

Action Request Transmittal Aging and People with Disabilities



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Number: APD-AR-22-018

Issue date: 3/31/2022

Topic: Protective Services

Due date:

Subject: APS External Referrals and Notifications Reference Tools

Applies to (check all that apply):

- | | |
|--|--|
| <input type="checkbox"/> All DHS employees | <input type="checkbox"/> County Mental Health Directors |
| <input checked="" type="checkbox"/> Area Agencies on Aging: Type B | <input type="checkbox"/> Health Services |
| <input checked="" type="checkbox"/> Aging and People with Disabilities | <input checked="" type="checkbox"/> Office of Developmental Disabilities Services (ODDS) |
| <input type="checkbox"/> Self Sufficiency Programs | <input type="checkbox"/> ODDS Children's Intensive In Home Services |
| <input type="checkbox"/> County DD program managers | <input type="checkbox"/> Stabilization and Crisis Unit (SACU) |
| <input type="checkbox"/> Support Service Brokerage Directors | <input type="checkbox"/> Other (<i>please specify</i>): |
| <input type="checkbox"/> ODDS Children's Residential Services | |
| <input type="checkbox"/> Child Welfare Programs | |

Action required:

These actions refer to referrals and notifications made by APD/AAA APS workers to other public agencies and licensing boards (public agencies) external to the Oregon Department of Human Services (ODHS).

There are many State and Federal agencies that APS workers frequently refer or notify about alleged perpetrators (AP). This occurs when the local offices have reason to believe that the APs have violated those agencies' standards or the law. Over the years, as public agencies have strengthened safety for vulnerable Oregonians, the number of notices has markedly grown.

The most commonly statewide Oregon and Federal agency contacts are listed in the three attached reference tools for 1) Medical (blue), 2) Law Enforcement Agencies (LEA) (golden), and 3) Financial (green) agencies.

These reference tools are for convenience and are intended to be informative, but not authoritative nor comprehensive. For authoritative guidance, rely upon rules, policy, and your supervisor's direction. Since public agencies are numerous, only the commonly used contacts are included in the three tools. Other contacts may need to be researched. Local offices may add their county contacts to the reference tools.

All referrals and notifications and their attempts must be documented in the Central Abuse Management (CAM) system. Note the dates, method of contact, and a brief statement of the content.

Necessary case information may be shared with the agency to make a referral or a notification. If in follow-up, the agency requests records or more details, how much that may be shared varies by those agencies' authority and Oregon law. Refer to [OAR 411-020-0030 Confidentiality](#) for the typical agencies with which we may share information and how much. As noted in the reference tools, a select few public agencies must be given complete APS records upon request, e.g., Oregon LEA. See APD-APS 030-002 [APS General Confidentiality](#) policy.

Even when notifying or making referrals to other public agencies, local APS offices must still screen and, as appropriate, assign reports of abuse and self-neglect according to APS eligibility and criteria.

A companion tool, [AR-21-064](#) APS Internal Notifications and Referrals Tool (in APS tools) provides a separate reference tool for referrals and notifications internal to ODHS.

If there are problems with contacts and links, contact APS Technical Assistance. Central APS will notify the local offices through the APS Connect Newsletter when contacts for the reference tools are updated.

When issued by APD, this AR replaces the reference tool, "Who Investigates This?"

Reason for action:

To keep vulnerable Oregonian's safe, public agencies must know when the individuals and programs they regulate or investigate are reported to and investigated by APS for abuse and self-neglect.

Field/stakeholder review: Yes No

APD Operations, APS Supervisors, SOQ, APS Policy Advisory Committee, APS Unit, ODHS Tribal Liason, OHA's Oregon Health Care Regulation and Quality

If yes, reviewed by: Improvement (HCRQI) program, OTIS

If you have any questions about this action request, contact:

Contact(s): Central APS Technical Assistance	
Phone:	Fax:
Email: APS.TechAssistance@dhsosha.state.or.us	

External to ODHS

Notifications and Referral Contacts

Regarding Law Enforcement and Prosecution

Notify means inform. **Refer** means expectation of potential action. **Notify/refer ASAP** or as noted below.

- In addition to referrals or notifications, intakes must be screened for APS investigation, then assigned or screened out based upon APS eligibility and abuse definitions. See OAR 411-020-0060(1)(2). Out-of-scope may need to be proven by Administrative Closure.

Acronyms: Law Enforcement Agency (LEA), Oregon Department of Justice (ODOJ), Oregon Department of Human Services (ODHS), Aging and People with Disabilities (APD), Adult Protective Services (APS), Community APS (C-APS), alleged victim (AV), alleged perpetrator (AP).

Confidentiality: Share necessary info to make the referral, otherwise when records are requested, disclosure means:

- Oregon LEA, Oregon prosecutors, and ODOJ, as defined in OAR 411-020-0002, who are acting on APS cases, must be given complete unredacted requested information. See OAR 411-020-030 (5)(a).
- Tribal, Federal, and out-of-state LEAs who qualify for records under OAR 411-020-030 (5)(e) may be given records redacted of the reporter's identity.
- Any defense attorneys, plus Oregon LEA, ODOJ, and prosecutors whose requests do not relate to an APS matter must provide a subpoena which goes to the [ODHS Legal Unit](#).

Reported	Referrals and Notifications
Crimes	When a local office believes there is criminal activity, ORS 124.065 (2) mandates the office must refer the APS case to the local Oregon LEA, as defined in OAR 411-020-0002. Provide complete requested unredacted APS records and information.
Death Investigations	Refer to local LEA, as they conduct death investigations, not APS. However, if meets APS criteria, then APS must investigate other related abuse, e.g., neglect.
Warrants	When having knowledge of warrants for AVs and APs, staff with supervisor and Technical Assistance is available. Case by case.
Oregon Department of Justice (ODOJ) <i>Medicaid Fraud, if AP is a Medicaid provider.</i>	The following are the more common contacts with ODOJ which relate to APS: Refer to ODOJ Medicaid Fraud Unit (MFU) medicaid.fraud.referral@doj.state.or.us for financial exploitation (FE), also serious abuse, e.g., sexual, physical, but not verbal. AV does not have to be on Medicaid to refer to MFU. Provide complete requested unredacted APS records and information.

Reported	Referrals and Notifications
<p><i>ODOJ Elder Abuse Prosecution.</i></p> <p><i>ODOJ Consumer Fraud.</i></p> <p><i>NOTE: Legal advice, working with ODOJ, Record requests from ODOJ, and FYI.</i></p>	<p>ODOJ has an elder abuse prosecution team. Normally, they take only referrals from prosecutors. However, they have been helpful with APS cases. Refer to APS Technical Assistance, which will coordinate contact. Provide complete requested unredacted APS records and information.</p> <p>Refer to ODOJ Consumer Protection Consumer Hotline at 1-877-877-9392, webpage: ODOJ Consumer Protection provides information and complaint forms. See reference tool for Financial Notifications and Referrals for more details. May provide information redacted of reporter's identity.</p> <p>Use of ODOJ for legal advice must go through APS Technical assistance or as delegated by your management. AAAs have their own legal counsel. If record request relates to APS, must provide all records unredacted to ODOJ. If not related to APS, must staff with supervisor, APS technical assistance is available.</p>
<p>Other States LEA</p>	<p>Confidentiality is different from Oregon LEA see top of tool. If a shared AV, may share APS information, but must not share the reporter's ID. Must not investigate for other States.</p>
<p>Oregon State Police (OSP)</p>	<p>Refer to local LEA before Oregon State Police (OSP), unless OSP is the local LEA. Oregon State Police Criminal Division: dispatches are 503-378-3387, Division Northwest Region 503-378-3387, Southwest Region 541-726-2536 x 269, and Eastern Region 541-388-6213. Provide complete requested unredacted records and information.</p>
<p>State Medical Examiner (ME)</p>	<p>Staff with supervisor before referring a case to the State Medical Examiner or Officer, Phone: 971-673-8200 Info at Medical.Examiner@osp.oregon.gov. Consider as OSP and share complete unredacted requested records.</p> <p>To Request ME records, use the Medical Examiners Records Request Form at: https://www.oregon.gov/osp/Docs/OSME_Request_Form_V0815.pdf</p>
<p>Tribal LEA, Family Services on Tribal Lands</p>	<p>First contact the local tribal government to ask them how to proceed if the alleged abuse was on tribal lands or the AV or the AP resides or is staying on those lands. APS does not have authority to investigate on tribal lands, unless invited or there is a written agreement.</p> <p>Best practice is to have a tribal contact. Otherwise, search on-line for their local tribal government. ODHS Tribal Affairs lists the tribes.</p>

<p><i>Abuse not on Tribal lands</i></p> <p><i>Intervention, Protective Services.</i></p>	<p>Central Office has a Tribal Liaison and also collaborates with Tribal Navigators who may know whom to contact.</p> <p>If the AV or the AP is a member of a tribal community but does not reside on a reservation and if the AV does not object, also contact the local tribal government, as noted above. APS and local LEA may have jurisdiction, except when tribal officers have authority outside of tribal lands.</p> <p>If the AV agrees to tribal intervention/protective services, notify their local tribal services to collaborate.</p>
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<h2 style="text-align: center;">Federal Law Enforcement</h2> <p style="text-align: center;"><i>Confidentiality for Federal LEA is different from Oregon LEA, see top of this tool</i></p>	
Reported	Referrals and Notifications
<p>Offices of Inspector Generals (OIG)</p>	<p>Refer fraud and crimes related to Federal programs to the Offices of Inspector General (OIG) US Department of Justice https://www.oig.dot.gov/hotline. There are different OIGs for different Federal Programs.</p>
<p>Social Security Administration (SSA) Fraud</p>	<p>Refer fraud of SSA funds by Representative Payees or others to OIG fraud hotline at 1-800-269-0271 or submit a report online at https://oig.ssa.gov. APS Technical Assistance may have contacts.</p>
<p>Postal identity and mail theft</p>	<p>Refer mail fraud and theft, also includes identity theft because much identity theft happens through the mail. https://www.uspis.gov/report.</p>
<p>Federal Bureau of Investigation (FBI)</p>	<p>Federal crime. Sometimes referred for crimes that cover more than one state, e.g., financial exploitation of alleged victim's property in different states. Refer to Portland FBI (503) 224-418.</p>
<p>Internet Crimes</p>	<p>FBI's Internet Crime Complaint Center (IC3) at https://www.ic3.gov/</p>

Contact APS Technical Assistance for questions and updates.
APS.TechAssistance@dhsosha.state.or.us

External to ODHS

Notifications and Referral Contacts

Financial, Property, Scams, Commercial Business

Notify means inform. **Refer** means expectation of potential action. **Notify/refer ASAP** or as noted below.

- In addition to referrals or notifications, intakes must be screened for APS investigation, then assigned or screened out based upon APS eligibility and abuse definitions. See OAR 411-020-0060(1)(2). Out-of-scope may need to be proven by Administrative Closure.

Acronyms Oregon Department of Justice (ODOJ), Oregon Department of Human Services (ODHS) Adult Protective Services (APS) Community APS (C-APS), alleged victim (AV), alleged perpetrator (AP).

Assume APS-eligible AV, report meets abuse definitions and that crimes are reported to law enforcement.

Confidentiality Share necessary information to meet the referral, for requested when records may disclose necessary records with redacted reporter, see OAR 411-020-0030 (5) or as noted otherwise below.

Reported	Referrals and Notifications
<p>Consumer fraud including, but not limited to:</p> <p><i>Frauds, scams, schemes</i></p> <p><i>Mortgage, foreclosure, Mortgage Counsellors frauds and scams</i></p> <p><i>Commercial businesses</i></p>	<p>Refer the following to ODOJ Consumer Protection Scams and Frauds with the Financial Fraud/Consumer Unit Section: Consumer Hotline 1-877-877.</p> <p>Resource: Database of consumer complaints is found at ODOJ consumers search.</p> <p>Some scams in Oregon may meet C-APS criteria, e.g., door-to-door scams. While, national and international scams/exploitation may be out-of-jurisdiction thus may be directly screened-out, e.g., imposter scams and car warranty calls.</p> <p>Refer to ODOJ Mortgage-foreclosure-Fraud (within ODOJ Consumer Protection),</p> <p>Also, the US Department of Housing and Urban Development oversees mortgage counselors, 1-877-483-1515.</p> <p>Resources to keep homes, e.g., foreclosure: Refer AV to Mortgage-Help-for-Oregon-Homeowners (within ODOJ Consumer Protection).</p> <p>Local individuals and entities may meet C-APS criteria, e.g., paid driver molests, or store clerk cheats, but some businesses may be out of jurisdiction and screened-out or may be administratively closed, e.g., national brand stores or international corporations-if a local branch is not culpable.</p> <p>Notify business boards or licensing agencies (search on-line), Notify Better Business Bureau https://www.bbb.org/us/or</p> <p>Resource: Secretary of State (SOS) registers businesses and is a source about who owns business, etc. (Not for reporting).</p>

Reported	Referrals and Notifications
<i>Auto car dealerships, salespersons, or the dealership</i>	May meet C-APS criteria when local, e.g., AV cannot drive nor pay for vehicle currently or in the near future or diminishing capacity to make the purchase. Also, Notify DMV Business Regulation Section Dealer Complaints 503-945-5281.
<i>Seminar scams</i>	If local, may meet C-APS criteria, but mail and on-line may be out of jurisdiction. Examples: free lunch, investing, real estate, and cure seminars.
<i>Charity scams</i>	Refer charities fraud to ODOJ Charitable Activities Section , 971-673-1880. Examples: fake charities which mimic real charities, disaster, animals, veterans schemes. Resource: IRS lists of legitimate charities. Tax-Exempt Orgs

<i>Businesses that offer financial services – includes stocks, securities bonds investment advising, banks, credit unions, title and escrow, etc.</i>	Refer to the Department of Consumer and Business Services (DCBS) Division of Financial Regulation (DFR) , consumer hotline 888-877-4894, e-mail DFR.financialserviceshelp@Oregon.gov ► Must notify DCBS before starting APS investigation. By law, financial professionals regulated by DCBS must report abuse first to DCBS, then DCBS reports to APS. High fines by DCBS for their qualified professionals not reporting. APS may disclose complete unredacted information and records with DCBS.
<i>Insurance</i>	Refer to DFR.Insurancehelp@Oregon.gov (within DCBS).
<i>Manufactured Homes and home parks</i>	Refer to DCBS, but also, manufactured dwellings located in or shipping to Oregon must register with the Building Codes Division. HUD (Federal resource) 1-800-927-2891. https://www.hud.gov/complaints/manufactured_housing
<i>Landlord tenant, Housing, HUD</i>	Refer AV to Legal aid tenant hotlines: Resource for and information about Legal Aid offices in Oregon: https://oregonlawhelp.org/issues (Need AV's permission to share details with Legal Aid) Refer to Oregon Bureau of Labor and Industries (BOLI) civil rights and Fair Housing : file a complaint at 971-673-0761 or email help@boli.state.or.us HUD webpage: HUD Tenant Rights . Good information, resources, complaint form.
<i>Residential construction fraud and exploitation licensed and unlicensed</i>	Refer to Oregon Construction Contractors Board (CCB) CCB Complaints .503-934-2247. Examples: breach of contract, negligence, or improper work, unlicensed contractors, door-to door construction scams. Door to door may make C-APS criteria. Also, may refer to the Building Code Division, (BCD) Enforcement Program , bcd.complaint@oregon.gov 503-378-3278. Building Code and Construction Board often work together.

Reported	Referrals and Notifications
Homeowner Real Estate	To file a complaint about realtors, contact the Oregon Real Estate Agency at Consumer Complaints .
Commercial property	Commercial real estate and Construction-refer same as for above residential construction. Often out of APS scope but need to be prove with Administrative Closure.
Notaries	Notify the Corporation Division, Secretary of State (SOS) Complaints Notaries 503-986-2200, Note: SOS doesn't investigate, acts on evidence of violations.
Social security fraud, Representative Payees	Refer to Office of the Inspector General's (OIG) SSA fraud hotline at 1-800-269-0271 or submit a report online at https://oig.ssa.gov/ . https://oig.ssa.gov/what-abuse-fraud-and-waste/misuse-benefits-representative-payee APS Technical Assistance sometimes know direct SSA contacts, but this varies by whom is the contact at the time.
Identity and mail theft	Refer to Federal Trade Commission (FTC) at 1-877-438-4338 or TDD at 1-866-653-4261, or website at https://www.identitytheft.gov/#/ . If mail is involved, refer to Postal Inspector General at 877-876-2455 or at www.uspis.gov .

Contact APS Technical Assistance for questions and updates.
APS.TechAssistance@dhsoha.state.or.us

External to ODHS

Notifications and Referral Contacts

Medical, Health, Esthetic Services, and Behavioral Health

Notify means inform. **Refer** means expectation of potential action. **Notify/refer ASAP** or as noted below.

- In addition to referrals or notifications, intakes must be screened for APS investigation, then assigned or screened out based upon APS eligibility and abuse definitions. See *OAR 411-020-0060(1)(2)*. If out-of-scope or jurisdiction may need to be proven by Administrative Closure.

Acronyms: Oregon Health Authority (OHA), Oregon Department of Human Services (ODHS) Adult Protective Services (APS) Community APS (C-APS), alleged victim (AV), alleged perpetrator (AP).

This tool assumes: Reportable AP conduct is conduct by AP when they are acting in their health-related professional capacity. Crimes reported to LEA.

Mandatory reporting: Many health professionals are Oregon mandatory reporters. Lists on ORS 124.050 and OAR 411-020-002. Refer to their licensors or boards for failures to report.

Confidentiality: Share necessary information to make the referral, otherwise, when more records are requested, can share most necessarily needed records, but with the reporter redacted or as noted otherwise below. Follow OAR 411-020-0030 (5) and APD-APS-030-002 General APS Confidentiality policy.

Reported	Referrals and Notifications
<p>Hospitals, Emergency Departments (ED): includes psychiatric hospitals and units. See <i>Oregon State Hospitals (OSH)</i> below, as OHA licenses them.</p>	<p>Refer to Oregon Health Care Regulation and Quality Improvement (HCRQI) for all OHA health regulated facilities. HCRQI website lists facilities and agencies they oversee and gives the complaint form and reporting directions. Referrals to HCRQI require the name and contact information of individuals with additional information about the complaint.</p> <p>Also, may refer accredited hospitals to The Joint Commission for the Accreditation of Health Organization (JCACHO). File complaints on-line at: www.jointcommission.org or 1-800-994-6610. JCACHO accreditation list https://www.qualitycheck.org. JCACHO does not investigate abuse but oversees abuse response standards. FYI-there are other accreditation bodies, which you can add to this list for your district.</p>
<p>Health providers and professionals, and other health settings than hospitals: including but not limited to:</p>	<p>Refer to Oregon Health Care Regulation and Quality Improvement (HCRQI) for health entities and professions HCRQI Website: HCRQI website lists the health entities and professions that OHA Public Health Division oversees and gives the complaint form and reporting directions.</p> <p>Notify, as appropriate, professionals to their licensing boards, as listed below, in OHA's Health Licensing Boards, or search online.</p>

Reported	Referrals and Notifications
<p><i>In-Home Care Agencies (IHCA), Home Health, and Hospice agencies.</i></p> <p><i>Health therapists- e.g., occupational, physical.</i></p> <p><i>Medical clinics, centers, and medical suppliers.</i></p>	<p>The “three H’s” provide direct care to the populations that APS serves. C-APS often investigates, as well as refers to OHA. In addition, IHCAs are frequently contracted by APD (list at APD contracted In-Home Care Agencies) and by APD facilities. Notify APD case managers when the AP is an APD contracted IHCA provider or staff.</p> <p>Health-related therapists provide direct care to the populations that APD serves. Thus, in addition to notification to OHA, C-APS may investigate if what is reported overlaps with what APS routinely investigates</p> <p>There are other health providers that may be reported to OHA, including but not limited to ambulatory surgical centers, birthing centers; renal dialysis facilities; special in-patient care facilities; organ procurements; outpatient rehabilitation facilities; rural health clinics; portable x-ray suppliers; or medical suppliers.</p>
<p>Veteran’s Administration (VA) hospitals and nursing facilities.</p>	<p>Refer to Veterans Health Administration (VA) https://www.va.gov/health/patientadvocate/ Also, may refer to JCACHO.</p> <p>Refer the two VA nursing facilities to the APD Nursing Facility Survey Unit (NFSU)</p> <p>APS does not investigate in VA settings unless C-APS criteria apply, since VA-provided care is under Federal and NFSU jurisdiction</p>
<p>Emergency Medical Systems (EMS)</p>	<p>Refer to EMS and Trauma Systems, Professional Standards Enforcement, E-MAIL: ems.psu@state.or.us, FAX: (971) 673-0555. Includes but not limited to trauma providers, Emergency Technicians (EMT) paramedics, and ambulances.</p>
<p>Registered Nursing, Certified Nursing (CNA), Medication Aides are overseen by the OSBN.</p>	<p>Must refer to the Oregon State Board of Nursing (OSBN), complaints are made at https://www.oregon.gov/osbn/pages/complaint.aspx</p> <ul style="list-style-type: none"> • APS must also investigate if the AP is a facility staff, or the abuse report meets C-APS criteria. OSBN investigations are for disciplinary action only. • Must disclose necessary APS case information to the OSBN, and, if requested, provide APS records, including draft reports, redacted of reporter identity.
<p>Licensed physician, MD, surgeon, intern, psychiatrist</p>	<p>Staff with supervisor and notify APS Technical Assistance before assigning and referring.</p> <p>If okayed, refer to the Oregon Medical Board (OMB) Complaint Resource Officer at 971-673-2702 or toll-free 877-254-6263 Filing a complaint is available at OMB.</p>
<p>Pharmacists</p>	<p>Refer to Oregon State Board of Pharmacy 1-971-673-0001 File a complaint</p>

Reported	Referrals and Notifications
Dentists	Refer to Oregon Board of Dentistry Includes dental assistants.
Esthetic services, e.g., hair, nails, gyms, tattoos, etc.	Refer to the OHA Oregon Health Licensing Office for complaint form and lists of all esthetic services. In addition, there are also licensing boards respective of the various services. OHA Licensing Boards includes, but not limited to barbers, hair and beauty salons, tattoos, hearing aids, dentures, athletic training, gyms, etc.

Behavioral Health (BH) Programs including Substance Abuse and Gambling Addiction Services

Reported	Referrals and Notifications
Oregon State Hospitals (OHS) and staff	<p>Refer to Office of Training, Investigations, and Safety (OTIS) at 503-945-9495 or OTIS.OSHReporting@dhsosha.state.or.us or use SAFELINE 855-503-SAFE (7233).</p> <p>C-APS investigates when the AV is a resident of OSH, but the AP is not a staff, other resident, or related to OHS, e.g., family members.</p> <p>Refer also to the Oregon Health Care Regulation and Quality Improvement (HCRQI) program in OHA for safety of patient concerns. HCRQI licenses the State Hospitals and oversees their operations. HCRQI website</p>
Licensed BH residential and supported living situations, e.g., group homes	<p>Refer abuse to local Community Mental Health Programs (CMHP) when the AV is enrolled in BH Services and abuse is reported in BH licensed residential settings or with BH support systems</p> <p>Also, may use or refer caller to SAFELINE 855-503-SAFE (7233).</p> <p>If AV is APS eligible, but the AP is a BH provider, first refer to CMHP. If BH cannot investigate (AV is not enrolled in BH services), then must screen and assign for C-APS.</p>
BH Professional boards notifications	<p>Notify for professional conduct or unlicensed practice: Board of Licensed Professional Counsellors and Therapists for professionals' counselors (LPCs), marriage and family therapists (LMFTs), LPC/LMFT associates; Board of Social Workers for Clinical Social Workers/ Board of Psychology; Medical Board OMB for psychiatrists; Mental Health and Addiction Certification Board of Oregon (MHACBO) for Qualified Mental Health Associates & Professionals and Addictions Counselors.</p>
Behavioral crises, suicide	<p>If AV is not enrolled in BH services, refer behavioral or suicidal concerns or crises to the Oregon BH Crisis Lines rather than CMHP. FYI: AV must agree to crisis BH services unless they meet criteria for involuntary services or commitment.</p>

Reported	Referrals and Notifications
<i>Other BH programs and professionals</i>	Refer to County Community Mental Health Program (CMHP) or to OHA's Behavioral Health Licensing and Certification, Residential and Outpatient complaints.

Contact APS Technical Assistance for questions and updates.
APS.TechAssistance@dhsosha.state.or.us