse?**

Colorado's main adult protection rules appear in the Colorado Revised Statutes, Title 26, Article 3.1, "Protective Services for Adults at Risk of Mistreatment or Self-neglect."