



Patrick Doherty

ABUSE IN LATER LIFE EDUCATION SERIES FOR ADVOCATES:
MANDATORY REPORTING

Module 12

National Clearinghouse on Abuse in Later Life

2017

Office on Violence Against Women Abuse in Later Life Program

2

This project was supported by Grant No. 2014-TA-AX-K050 and 2016-TA-AX-K071 awarded by the Office on Violence Against Women, U.S. Department of Justice. The opinions, findings, conclusions, and recommendations expressed in this publication/program/exhibition are those of the author(s) and do not necessarily reflect the views of the Department of Justice, Office on Violence Against Women.

National Clearinghouse on Abuse in Later Life

As a Result of This Training, Participants Will Be Better Able to:

3

- Define the relationship between privacy, confidentiality, and mandatory reporting
- Determine whether or not you are a mandatory reporter and your legal obligations
- Develop policies and practices to address mandatory reporting that minimize any unintended consequences to victims and promote autonomy and safety

National Clearinghouse on Abuse in Later Life

Confidentiality and Privacy

4



Rebecca Henry
Deputy Chief Counsel, Commission on Domestic and Sexual Violence
American Bar Association

National Clearinghouse on Abuse in Later Life

VAWA Victim Service Confidentiality Requirements

5

- VAWA SEC. 3. NONDISCLOSURE OF CONFIDENTIAL OR PRIVATE INFORMATION.—
 - “(A) IN GENERAL.—In order to ensure the safety of adult, youth, and child victims of domestic violence, dating violence, sexual assault, or stalking, and their families, grantees and subgrantees under this title shall protect the confidentiality and privacy of persons receiving services.”

National Clearinghouse on Abuse in Later Life

How Do I Protect Confidentiality and Privacy?

6

- You are prohibited from sharing personally identifying information about victims without "reasonably time-limited, written and informed consent....”

National Clearinghouse on Abuse in Later Life

What Does This Mean?

7

- Personally identifying information

- Consent
 - Reasonably time-limited
 - Written
 - Informed consent

National Clearinghouse on Abuse in Later Life

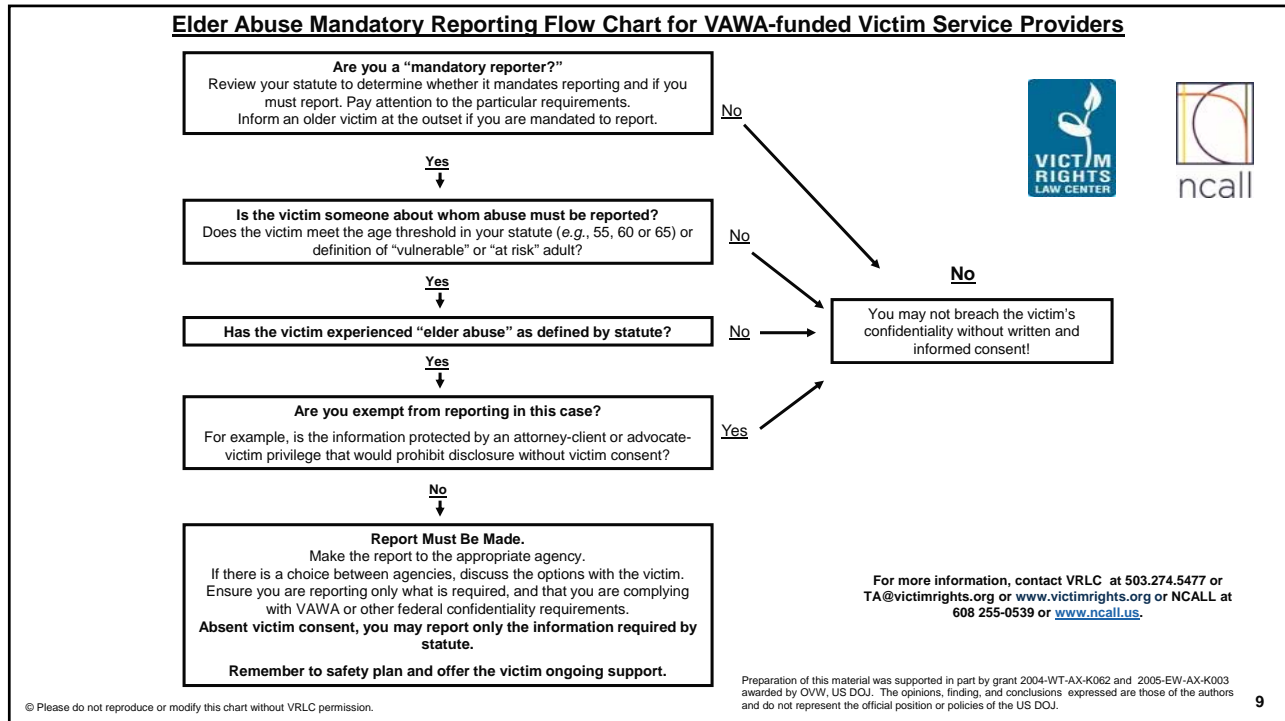
Mandatory Reporting of Elder Abuse or Abuse of Vulnerable Adults

8



Alicia Aiken
Executive Director, The Confidentiality Institute

National Clearinghouse on Abuse in Later Life



Challenges and Unintended Consequences to Mandatory Reporting

10

Rebecca Henry
Deputy Chief Counsel, Commission on Domestic and Sexual Violence
American Bar Association

National Clearinghouse on Abuse in Later Life

If You Are a Mandated Reporter...

11

- Create clear policies for mandatory reporting in your agency
- Alert victim at the onset of services
- Invite victim to be involved when report is made
- Work with victim on a safety plan

National Clearinghouse on Abuse in Later Life

Mandatory Reporting: Working with Victims

12



Alicia Aiken
Executive Director, The Confidentiality Institute

National Clearinghouse on Abuse in Later Life

Summary

13

- Advocates must respect privacy and confidentiality within the legal limits of mandatory reporting laws
- Advocates need to understand their legal obligations with mandatory reporting and confidentiality requirements
- Creating policies and practices for mandatory reporting requirements can minimize any unintended consequences to victims and promote autonomy and safety

National Clearinghouse on Abuse in Later Life

Video Presenters

14

- Alicia Aikens
Executive Director, Confidentiality Institute
- Bonnie Brandl
Director, National Clearinghouse on Abuse in Later Life
- Rebecca Henry
Deputy Chief Counsel, ABA Commission on Domestic and Sexual Violence
- Ann Turner
Elder Victim Service and Advocacy Coordinator, National Clearinghouse on Abuse in Later Life

National Clearinghouse on Abuse in Later Life

Thank You

15

- Special thanks to Terra Nova Films for the ongoing working partnership with NCALL and the beautiful video production
- www.terranova.org

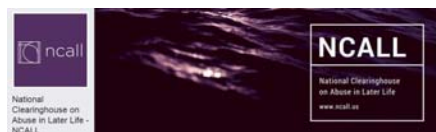


National Clearinghouse on Abuse in Later Life

Staying Connected to NCALL and Other Advocates

16

- Sign up for our newsletter: <http://oi.vresp.com/?fid=03fcc93262>
- Join our listserv for advocates serving older survivors: ncall@ncall.us
- Join us on Facebook: www.facebook.com/ncall.us
- Join us on Twitter: www.twitter.com/ncall_us



National Clearinghouse on Abuse in Later Life

National Clearinghouse on Abuse in Later Life (NCALL)

17

National Clearinghouse on Abuse in Later Life,
a project of End Domestic Abuse Wisconsin:
(Wisconsin Coalition Against Domestic Violence)

www.ncall.us | ncall@ncall.us

608-255-0539



National Clearinghouse on Abuse in Later Life