

## **New York Dependent Adult Abuse Reporting**

New York has reporting regulations and guidance on suspected abuse, neglect, financial exploitation, and self-neglect involving vulnerable adults who need protective services because of physical or mental impairments, unmet essential needs, lack of able support, or danger from harmful or hazardous situations.

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

New York's Adult Protective Services units, operated through local social services districts, receive and investigate referrals of abuse, neglect, and financial exploitation of impaired vulnerable adults who live in the community.

To report suspected abuse, neglect, or financial exploitation of a vulnerable adult within New York State, call the statewide Adult Protective Services helpline at 844-697-3505 (M-F, 8:30 a.m. - 8 p.m.).

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

Social services officials and other workers who provide or arrange protective services and who have reasonable cause to believe an adult needs protective services because of abuse, neglect, or financial exploitation must make a referral to Adult Protective Services as soon as possible after the concern arises. **N.Y. Soc. Serv. Law §§ 473, 473-b**

### **What is an “adult in need of protective services” in New York?**

An “adult in need of protective services” is a person age eighteen or older with mental or physical impairment who is unable to meet essential needs or protect self from abuse, neglect, financial exploitation, or hazardous conditions without assistance and who lacks another person willing and able to help in a responsible way. **N.Y. Soc. Serv. Law § 473**

### **What is “abuse,” “neglect,” “financial exploitation,” and “self-neglect” of a vulnerable adult in New York?**

For adult protective services, “abuse” includes physical, sexual, and emotional abuse of a vulnerable adult, such as acts that cause injury, pain, or emotional harm. **N.Y. Soc. Serv. Law § 473; 18 N.Y.C.R.R. § 457.1**

“Neglect” includes active neglect, where a caregiver deliberately fails to meet essential needs, and passive neglect, where a caregiver does not understand or does not follow through on needed care, leading to harm or risk of harm to a vulnerable adult. **N.Y. Soc. Serv. Law § 473; 18 N.Y.C.R.R. § 457.1**

“Self-neglect” means a vulnerable adult’s failure or refusal to meet basic needs, such as food, clothing, shelter, medical care, or safety, when the person’s condition makes outside help necessary and the failure leads to serious harm or risk of harm. **N.Y. Soc. Serv. Law § 473**

“Financial exploitation” means improper use of a vulnerable adult’s funds, property, or resources by another person, including theft, fraud, misuse of a power of attorney, or other conduct that benefits someone else at the expense of the vulnerable adult. **N.Y. Soc. Serv. Law § 473; 18 N.Y.C.R.R. § 457.1**

**Who is a mandatory reporter in New York?**

A person who serves in a social services role that provides or arranges protective services for vulnerable adults and who believes a criminal offense has been committed against a client must share that information with law enforcement as directed in the Adult Protective Services statute. Other professionals, including clergy and health care workers, generally fall under permissive reporting rather than a broad mandatory reporter law for adults, but they still have authority to refer adults at risk to Adult Protective Services or law enforcement when harm is suspected. **N.Y. Soc. Serv. Law §§ 473, 473-b**

**Are Clergy mandatory reporters in New York?**

No. **N.Y. Soc. Serv. Law § 473-b**

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

New York's main Adult Protective Services rules appear in Article 9-B of the Social Services Law, including sections 473. State regulations for Adult Protective Services appear in Title 18 of the New York Codes, Rules and Regulations, Part 457.