

## **Oregon**

### **Dependent Adult Abuse Reporting**

Oregon has reporting regulations on suspected abuse, neglect, abandonment, financial exploitation, and self-neglect of elderly persons and other adults with disabilities who rely on others for care or assistance and who face harm from injury, lack of basic services, or misuse of their money or property.

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

Oregon's Department of Human Services operates Adult Protective Services and abuse reporting lines for older adults and adults with disabilities who experience or face risk of abuse, neglect, or financial exploitation in the community or in facilities.

To report suspected abuse, neglect, or financial exploitation of an older adult or adult with disabilities in Oregon, call the statewide abuse reporting line at 855-503-SAFE (855-503-7233), 24 hours a day, 7 days a week.

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

Mandatory reporters who, in professional capacity or within the scope of employment, have reasonable cause to believe abuse of an older adult or another covered adult has occurred must immediately report the suspected abuse to the local office of the Department of Human Services or to a law enforcement agency. If known, such reports shall contain the names and addresses of the elderly person and any persons responsible for the care of the elderly person, the nature and the extent of the abuse (including any evidence of previous abuse), the explanation given for the abuse and any other information which the person making the report believes might be helpful in establishing the cause of the abuse and the identity of the perpetrator. **Or. Rev. Stat. § 124.060, 124.065**

#### **What is an "elderly person" and a "person with a disability" in Oregon?**

An "elderly person" is any person age sixty-five or older. **ORS 124.005, ORS 124.050**

A "person with a disability" is an adult with a physical or mental impairment described in Oregon statute who needs personal assistance or supportive services and who faces abuse, neglect, or financial exploitation. **ORS 124.005, ORS 124.050**

#### **What is "abuse," "neglect," "abandonment," "financial exploitation," and "self-neglect" of an elderly person or an adult with a disability in Oregon?**

"Abuse" of an elderly person or an adult with a disability includes physical injury caused by other than accidental means, neglect that leads to physical harm, abandonment, psychological harm, sexual abuse, verbal abuse, financial exploitation, wrongful use of restraints, and involuntary seclusion. **Or. Rev. Stat. §§ 124.005, 124.020**

"Neglect" in this context is the failure of a caregiver to provide care, supervision, or services necessary to maintain health and safety, or to avoid physical harm or mental suffering. **Or. Rev. Stat. §§ 124.005, 124.020**

"Abandonment" means deserting an elderly person or an adult with a disability by a person who has assumed responsibility for care, in circumstances in which a reasonable person would continue to provide care. **Or. Rev. Stat. § 124.020**

“Financial exploitation” includes wrongful taking, appropriation, or misuse of money or property of an elderly person or an adult with a disability, including by deception, undue influence, or violation of fiduciary duty. **Or. Rev. Stat. §§ 124.005(4), 124.110**

“Self-neglect” occurs when an elderly person or an adult with a disability fails to provide for own basic needs, such as food, clothing, shelter, or medical care, and that failure threatens health or safety, even when no other perpetrator is involved. **Or. Rev. Stat. § 124.005(8)**

### **Who is a mandatory reporter in Oregon?**

A person who works as a physician, nurse or other licensed health care provider, social worker, psychologist, counselor, clergy member, peace officer, staff member of a nursing home, residential care or assisted living facility, adult foster home, home health agency, or home care agency, or as another public or private official listed in Oregon law, is a mandatory reporter for suspected abuse of people age sixty five or older and certain other adults with disabilities. Other people who see or suspect abuse of an elderly person or an adult with a disability also have authority to report concerns. **ORS 124.060; ORS 124.050**

### **Are Clergy mandatory reporters in Oregon?**

Yes. **Or. Rev. Stat. § 124.050, Or. Rev. Stat. § 124.060**

### **Is there an exception for confidential communication in Oregon?**

Yes. Oregon’s elder abuse reporting law states that a public or private official, including a member of the clergy, does not have a duty to report when the only source of information about possible abuse is a communication that Oregon evidence law treats as privileged and the person who holds that privilege asserts it. **Or. Rev. Stat. § 124.060(2), Or. Rev. Stat. § 40.260**

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

Oregon evidence law describes a confidential religious communication as a private communication made to a clergy member in a spiritual adviser role, where the person reasonably expects the conversation to remain private and does not intend disclosure beyond those present to help with the spiritual counseling. The person who made the communication holds a privilege in court, and a clergy member is not required to testify about that communication over the person’s objection. **Or. Rev. Stat. § 40.260**

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

Key Oregon laws on elder and adult abuse reporting and protection appear in Oregon Revised Statutes Chapter 124, including sections 124.005 to 124.095.