

## **Georgia** **Dependent Adult Abuse Reporting**

Georgia has reporting regulations on suspected abuse, neglect, and exploitation of adults 18 or older who are mentally or physically incapacitated, have Alzheimer's disease, or have dementia, and adults age 65 or older.

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

Georgia's Division of Aging Services runs Adult Protective Services, which receives and investigates reports of abuse, neglect, or exploitation of adults age 65 or older and adults with disabilities.

To report suspected abuse, neglect, or exploitation, call the Adult Protective Services hotline at **866-552-4464 and press 3**.

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

Mandatory reporters who, in professional capacity or within the scope of employment, believe a disabled adult or elder person has been abused, neglected, or exploited must make a report as soon as possible by telephone or in person to the appropriate adult protective services agency. **O.C.G.A. § 30-5-4(a)(1)(A)**

### **What is a “disabled adult” and an “elder person” in Georgia?**

A “disabled adult” is an adult age eighteen or older with a physical or mental impairment, including Alzheimer's disease or another form of dementia, whose impairment limits capacity for self-care or protection from abuse, neglect, or exploitation. **O.C.G.A. § 30-5-3**

An “elder person” is any person age sixty-five or older. **O.C.G.A. § 30-5-3**

### **What conduct must be reported in Georgia?**

In Georgia you report when you have reasonable cause to believe a disabled adult or elder person has been or is being abused, neglected, or exploited, or is otherwise in need of protective services. This includes concerns about physical harm, sexual abuse, emotional or verbal abuse, lack of needed care or supervision, or financial exploitation such as misuse of money, property, or legal authority. **O.C.G.A. § 30-5-4**

### **What is “abuse,” “neglect,” and “exploitation” of a disabled adult or elder person in Georgia?**

“Abuse” means the willful infliction of physical pain, physical injury, sexual abuse, mental anguish, or unreasonable confinement upon a disabled adult or elder person. This includes willful deprivation by a caregiver of essential services such as food, clothing, medical care, or shelter, which are necessary to maintain health and safety. **O.C.G.A. § 30-5-3(1)**

“Neglect” means the failure of a caregiver to provide food, clothing, shelter, or health care, or to provide other essential services required to maintain the physical and mental health of a disabled adult or elder person. **O.C.G.A. § 30-5-3(10)**

“Exploitation” means the illegal or improper use of a disabled adult or elder person or that person's resources for another's profit or advantage. This includes improper use of funds,

property, or authority, such as misuse of the power of attorney or guardianship. **O.C.G.A. § 30-5-3(8)**

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

Mandatory reporters for disabled and elder adults include all professionals who must report child abuse under O.C.G.A. § 19-7-5(c), which covers many medical, mental health, school, child welfare, and law enforcement professionals. In addition, mandatory reporters include physical therapists, occupational therapists, day care personnel, coroners, medical examiners, emergency medical services personnel and other certified emergency responders, employees of public or private agencies that provide professional health related services to disabled adults or elder persons, clergy members, and employees of financial institutions or investment companies who have reasonable cause to believe that a disabled adult or elder person has been exploited. Any other person who has reasonable cause to believe that a disabled adult or elder person is in need of protective services or has been abused, neglected, or exploited may also make a report. **O.C.G.A. § 30-5-4**

**Are Clergy mandatory reporters in Georgia?**

Yes. **Ga. Code Ann. § 30-5-4(a)(1)(A)**

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

Yes. A clergy member is not required to report matters that are confided solely within the context of confession or a similar communication that church doctrine or practice requires to be kept confidential. When a clergy member learns about abuse, neglect, exploitation, or the need for protective services from any other source, the clergy member must make a report like any other mandatory reporter. **O.C.G.A. § 30-5-4(d)**

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

Under Georgia evidence law, a confidential communication to clergy is a communication made by a person who professes religious faith and seeks spiritual comfort or counseling from a minister, priest, rabbi, or similar religious leader that the person intends to keep private. The clergy member cannot be compelled to testify in court about that privileged communication. **O.C.G.A. § 24-5-502**

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

You can find Georgia's main Adult Protective Services law in the Disabled Adults and Elder Persons Protection Act at O.C.G.A. §§ 30-5-1 through 30-5-11.